

## Section 5 - Conduct and Discipline Policies

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### 5.1 Code of Conduct and Business Ethics Policy

#### Intent

The intent of this policy is to communicate the employer's commitment to conducting business in an open and ethical manner and to dictate workplace expectations and outline what the employer has determined to be unethical behaviours.

This document clarifies the responsibilities that the employer and its employees have to each other, to our partners and to our guests. It helps us understand the responsibilities we share, and alerts us to important conduct issues that may arise. You will not find every policy or standard here; however, the basic values and principles by which the hotel is guided are included in this document.

#### Scope

This policy applies to all employees at all times and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

Compliance with local laws and the hotel's policies, procedures and values are not optional. All employees must follow them.

Every employee must report any violations of the Code of Conduct. All personnel are prohibited from taking any action against an employee who reports a concern.

Disciplinary action, including termination of employment, may be taken against any employee who does not adhere to the hotel's Code of Conduct and/or who knowingly makes a false report.

#### Guidelines

The employer has created a workplace built on ethical business practices, trust, accountability, and integrity. It is the responsibility of every employee to maintain this code of ethics by supporting and actively participating in ethical operations in their day to day business.

The employer relies on its employees to always do the right thing to maintain our good name. The vision of the hotel and every employee is to be the best in everything we do, individually and collectively. All employees are to act professionally and with integrity.

The employer will maintain a strict zero tolerance policy against any wrongdoing or impropriety, and will immediately take the appropriate disciplinary action necessary to correct any identified problems.

If a violation of this policy occurs, the employer will use disciplinary measures that reflect the severity of the offence up to and including termination of employment. Punitive measures including legal action may also be pursued.

Each employee should ask questions, raise concerns and report dishonest or improper conduct by employees, representatives, guests or suppliers.

## **Corporate Values**

### Integrity

We are open and trustworthy in dealing with our guests, suppliers, and co-workers.

### Health & Safety

We work safely in a manner that protects and promotes the health and well-being of the individual and the environment.

### Teamwork

We work together in a coordinated effort to achieve our goals.

### Individual Worth

We recognize and respect our individual team members and their contributions.

### Guests

We are committed to providing our guests with exceptional service and will treat them with respect and dignity. We consistently meet the needs of each individual guest with a professional, friendly, prompt, courteous and enthusiastic attitude.

### Excellence

We constantly pursue excellence in everything we do.

### People

We work in an inclusive environment that embraces change, new ideas, and respect for the individual.

### Profitability

We earn sustainable financial results that enable profitable growth.

### Accountability

We are accountable – individually and collectively – for our behaviour, actions and results.

## **Guide to Business Conduct**

### Management Responsibility

All members of management must demonstrate a commitment to the hotel's values through their actions. They must also promote an environment where compliance is expected and valued.

### **Respect and Fair Treatment**

Every employee must respect the people and cultures with whom or which they work. Relationships among employees in the workplace must be business-like and free of any bias, prejudice or harassment.

The hotel gives equal opportunity for employment to all individuals, regardless of their race, religion, colour, national origin, age, sex, sexual orientation or disability. This fair treatment applies to all phases of the employment relationship.

### **Protection and Proper Use of the Hotel's Assets**

All employees should protect the hotel's assets and ensure their efficient use. All hotel assets are to be used only for legitimate business purposes.

### **Harassment**

The hotel does not tolerate any form of harassment. It may take many forms, all of which are unacceptable. Examples of harassment are:

- Jokes, insults, threats and other unwelcome actions about a person's race, colour, gender, age, religion, national origin, disability, sexual orientation, social and economic status or educational background.
- Sexual advances, requests for sexual favours, or other unwelcome verbal or physical conduct of a sexual nature.
- Verbal or physical conduct that upsets another employee's work performance or creates a fearful or hostile work environment.

For additional information on harassment, please see the Workplace Harassment and Discrimination Policy.

A violation of this Code of Conduct may result in disciplinary action including possible immediate termination, without additional warning. Every employee must sign an agreement, promising to comply with all the policies listed in the Code.

### **Reporting Possible Violations of the Code of Conduct**

If you have questions about this code of conduct or concern about a co-worker's conduct, first contact your manager. If you do not feel comfortable doing that, contact one of the following:

- General Manager
- Head Office

## 5.2 Fraud Policy

### Intent

The employer has adopted this policy to ensure the ongoing success of the organization, and to protect the best interests of the organization, staff and clients. The employer is committed to maintaining the highest standards of honesty, integrity and ethical conduct. The purpose of this document is to communicate the hotel's policy regarding the investigation of suspected misconduct and dishonesty by employees, and to provide specific instructions regarding appropriate action in the case of suspected violations.

### Scope

This policy applies to the employer and its employees always and without exception.

Unionized employees shall adhere to their current Collective Agreement for policies governing fraud. Where the Collective Agreement is silent, bargaining members of the employer shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

Fraud, misconduct and dishonesty include, but are not limited to:

- Forgery or alteration of any document or account belonging to the hotel
- Forgery or alteration of a cheque, bank draft or any other financial document
- Theft of funds, securities, supplies, food and beverage inventory, or any other asset
- Irregularity in the handling or reporting of money or financial transactions
- Destruction, theft or inappropriate use of furniture, fixtures and equipment
- Disclosing confidential information to outside parties
- Seeking or accepting anything of material value from vendors or contractors doing or attempting to do business with the hotel
- Any computer-related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes
- Any similar or related inappropriate conduct.

Mechanisms used in the prevention and detection of fraud include, but are not limited to:

- Process monitoring;
- Random auditing;
- Supervision and review;
- Provision of appropriate training for new and existing staff;
- Written policies and procedures;
- Segregation of duties and mandatory annual vacation;
- Reconciliation of accounts; and

- Review of audits and financial records.

In the event an employee encounters or suspects fraudulent activity, they are required to report this information immediately to management. Management, when made aware of such potential acts by subordinates, must immediately report to the General Manager. The report shall be investigated thoroughly and maintained confidentially.

The hotel strictly forbids any reprisal against any employee who reports a suspected fraudulent activity.

Employees shall not attempt to investigate a suspected fraud or discuss the matter with anyone other than the person to whom the fraud was reported.

An allegation of fraud is a serious matter. Employees who knowingly make false allegations will be subject to discipline up to and including termination.

## 5.3 Attendance Policy

### Intent

The objective of this policy is to address and/or correct absenteeism and attendance issues before they become counterproductive and/or disruptive to the company.

### Scope

This policy applies to all employees always and without exception.

Unionized employees are requested to refer to their current Collective Agreement for specifics concerning attendance. Where a Collective Agreement is silent on the issue, this policy shall dictate attendance requirements for unionized employees. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

The employer places a high value on attendance and punctuality, and expects all employees to arrive at work on time every day they are scheduled.

Every role is essential to the successful operation of our hotels; therefore, punctuality and attendance are vital to ensuring the successful operations of the company. The employer requires employees to report to work 10-15 minutes prior to the beginning of their shift in order to properly familiarize themselves with the events of the day and to receive any updated instructions that will be relevant during their shift.

In order to help ensure employees arrive on time for their scheduled shifts, management will make certain that weekly schedules are posted at least 48 hours in advance of the employee's first scheduled shift of the week. Should an employee wish to make a request for day(s) off they are required to fill out a request form and deliver it to their department manager before the posting of the schedule. Management will do their best to accommodate all requests; however, there may be times where these requests may not be granted due to staffing coverage and scheduling difficulties.

It is expected that employees will be in uniform and ready to work prior to signing in at the beginning of their shift.

The sign in/out system is called Advance Tracker and is in the staff room of each property. Management will ensure each staff member is set up in the system and receives adequate training to enable them to use the tracking system. Employees who encounter difficulties signing in or out are requested to notify the on shift manager immediately. It is the responsibility of each employee to ensure that they are signed in and out.

The employer considers an employee absent if he or she does not attend work as scheduled, regardless of cause.

1. Each employee is responsible for notifying management when an absence occurs, regardless of cause and is also responsible for reporting when he or she is likely to return to work. Absences without excuse will not be tolerated and are subject to progressive corrective action up to and including termination.
2. An employee who does not intend to report to work because of illness, or any other reason must notify his/her on-shift manager a minimum of three hours prior to their scheduled starting time. Failure to provide required notification of any absence whatsoever may result in disciplinary action.
3. Employees who anticipate being late for work must inform the on-shift manager immediately upon becoming aware that they will be late.

4. Employees who are absent for more than three consecutive days are required to submit a note from a licensed physician or medical practitioner stating the nature of the illness and/or medical condition that led to the absence. Employees absent due to a work-related illness or injury may be required to submit to a physical examination before returning to work.
5. Any employee who remains absent for more than three consecutive shifts without contacting the company, shall be considered as having abandoned their shift and resigned his or her position.
6. Any employee who has been absent due to illness or injury for more than 10 days per calendar year shall have their attendance record reviewed; he or she may be required to submit a physician's note or other medical evidence to validate additional sick days for that year.
7. Abuse of sick days will not be tolerated. Management has been instructed to remain vigilant in the following sick leave patterns:
  - Absence on weekends where the employee is scheduled to work.
  - Absences the day before and/or the day after scheduled vacation day(s) or statutory holiday(s).
  - Absences the day immediately following a pay day.
  - Situations where the absence(s) coincides with requested days off that were not granted.
8. Unexcused and/or unauthorized absences will result in the employee forfeiting his or her pay for the duration of the absence.

Each department is required to accurately maintain its own set of attendance records. Management will periodically examine these records to ensure that attendance issues do not continue unabated.

Disciplinary action for excessive absenteeism, poor attendance, or other violations of this policy shall be administered per the Progressive Discipline Policy.

**RELEVANT DOCUMENTS:**

Progressive Discipline Policy

Employee Leave Policy

## 5.4 Dress Code & Personal Hygiene Policy

### Intent

The employer requires all employees to present themselves in a professional manner, with respect to clothing, personal hygiene and appearance. These standards commensurate with our organizational practices of appropriate business conduct and professionalism.

### Scope

This policy applies to all employees always and without exception.

To ensure consistency and equality, the employer will attempt to include dress code requirements of current Collective Agreements. Unionized employees are requested to refer to their current Collective Agreement for specifics concerning dress code and personal hygiene. Where a Collective Agreement is silent on the issue, this policy shall dictate dress code and personal hygiene requirements for unionized employees. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

Employees are expected to adhere to established hygiene requirements which ensure that employees are presenting themselves to our guests appropriately and that the employer is being properly and professionally represented as an organization. The following hygiene requirements are applicable to all employees:

- Maintain personal cleanliness by bathing regularly.
- Oral hygiene (brushing of teeth) required.
- Use deodorant/antiperspirant to minimize body odours.
- No heavily scented perfumes, colognes and lotions. These can cause allergic reactions, migraines and respiratory difficulty for other employees and guests.
- Clean and trimmed fingernails ( $\frac{1}{4}$  inch long or less).

Employees are expected to consult their manager for specific wardrobe requirements pertaining to their location and hotel of employment. The following minimum guidelines pertaining to appearance must be adhered to by every employee regardless of location of employment:

- Clothing must be clean, pressed, in good condition and fit appropriately.
- Socks or pantyhose/tights must be worn with shoes and match the colour of the pants or shoes.
- Open toe shoes are not permitted. Wearing high-heeled shoes is not recommended.
- Neat and groomed hair, sideburns, moustache and beards (no extreme artificial colours). Departmental grooming policies supersede this policy.
- Long hair must be tied back and away from the face if operating equipment or working in a food and beverage department.
- Clothing must not interfere with the operation of equipment.
- Limited jewellery and no dangling or large hoop jewellery that may create a safety hazard. A general rule of thumb is that if a pencil can be passed through a hoop earring it is not safe to wear near operating equipment.



- Commonly accepted body piercings are allowable, but acceptance is at the discretion of an employee's direct report.
- Tattoos that are perceived as offensive, hostile or that diminish the effectiveness of the employee's professionalism must be covered and not visible to staff, customers or guests.
- Uniforms will be supplied to employees required to wear them, and they will be laundered and kept in proper repair by the employer at no charge to the employee.

The following items are not permitted to be worn on-shift by employees:

- Sweat or jogging pants
- Sleeveless shirts
- Pants that expose the midriff or underwear
- Leggings
- Shorts
- Low-cut tops
- Halter tops
- Spaghetti strap tops
- Tops that expose the midriff or underwear
- Any form of clothing that is mesh, sheer, see-through, torn or otherwise revealing
- Any form of clothing that is generally offensive, controversial, disruptive or otherwise distracting
- Any form of clothing that is overtly commercial, contains political, personal or offensive messages
- Flip-flops or sandals

It is within management's discretion to send an employee home (without pay) to change if they arrive to work in what is deemed to be inappropriate attire.

## 5.5 Conflict Resolution Policy

### Intent

This policy is intended to provide employees with an outlet to raise concerns regarding any conflict in the workplace or dissatisfaction with respect to issues related to their employment. Under no circumstance should any employee fear discrimination or reprisal in the workplace because of filing a complaint.

### Scope

This policy applies to all employees always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

The employer is committed to providing a workplace free of conflict, where employees are treated with fairness, dignity and respect. The following conflicts should be reported to management who will strive to address them in a timely manner with reasonable resolutions:

- Disputes with co-workers or management with unwanted or unresolved consequences.
- Perceived unfair or inequitable treatment.
- Harassment whether sexual, discriminatory, or personal in nature.
- Abuse of authority.
- Conditions regarding employment, or tangible job actions such as:
  - Wages
  - Working conditions
  - The administration of company policies
  - Perceived unfair or inequitable treatment
  - Written or final warnings
  - Demotion
  - Termination

*Please note that conflicts relating to workplace harassment (sexual or racial) should be reported as outlined in the Workplace Anti-Harassment/Bullying Policy.*

Employees are encouraged to discuss unwanted behaviour or actions with the offending party as the situation dictates. Where the employee does not feel comfortable speaking directly with the individual about the issue, or the matter concerns their manager, then they are requested to seek guidance from another member of the management team.

If a discussion is not feasible or fails to reach a reasonable resolution, a formal complaint may be filed with the general manager and the formal conflict review process will be initiated as detailed below.

Complainants should record the details of the unwanted circumstance(s), the names of any applicable witnesses, and any attempts made to resolve the issue.

Formal complaints must be submitted within 10 business days from the date of the alleged incident(s) and will be reviewed and investigated with a written response to the complainant being provided within a reasonable timeframe (usually 10 business days from receipt of the formal complaint). The written response will indicate the process that will be followed to resolve the issue. In all cases where formal complaints have been lodged, it is important to maintain a policy of strict confidentiality.

### **Employees**

- Are required to fully comply with the Conflict/Dispute Resolution Policy.
- Shall be treated fairly throughout the process, as either a complainant, or alleged offending party.
- Shall be responsible for maintaining confidentiality regarding their involvement, and the complaint itself.
- Shall co-operate with any investigations in relation to complaints.

### **Management**

- Shall be responsible for enacting preventative measures to ensure a fair and equitable workplace, and for the communication of policy and procedures and performance expectations.
- Shall promptly address all formal complaints regarding harassment or discrimination pursuant to the company's Workplace Anti-Harassment/Bullying Policy.
- If the complainant and the offending party are engaged in a subordinate-supervisor relationship, management will physically remove the parties from working together on a temporary basis, and may require a longer-term change in their reporting relationship.
- Will investigate any complaints, claims and documentation therein.
- Will attempt to reach a reasonable resolution to the conflict.
- Will inform the complainant and the offending party of possible resolutions available.

If a complaint is substantiated and a reasonable solution through mediation is not possible, the following disciplinary actions may be taken for the offending party based upon the specifics of the situation:

- Verbal warning/reprimand.
- Written warning/reprimand.
- Transfer or demotion, and in some instances both a transfer and a demotion.
- Introduction of a performance improvement plan (PIP).
- Education and training.
- Suspension.
- Termination of employment.

If a complaint is not substantiated due to lack of evidence or other reasons, both parties shall be informed of the rationale used to reach the decision. The complainant shall be notified first. A complainant may request that the investigation be re-opened if pertinent new evidence can be provided, or a reprisal due to the allegation has occurred.



The employer shall keep in the employee's personnel file all formal complaints, accompanying documentation and the findings of any investigation.

Employees should be cognizant of the fact that a formal complaint against another employee is a serious allegation with the potential for repercussions. Where a complaint is found to be either false or frivolous, or where supporting documentation for a complaint has been falsified, the complainant and/or witness may be subject to disciplinary measures up to and including termination of employment.

Anonymous complaints will not be reviewed nor shall complaints submitted on behalf of an affected employee. Employees are required to assume responsibility for their own concerns within the workplace.

The employer cannot guarantee that an employee's specific complaint will be resolved in the manner that they request, or that they will be satisfied with the resolution; but management can assure a fair and ethical process.

## 5.6 Conflict of Interest Policy

### Intent

The employer has adopted this policy to ensure that our business interests are protected and employee productivity is maintained through the mitigation of potential and perceived conflicts of interest.

### Scope

This policy applies to all employees always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where a Collective Agreement is silent on the issue, this policy shall dictate conflict of interest procedures for unionized employees. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

The employer generally allows employees to pursue secondary employment when such employment causes no adverse effects to the employee's performance at the employer; when the secondary work is performed before or after the employee's regularly scheduled working hours; and where the secondary work does not create a conflict of interest.

- Any employee that wishes to work part-time, or for any amount of time before or after their regularly scheduled work with the company should discuss the matter with their manager prior to their acceptance of a secondary employment offer.
- The employee may be required to disclose information pertaining to the proposed secondary employment to allow the employer to review the situation. The review will simply ensure that there is no conflict of interest.
- To ensure the safe-keeping of our trade-secrets and confidential information, employees are strictly prohibited from seeking secondary employment with any organization that competes either directly or indirectly with the company, or who conducts business that is like the employer's. This requirement is in keeping with the employer's employment contracts and agreements.
- Advance written permission to have additional employment with any organization that conducts business with the employer, its suppliers, or dealers must be obtained from management. Failure to obtain advance written permission may result in disciplinary action, up to and including termination of employment.
- Due to the health and safety risks associated with fatigue, the employer encourages employees to have eight consecutive hours free from work for rest, prior to reporting for regularly scheduled work with the employer.

If any employee has reason to believe that a conflict of interest has occurred or is possible, it is their duty to report the situation to their manager. Employer policies strictly prohibit any retaliation for fulfilling this obligation.

- Employees should avoid any interest, investment or association that creates a conflict of interest.
- Employees should avoid the creation of any personal, direct or indirect interest or relationship with any organization that competes with the employer, or provides products and/or services to it.

Managers are directed to take all appropriate steps to prevent and stop conflicts of interest in their areas of responsibility. Any manager who is subject to, witnesses, or is given written or verbal complaints of a conflict of interest shall work to minimize or eliminate the issue at hand. If this is not possible with the available resources, the manager is required to report the conflict of interest to the general manager of their hotel.

The employer seeks to resolve claims of conflicts of interest as expediently as possible. Investigations shall be conducted and the appropriate actions taken no later than ten business days following the filing of a complaint.

Addressing complaints shall be accomplished through the following methods:

- Determining whether a reported act is indeed a conflict of interest.
- Resolving the conflict of interest.
- Administering punitive or corrective actions as appropriate.
- Administering punitive actions if allegations were knowingly falsely made.
- Updating the policy for any new conflict of interest situations.

After an investigation, a written report will be prepared which will include a statement of findings and a determination of whether this policy has been violated. The report shall be presented for review to law enforcement officials or legal counsel, as necessary. The employer will keep the report for a minimum of seven years specifically to ensure it is available for any administrative or legal actions pending.

This policy encourages employees to report any conflicts of interest encountered in their employment with the organization. Retaliation against the complainant is strictly prohibited and will result in appropriate disciplinary action. Retaliation by the respondent, or anyone acting on behalf of the respondent, against any witness providing information about a conflict of interest report, is also strictly prohibited. Acts of retaliation include, but are not limited to, interference, coercion, threats and restraint.

This Conflict of Interest Policy will not be used to bring fraudulent or malicious complaints against employees. Any complaint made in bad faith, if demonstrated as being such through convincing evidence, will result in disciplinary action up to and including termination of the individual lodging the fraudulent or malicious complaint.

## 5.7 Duty to Report Policy

### Intent

The employer is committed to integrity and ethical behaviour in the workplace, and will foster and maintain an environment where employees can work safely and appropriately, without fear of retaliation.

This policy has been adopted to ensure that all employees understand that they may report any wrongdoing that may adversely impact the employer, guests, shareholders, employees, investors, or the public at large, without fear of retaliation or concern that making a report will negatively impact their employment status. Reports of workplace wrongdoing may be made to management anonymously.

### Scope

This policy applies to all employees always and without exception.

Unionized employees are requested to refer to their current Collective Agreement for specific information pertaining to their duty to report. Where a Collective Agreement is silent on the issue, this policy shall dictate duty to report requirements for unionized employees. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

Individuals who believe they have witnessed an act or acts of wrongdoing should report the incident(s) immediately to management. Any delays in reporting acts of wrongdoing can make the case more difficult to establish. However, the employer is aware that timely responses may not always be possible so individuals who believe that they have witnessed workplace wrongdoing should lodge a complaint within one week following an alleged incident. Under extreme circumstances, this timeline may be extended to one month at the request of the complainant; however, it is the responsibility of the complainant to show good reasons for this extension.

It is a violation for anyone to knowingly make a false complaint of wrongdoing or to provide false information about a complaint. Individuals who violate this policy are subject to disciplinary and/or corrective action, up to and including termination of employment.

Management is directed to take all appropriate steps to prevent and stop wrongdoing in their areas of responsibility. Management representatives who are subjected to, witness, or are given written or oral complaints of wrongdoing or retaliation shall immediately report it to their general manager. General management will report directly to the President. Delays in reporting may be unavoidable in some circumstances (to be determined on a case-by-case basis) but should occur as soon as possible.

This policy encourages employees to freely express their thoughts, opinions, and feelings regarding workplace wrongdoing. Retaliation by the respondent or anyone acting on their behalf, against the complainant or a witness is strictly prohibited and will result in appropriate disciplinary action. Acts of retaliation include, but are not limited to, interference, coercion, threats, and restraint.

Once a complaint has been made to management, a confidential meeting will be held to determine the facts from the complainant's perspective. During this discussion, management will explain all options available to the complainant. If the complainant wishes to proceed further with his or her complaint, the complainant must then provide a written statement regarding the alleged workplace wrongdoing.

Management may notify the respondent of the complaint, keeping all such communication confidential. Management may then implement whatever steps necessary to create an informal resolution that is acceptable to both the complainant and respondent.

Management is responsible for:

- Determining the validity of allegations of wrongdoing or retaliation.
- Determining whether a reported act is indeed wrongdoing.
- Administering punitive or corrective actions if allegations are true.
- Administering punitive actions if allegations were knowingly falsely made.
- Ensuring the completed report is put into the employee's files and,
- The appropriate policy is updated to prevent a reoccurrence.

In more serious work place wrong doings, the respondent will have two working days to respond, in writing, to the allegation. The respondent's statement must provide specific responses to each complaint, either admitting, denying, or explaining the allegations against them. The respondent must sign his or her statement, which will then be attached to the original complaint.

If a formal hearing is warranted, it will be held within ten business days after receiving the formal complaint. Dependent on the outcome of the hearing, external parties (police, lawyer) may become involved in the matter. Where necessary, investigations will be conducted, and the appropriate actions taken no later than ten business days following the filing of a complaint or at the completion of the investigation, whichever is sooner.

Wherever and whenever investigations are conducted, this policy asserts that complainants and respondents have certain rights including, but not limited to:

- Receiving written notice of the allegations (where permitted by law).
- Having a thorough and objective investigation properly completed.
- Receiving a copy of the report after the investigation (where permitted by law) which will include a statement regarding all findings that have been proven, and a statement of decision on whether the policy has been violated. The report shall be presented for review to any/all authorities and/or legal counsel, as appropriate.

The employer will do everything it can to protect the privacy of the individuals involved and to ensure that the complainant and the respondent are treated fairly and respectfully. The employer will protect this privacy so long as doing so remains consistent with the enforcement of this policy and adherence to the law.

Upon concluding that an instance of workplace wrongdoing has indeed occurred, the respondent will be subject to disciplinary action, which may result in suspension of duties, or termination of employment and possible legal action depending on the severity of the action. Disciplinary actions imposed by management will be determined based on the facts of each case and the extent of harm to the employer's staff, interests, property and business goals.

Records of all formal and informal resolutions, hearings, and reviews will be kept in the personnel files of the employees involved in the investigation. The records will only be available to managerial members of the appropriate department, and only in the following circumstances:

- When determining an appropriate disciplinary action for a complaint of a subsequent wrongdoing.
- When a respondent is a candidate for promotion to a supervisory position.
- When a complaint against retaliatory action is made.



- When a decision or resolution is reviewed.

Any records concerning employees will be maintained in accordance with all applicable laws and regulations. Both the complainant and the respondent are eligible to obtain copies of hearings or of their own statements made throughout the course of the remediation process.

## 5.8 Confidential Business Information and Intellectual Property Policy

### Intent

The employer has adopted this policy to clarify the proprietary rights pertaining to business information and intellectual property.

### Scope

This policy applies to all employees always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Definitions

Intellectual Property – means trade secrets, computer software, confidential information, inventions, designs, copyrightable works and trademarks.

Confidential Information – means all non-public information of the brand, including without limiting the generality of the foregoing: the source code, object code, notes, working papers and files in any form that the employee creates on his own or in cooperation with others in the course of his/her employment in the hotel, non-public information relating to software, hardware or other products whether such products are released, unreleased or demonstration versions; non-public product marketing information, financial information, pricing information, business plans, business methods and business practices; identities of the brand's clients (including client lists), suppliers and licensors and information about relationships with the brand's clients, suppliers and licensors; information received from a third party that the brand is obligated to treat as confidential; all written information which is marked as confidential or proprietary by the brand and all oral information which is identified as confidential or proprietary by the brand.

*Any information relating to the company that is freely in the public domain may not be considered "confidential business information". If an employee can prove that information was possessed before it was received from the employer, or that information was gained from an unrelated third party, said information will not be classified as "confidential business information".*

It is understood that employees may become aware of company trade-secrets and proprietary material through the course of their employment with the company. It is further understood that such information may have a significant relationship with the competitive edge that the employer maintains. Upon hire, each employee will be required to sign an employment contract with the organization including a non-disclosure and non-compete agreement. Employees agree that if the company's trade secrets and proprietary material are not effectively protected, the operation of the employer's brand may be threatened, and the company may subsequently suffer significant and irreparable losses in the marketplace.

All employees are required to keep all proprietary information and relevant trade-secrets of both the company and its customers confidential both during and after their term of employment with the company. It is also expected that employees will not compete with the company during their employment and for a reasonable period following the termination of their employment.

To protect confidentiality, the employer shall retain ownership rights to all information created for business purposes, regardless of the media used to create it, or the location of said information. Similarly, the employer retains ownership

rights to all forms of intellectual property created by employees while working for the employer, regardless of the time, intent or location of its creation.

Employees shall not divulge, disclose, provide or disseminate business information to any third party at any time, unless the employer gives written authorization. Furthermore, business information shall not be used for any purpose other than its reasonable use in the normal performance of employment duties.

All business is intended to be performed using employer owned and operated property, including computers, telephones, letter-head, laptops etc. All information contained in, created or transmitted by employer owned and operated property is the sole property of the company.

Employees are prohibited from using personally owned equipment or property for the creation, transmission or storage of company business information.

If an employee creates, stores or transmits company business information on personally owned property, including, but not limited to, laptop computers, desktop computers, mobile telephones, memory cards, notebooks, PDAs, or loose-leaf paper, etc., the business information will remain the express property of the employer.

The employer reserves the right to inspect and/or audit the property of employees while on premise, where it is either known that they use personally owned property for the purposes of conducting company business, or where it is reasonably suspected that such properties contain company business information. These inspections/audits may be conducted at any time, with or without notice. These inspections/audits are not intended as a punitive measure and are used only for the protection of the employer's business interests.

Upon retirement, resignation, layoff or termination, employees shall promptly return, without duplicating or summarizing, all material pertaining to the employer's business that is in their possession including, but not limited to: all customer lists, physical property, documents, keys, electronic information, storage media, manuals, letters, notes and reports.

If a device containing company business information is password protected, the employee will be required to provide the correct user name and password for the device.

### **Intellectual Property**

- Employees agree that any work they have created, or assisted in the creation of, at the behest of the employer including but not limited to, software, sales materials, user manuals, training materials, and any written or visual work constitutes work made for hire, and that the employer therefore holds the rights to said works.
- Employees cannot reproduce or publish these works, unless it is necessary to comply with normal employment duties.
- Employees agree that any inventions, discoveries, technology or ideas developed while under the employ of the employer are owned by the employer.
- Employees must sign all assignments and documents intended to establish the employer's ownership of the invention, discovery, technology or idea.
- Employees must permit the employer to obtain and retain patents, copyrights, trademarks and other indications of ownership without any further claim towards the discovery, technology, invention, or idea.
- If an employee has developed any technology, invention, discovery or idea prior to employment with the employer, they are required to report, and claim ownership of it before their employment begins.

## 5.9 Anti-Theft

### Intent

This policy is intended to communicate the seriousness with which the employer handles reports of theft and will provide reporting guidelines, anti-theft measures and disciplinary measures to be utilized by the company for substantiated claims.

### Scope

This policy applies to the employer, its employees, contractors, volunteers and any individual acting on behalf of the employer always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Guidelines

The employer will not tolerate the theft of property whether it is physical, intellectual, or the property of an employee or a visitor on the premises. Theft is a criminal offence and a serious violation of the employer's standards of conduct and will result in either immediate suspension or termination of employment and possible criminal prosecution.

Theft affects everyone; it increases costs, decreases morale and threatens overall feelings of safety. Additional expenses related to product replacement, investigations, surveillance materials, and ensuing audits reduces funds that could otherwise be available for enhancements to benefits, training allowances, salaries and improvement to property, as well as for charities and other worthwhile programs.

The employer has a zero-tolerance policy towards theft. Any employee, visitor, contractor or guest that is found to have violated this Anti-Theft Policy will be prosecuted to the full extent of the law, and if employed by the company, will be subject to immediate suspension or termination with cause and without compensation.

When dealing with an allegation of theft, the action taken will depend upon the nature of the concern and may be subject to an internal investigation by management or an internal audit, and/or, the involvement of the police.

#### **The investigation will give due consideration to the following:**

- Resources required to investigate the allegation;
- Legal status of the allegation (i.e. theft, breach of procedure);
- Internal disciplinary procedures;
- Level of evidence required;
- Protection of data and documents;
- Minimizing the effect on the employer's day to day business operations;
- Recovery of any lost funds and minimizing the potential for further loss;
- Review of any organizational improvements required to prevent reoccurrence.

Any employee who witnesses a theft or has reasonable suspicion that a theft has taken place is required to report the incident(s) immediately to their on-shift manager. All reports will be treated as strictly confidential and the informant will be protected from reprisal.

Failure to report any incidences of theft will be viewed as both gross negligence of duties and potentially as an accessory to the crime, and will be subject to legal, punitive or corrective action.

### **Anti-Theft Measures**

#### Surveillance

The employer utilizes security cameras, computer surveillance and email and internet tracking to protect our employees and corporate physical and intellectual properties.

#### Security Identification

All employees are required to wear appropriate corporate name badges to provide a visible method of identification, such that our employees and security staff can readily recognize the presence of intruders and potential threats to the workplace.

#### Auditing for Fraud and Theft

The employer shall perform random audits that focus on high-risk areas of fraud. The audits are designed to reduce fraud and theft and the associated loss of revenue. The following areas will be subject to random audits:

- Expense reports
- Electronic data
- Payroll
- Purchasing
- Sales
- Accounts receivable
- Customer complaints
- Cash
- Inventory

If management receives a report of theft or has a reasonable suspicion that fraud or theft has occurred, the employer reserves the right to inspect and search the employee's personal property (files, electronic media, lockers, desks and cubicles).

### **RELEVANT DOCUMENTS**

Duty to Report Policy

Code of Ethics Policy

## 5.10 Acceptance of Gifts Policy

### Intent

The employer has adopted this policy to avoid any real or perceived conflict of interest that may arise from the acceptance of gifts from clients and guests and/or prospective clients or guests.

### Scope

This policy applies to all employees always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### Definition

Gift – Any item, product or service offered by any current or potential customer, guest or vendor, which may include, but not be limited to: money, services, discounts, meals, tickets to events, favours, or any other physical item that carries a monetary value in excess of \$100.00.

### Guidelines

To maintain ethical standards and to avoid any real or perceived conflicts of interest, employees of the company are prohibited from accepting gifts, money, discounts, meals, tickets to events or favours including a benefit to family members, friends or business associates in return for providing services the company would normally receive payment for. The exception to this policy is the acceptance of promotional gifts or gifts with a monetary value of less than \$25.00 for example, promotional coffee mugs or other company branded items or the occasional working lunch.

Employees are directed to report to their manager any potential conflict of interest, customer attempt to create bias, or offer of a gift with a monetary value more than \$100.00 that occurs in the performance of their regular job duties, or while off-duty, but acting as a representative of the organization. Reports must also be generated for all situations that involve requested attendance at events, receipt of gifts or meals from any vendors or potential vendors or their agents or representatives. The reporting and documentation must include the purpose of the meeting, meal, gift, event etc., and those in attendance.

In the event that any employee receives a gift that carries a monetary value in excess of \$25.00, they are directed to return it to the sender with written acknowledgement of the gift, and politely decline the gift by making reference to the employer's Conflict of Interest Policy unless otherwise discussed with the property specific general manager.

Where the employee is unable to return the gift, the gift must be forwarded to their manager for documentation, and donation for charitable purposes. A letter will be generated and forwarded to the individual or business that provided the gift to inform them of the employer's Acceptance of Gifts Policy and will provide details of the decision to donate the gift to charity.

Employees are encouraged to conduct business during regular office hours, either on premises, or in meetings at a pre-determined client or vendor facility. The employer recognizes that circumstances may arise where employees are required to conduct business over lunch or dinner, where this form of meeting is specifically requested. In these

circumstances, employees are required to report these meetings to their manager to receive authorization for attendance.

Employees are requested to pay for their own meal and submit a business expense form. Employees should not accept complimentary meals from any person or organization that has a business interest with the employer, as this may create a real or perceived conflict of interest.

Employees are prohibited from accepting tickets to, and/or attending cultural, social, charitable, political, recreational, or sporting events at the expense of any customer or vendor with a current business interest in the employer without prior authorization from management.

If any employee is requested by a customer or vendor to attend an event, where this event presents a potential benefit to the employer's business interests, the employee must direct a written request to attend the event to their manager with a detailed rationale for attendance. Where the request receives approval, the employer shall pay the cost of the ticket or entry fee for the event.

If any employee is offered tickets to an event where the party offering the tickets will not be in attendance, or where there is no expectation that business will be conducted at the event, the offer must be politely declined using reference to this policy.

#### **RELEVANT DOCUMENT**

Conflict of Interest Policy

Code of Ethics Policy

## 5.11 Nepotism Policy

### Intent

The employer will strive to ensure that fair hiring practices are always utilized by the organization. To ensure that our organization and its hiring processes are free of any conflict of interest, we have adopted this policy to ensure that nepotism does not occur.

### Scope

This policy applies to the employer, its employees and potential candidates for employment always and without exception.

Bargaining members are requested to refer to their current Collective Agreement for procedures and guidelines pertaining to this policy. Where the Collective Agreement is silent, bargaining members shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

This policy has been developed to incorporate the legislative requirements of Alberta, British Columbia and Ontario and shall be updated accordingly should the employer expand its operations into additional provinces.

### Definitions

- Nepotism - Favoritism granted to relatives or close friends, usually in the form of hiring practices, and employment activities.
- Conflict of Interest – With respect to this policy, a conflict of interest exists when an individual can gain a special advantage due to being a relative or close friend of another employee, or conversely, where the employer is at risk because two or more employees are relatives. In the hiring and employment of relatives, conflict of interest situations include:
  1. Any influence exercised directly or indirectly by an employee in the selection and hiring process in which their friend or relative is a candidate;
  2. A direct or indirect supervisory relationship;
  3. The ability of one family member to influence or exert financial or administrative control over another;
  4. The ability of one family member to influence human resource matters including, but not limited to, performance reviews, preferred work assignments, promotions, reclassifications, disciplinary matters, special leaves, and/or access to additional hours and/or overtime; and/or
  5. Relatives that are employed in positions that establish a real or potential security, confidentiality, or financial risk to the employer.
- Family Member - For the purposes of this policy, immediate family members shall be defined as: Wife, Husband, Mother, Step-Mother, Father, Step-Father, Brother, Step-Brother, Sister, Step-Sister, Son, Step-Son, Daughter, Step-Daughter, Nephew, Niece or any In-Laws.
- Direct Reporting Relationship - A direct reporting relationship occurs when an employee reports directly to a friend or family member who is part of the management team.



- Indirect Reporting Relationship - An indirect reporting relationship occurs when an employee reports to a supervisor and the supervisor reports to a manager; thus, the employee indirectly reports to the manager.

## Guidelines

In accordance with the Human Rights Code of Ontario, British Columbia and Alberta, the employer will not discriminate in its hiring practices on the basis that a person is a relative or close friend of a current employee. To this end, relatives and close friends of employees are eligible for employment if a direct or indirect supervisor/subordinate reporting relationship is not created between such employees.

The employer will ensure fair hiring practices by:

- Ensuring the hiring process is open and equitable, and candidates are selected in accordance with the employer's hiring-related policies;
- Accepting applications from, and considering a member of an employee's immediate family and close friends for employment if the candidate has all the requisite qualifications;
- Not directly or indirectly influencing the selection and hiring process in which their relative and/or close friend is a candidate;
- Having managers exclude themselves from any hiring process where their relative and/or close friend is a candidate;

If a real or perceived conflict of interest arises due to marriage/cohabitation, or if two or more related employees work in a situation where there is a real or perceived conflict of interest:

1. The employees will notify their manager of the situation.
2. The manager will work to assess the situation and determine whether there is a real or perceived conflict of interest. If there is a real or perceived conflict of interest, head office and/or the general manager will be informed.
3. Head office and the general manager, in consultation with the employee's immediate manager will make reasonable efforts to investigate suitable options for both employees.

If two related employees or two employees in a relationship are working in a real or perceived conflict of interest and fail to notify their manager, they may be subject to disciplinary action. If a manager has knowledge of a relationship between two employees where a real or perceived conflict of interest exists, the manager will address the concern with the employees and then notify the general manager. If the manager fails to notify the general manager, the manager may face disciplinary action.

## RELEVANT DOCUMENTS

Recruitment Policy

Conflict of Interest Policy

Employee Relationship Policy

## **5.12 Employee Relationship Policy**

### **Intent**

The purpose of this policy to communicate the expectations for professional conduct with respect to employees who are in a personal relationship with a colleague.

### **Scope**

This policy applies to all employees and is effective once a romantic relationship begins between two employees. The employer appreciates that the workplace is a common place to meet and begin a relationship but expects a certain amount of decorum surrounding such relationships.

Unionized employees shall adhere to their current Collective Agreement for policies governing employee relationships. Where the Collective Agreement is silent, bargaining members of the employer shall refer to the contents of this policy. In situations where the directions of this policy cover issues also in the Collective Agreement, the Collective Agreement will be the final authority.

### **Guidelines**

Employees engaging in romantic relationships and employees that become married or live in the same household may continue their employment with the employer provided that there is neither a direct or indirect managerial/subordinate relationship between the employees, or a conflict of interest, real or imagined, created as a result of the relationship.

If either a managerial/subordinate, or conflict of interest issue arises, the employer will work with the employees to accommodate them in a reasonable fashion. Possible resolution may require one of the employees to transfer to another position within the company. If this is not possible, one of the employees may be required to resign and seek employment elsewhere.

It is expected that employees that are in a romantic relationship with a colleague will always conduct themselves in a professional manner. Failing to do so will result in disciplinary action up to and including termination of one or both parties.

### **RELEVANT DOCUMENT**

Recruitment Policy

Conflict of Interest Policy

Nepotism Policy