

Human Rights and Accommodation Policy

Intent

Commport is committed to providing equal rights and opportunities to all employees. The Company takes all reasonable measures to ensure employees and job candidates are treated with dignity and respect, are free from discrimination in the workplace, and receive reasonable accommodation where appropriate.

Definitions

Discrimination: Any form of unequal treatment based on a prohibited ground. Discrimination can be direct or indirect, intentional, or unintentional, but in all cases has the effect of disadvantaging an individual or group.

Harassment: Engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcome. Harassment can also include a single, severe incident.

Reprisal: Actions or threats intended to retaliate against an individual for claiming or enforcing a right under Ontario's *Human Rights Code*.

Sexual harassment: Harassment that is based on sex, sexual orientation, gender expression, or gender identity. Sexual harassment includes where an employee in a position of power makes a sexual solicitation or advance or threatens reprisal if a sexual solicitation or advance is rejected.

Guidelines

Commport is responsible for ensuring a healthy and inclusive work environment. This policy outlines the Company's commitment to a discrimination-free environment, including how requests for accommodation and complaints of discrimination are investigated and addressed.

Prohibited Grounds

In accordance with Ontario's *Human Rights Code*, Commport prohibits discrimination and harassment based on any of the following grounds, or a combination of these grounds:

- Age
- Ancestry
- Citizenship
- Colour
- Creed
- Disability (mental or physical)
- Ethnic origin
- Family status
- Gender expression
- Gender identity
- Marital status
- Place of origin
- Race
- Record of offences
- Sex
- Sexual orientation



Commport further prohibits sexual harassment. We are committed to ensuring a workplace free from unwelcome sexual advances, including from those in a position of power or authority in the Company, in line with our Workplace Violence and Harassment Policy.

Reprisal against any employee who makes a good faith complaint about discrimination or harassment on any of these prohibited grounds, including sexual harassment, is prohibited, whether or not the complaint is found to be valid.

Accommodation

Commport acknowledges that, in some cases, employees must be treated differently to receive equal benefit and opportunity as their colleagues. The Company is committed to providing accessibility across all stages of the employment cycle.

A need for accommodation may arise from any of the prohibited grounds listed above, and may relate to hiring, job duties or other Company policies and procedures. Accommodation will be provided when it is necessary and reasonable, to the point of undue hardship, and may not reflect an employee's preferred accommodation measure. Accommodation may be temporary or permanent, partial, or full, depending on the circumstances.

Procedures for Requesting Accommodation

The Company will consider any request for accommodation arising from a prohibited ground that is made by an employee or job candidate. Requests for accommodation must be made to Human Resources via e-mail at humanresources@commport.com as soon as possible. Requests for accommodation will be disclosed to individuals on a need-to-know basis and only as necessary to investigate or implement the request.

As soon as possible upon receipt of an accommodation request, Commport will open a dialogue with the employee and other individuals as necessary, such as healthcare professionals or third parties. This is a consultative process, intended to ensure that accommodation measures are effective, mutually agreeable, and do not result in discrimination against other protected employees.

The employee has a responsibility to participate in the accommodation dialogue. If an employee fails to participate in the accommodation dialogue, the Company will use the information provided and determine the accommodation measures to be applied, if any.

Commport may require medical or other supporting documentation as permitted by law to consider an accommodation request. Employees must comply with requests for information from the Company.

Accommodation Dialogue and Shared Responsibility

The accommodation process is a shared responsibility. Everyone involved should co-operatively engage in the process, share information, and consider potential accommodation solutions.

Commport is required to:

- be alert to the possibility that a person may need an accommodation even if they have not made a specific or formal request;
- accept the person's request for accommodation in good faith, unless there are legitimate reasons for acting otherwise;
- get expert opinion or advice where needed (but not as a routine matter);



- take an active role in ensuring that alternative approaches and possible accommodation solutions are investigated, and canvass various forms of possible accommodation and alternative solutions;
- keep a record of the accommodation request and action taken;
- maintain confidentiality;
- limit requests for information to those reasonably related to the nature of the limitation or restriction, to be able to respond to the accommodation request;
- implement accommodations in a timely way, to the point of undue hardship; and
- bear the cost of any required medical information or documentation (for example, the accommodation provider should pay for doctors' notes, psychological assessments, letters setting out accommodation needs, *etc.*).

The person with a disability is required to:

- make accommodation needs known to the best of their ability, preferably in writing, so that the person responsible for accommodation can make the requested accommodation;
- answer questions or provide information about relevant restrictions or limitations, including information from health care professionals, where appropriate and as needed;
- take part in discussions about possible accommodation solutions;
- co-operate with any experts whose assistance is required to manage the accommodation process or when information is needed that is unavailable to the person with a disability;
- meet agreed-upon performance standards and requirements, such as job standards, once accommodation is provided; and
- work with the accommodation provider on an ongoing basis to manage the accommodation process.

Medical Information (Accommodation)

Employees may experience medical circumstances that result in an inability to perform their assigned duties, or an inability to perform their duties to their usual standard. Employees who require accommodation for medical reasons must request it pursuant to the Company's Human Rights policy.

Where accommodation is requested because of medically required limitations on an employee's functional abilities in the workplace, Commport may require employees to provide medical information in accordance with this policy.

Source of Medical Information

Medical information must be provided by a healthcare professional, such as a doctor, nurse, or physiotherapist.

Where a healthcare professional requires a fee for completing a functional abilities form or letter at Commport's request, the fee must be communicated to the Company and authorized by Human Resources before the form or letter is completed. Upon approval, the Company will reimburse the employee for the required fee from the healthcare professional. A receipt must accompany a completed Expense Reimbursement form. Commport may require the employee to attend a medical examination by a different healthcare professional if the requested fee is excessive.



Healthcare professionals should provide the completed functional abilities form or letter to the employee, who must then provide it to the Human Resources Manager.

Required Medical Information

Employees are not, under any circumstances, required to disclose diagnostic information related to any illness, disability, or other health condition.

Medical information required by the company is limited to details of how the employee's work-related functional abilities are affected by a medical condition. For example, a functional abilities form/letter may indicate limitations around:

- A need to stand or sit while performing specific tasks;
- Activities requiring senses such as vision or hearing; or
- Non-physical limitations such as scheduling, social or cognitive capacities.

Identified functional abilities limitations must include the prognosis of how long the restrictions are expected to be in place, and the date the restrictions will next be evaluated by the healthcare provider.

The functional abilities form or letter provided must also include the name of the healthcare professional and details of the clinic or office where the services were received, as well as the date the employee was examined.

Follow-Up Information

Commport may sometimes require more information or clarification of what is contained in a functional abilities form or letter. In these instances, the company will communicate with the employee and provide a list of additional questions or clarifications to be addressed by the healthcare professional.

Any fees for follow-up information must be communicated to the employer and authorized by Human Resources before the fee is incurred.

The Company will in all cases communicate directly with the employee and expects the employee to then communicate with their own healthcare professional.

Confidentiality

Information disclosed pursuant to this policy will be kept strictly confidential, pursuant to the Company's Confidentiality policy. It will be used and accessed only to determine appropriate accommodations and only by Commport staff who are directly involved in preparing the employee's accommodation plan.

Medical information will be stored securely on the secured HR drive.



Providing Accommodation

Following the accommodation dialogue, Commport may determine that accommodation is necessary. If so, a written accommodation plan will be provided, which will:

- Identify the need for accommodation and list any supporting documentation received;
- Determine objectives for performance in the employee's role, and potential barriers;
- Examine the options for accommodation and select the most appropriate accommodation, along with the reasoning behind this choice;
- Identify whether accommodation will be temporary or permanent, partial or full;
- Outline any alternative measurements for the employee's objectives for performance, as a result of the chosen accommodation;
- Identify the timeline for implementing the accommodation, as well as any training that will be provided; and
- Provide a timeline for review and revision of the plan based on employee and Company feedback.

If the accommodation being provided will also require an investment in materials, such as purchase of additional equipment or an increased budget for a position, the accommodation plan will be developed in consultation with the HR team.

The employee and the Company may agree that the employee is to be placed in another available position as an accommodation if reasonable accommodation cannot be made in an employee's current position. An employee will not be reassigned to another position as an accommodation measure unless they have the requisite qualifications for the position, are able to perform the tasks associated with the position and agree the position is acceptable.

Denying Accommodation

Accommodation will not be provided where a request does not relate to a prohibited ground, or where it is determined that accommodation is not necessary.

In all other circumstances, Commport will make all reasonable efforts to accommodate employees, up to the point of undue hardship. Undue hardship is reached and accommodation will not be made if:

- No appropriate or reasonable form of accommodation exists;
- Accommodation would create excessive cost to the Company; or
- Accommodation would result in an unacceptable breach of health and safety policies, procedures, or standards, including Ontario's *Occupational Health and Safety Act* (OHSA) as well as Commport's Health and Safety Policy.

Where an accommodation request would result in undue hardship to Commport, we will work with the employee to the greatest extent possible to find a fair and equitable solution.

When an accommodation request is denied, the employee will receive this decision and the reason for the denial in writing.

Human Rights Policy Violations

An employee who believes they have been subject to discrimination contrary to this policy should submit a complaint in writing to Human Resources. The complaint should be made as soon as possible and must include the following information:



- The date and time of each incident you wish to report;
- The name of any person involved in the incident;
- The name of any person who witnessed the incident; and
- A full description of what occurred.

Similarly, any complaints about the accommodation process described in this policy, including the denial of accommodation measures, should be made in writing to Human Resources as soon as possible.

Investigation of Complaints

Upon receipt of a complaint, Commport will complete a thorough investigation. Where there is a real or perceived conflict of interest, or in other circumstances at the Company's discretion, Commport will retain a third-party investigator to complete the investigation.

Commport may determine that appropriate interim measures may be warranted and then applied for the duration of the investigation, such as temporarily placing an employee under the supervision of another department or individual.

After the Investigation

If it is determined upon investigation that violation of this policy has occurred, appropriate disciplinary measures, including termination if appropriate, will be taken immediately.

If it is determined upon investigation that no violation of this policy has occurred, but the complaint was made in good faith, no disciplinary measures will be taken. However, appropriate non-disciplinary measures, such as training, may be provided to assist the employee.

If it is determined upon investigation that an employee knowingly made false statements regarding violation of this policy, including intentionally filing a false complaint, disciplinary action may be taken. Disciplinary action may include termination, if appropriate.

All information received or produced during an investigation is considered confidential and will not be disclosed to anyone except as necessary to resolve the complaint and to the extent required by law.

No Reprisal

Commport will not retaliate or permit retaliation by other employees against any employee who files a complaint under this policy or participates in good faith in an investigation.

Human Rights Tribunal of Ontario

Nothing in this policy prevents or precludes an employee filing a complaint with the Human Rights Tribunal of Ontario or any other legal body.