

Goldcorp Inc.

ANTI-HARASSMENT POLICY AND PROGRAM

Policy

The management of Goldcorp Inc. is committed to providing a work environment in which all individuals are treated with respect and dignity.

Workplace harassment will not be tolerated from any person in the workplace. Everyone in the workplace must be dedicated to preventing workplace harassment. Managers, supervisors, and workers are expected to uphold this Policy, and will be held accountable by the company.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Harassment may also relate to a form of discrimination as set out in the Ontario *Human Rights Code*, but it does not have to. Under the *Human Rights Code*, every employee has a right to freedom from harassment in the workplace because of the employee's sex, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability.

The "workplace" is considered to include the location at which the worker works, as well as the place at which company social functions are held, the location of conferences, and anywhere else where workers are working on Goldcorp business.

This Policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace. For instance, the conducting of performance reviews, or the imposition of discipline or performance improvement plans will not normally be considered harassment.

Workers are encouraged to report any incidents of workplace harassment, or to file a complaint. Details of how to report harassment are set out below in the Program.

Management will investigate and deal with all concerns, reports, complaints, or incidents of workplace harassment in a fair and timely manner while respecting workers' privacy as much as possible.

A worker who has been the victim of harassment retains the right to exercise any other legal avenues that may be available. Bargaining Unit employees retain all rights under the Collective Bargaining Agreement.

Chris Cormier, Mine General Manager

Signed: _____

Date: _____

Note: The Workplace Violence Policy should be consulted whenever there are concerns about violence in the workplace.

Program

A. Definition of Harassment

As mentioned above in the Policy, harassment is defined as:

engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

There could be circumstances in which a single incident of inappropriate behaviour may be substantial enough to constitute harassment by creating a “poisoned environment”. Even if the comments or conduct are not directed at any one person, someone may still experience a poisoned environment.

Sexual harassment is a particularly prevalent form of harassment and consists of inappropriate comments and actions of a sexual nature or based on a person's gender. Every employee is entitled to be free of personal invitations, advances or sexual solicitations.

B. Examples of Harassment

Some examples of harassment are:

- Persistent picking on people for any reason or without reason
- Emotional tirades, displays of temper, or hostile or insulting e-mails
- Demeaning, belittling or teasing others, or playing jokes or pranks that are unwelcome
- Ostracizing workers
- Speaking to others with a condescending tone
- Sexist jokes causing embarrassment or discomfort
- The display of sexually-offensive material including pornography
- Making derogatory or degrading remarks about a person's sexual orientation
- Unwelcome flirtation, advances, proposals or comments about a person's body
- Unwanted touching or sexual assault

C. Responsibilities of Employees

Employees are responsible for complying with this Policy and Program in their dealings with employees and third parties while in the course of their employment. As mentioned above, this Policy and Program applies to the location at which the worker works, as well as the place at which company social functions are held, the location of conferences, and anywhere else where workers are working on Goldcorp business.

While this Policy and Program are not intended to restrict social interaction between people who work together, all employees, and particularly supervisors and managers, must seek, in their interactions with other workers, to avoid workplace harassment.

D. Making a Harassment Complaint

Employees who have been the victim of harassment are encouraged to:

1. Keep a record of the harassment.
2. Clearly explain to the harasser that the conduct is unwelcome.
3. File a complaint with the **Human Resources Manager**.

E. Investigation Process – Harassment Complaints

Once a complaint has been filed with the **Human Resources Manager**, the following process will apply:

1. The **Human Resources Manager**, or another person designated by the **Human Resources Manager**, will oversee the complaint process and ensure a fair investigation. This person shall be called the “investigator”.
2. The investigator will open a confidential file on the harassment complaint. The file will be kept in a secure place.
3. The investigator will speak or meet with the person filing the complaint (called the “complainant”) to ensure that the investigator understands the substance of the complaint. Bargaining Unit employees may elect to have Union representation present during this process.
4. If, at this or any other stage, the investigator determines that (i) the complaint does not properly fall under this Policy and Program, or (ii) the complaint is trivial, frivolous, vexatious or made in bad faith, or (iii) there is no evidence supporting the complaint, the investigator may, in his or her discretion, dismiss the complaint without conducting an investigation (or, if in the course of the investigation, without investigating further). If the investigator dismisses the complaint, then the complaint process will be considered to have ended.

5. If the investigator determines that it would be appropriate to do so, the investigator may, at any stage, attempt to resolve the complaint on an informal basis without an investigation. If such an informal resolution is achieved, the investigator shall document the resolution, send an appropriate confirmation of the resolution to the complainant and the respondent, and the complaint process will be considered to have ended.
6. The investigator will give the person alleged to have committed the harassment (called the “respondent”) a copy of the harassment complaint or, if the investigator deems appropriate, a document prepared by the investigator that sets out the necessary details of the harassment complaint. Bargaining Unit employees may elect to have Union representation present during this process.
7. The investigator will tell the respondent that he or she has seven (7) days (or such other reasonable period of time, as determined by the investigator) to provide the investigator with a written response to the complaint.
8. The respondent shall provide a written response to the complaint to the investigator within the period specified by the investigator.
9. The investigator shall conduct an investigation. The investigator may, in his or her discretion, decide to engage other Goldcorp managers, Union Executive members or employees (or, if appropriate, outside resources) to assist with the conduct of the investigation. In the course of the investigation, the investigator (and other persons engaged by the investigator) may:
 - (a) require employees to produce any documents (including e-mails) that may be relevant;
 - (b) meet with the complainant and respondent, either separately or together (as appropriate), and ask any questions of them that are appropriate for the investigation, and take witness statements from them;
 - (c) require any witnesses to meet with the investigator (or other persons engaged by the investigator) to provide a statement; and/or
 - (d) do anything else that the investigator determines is reasonable and necessary to conduct a fair investigation.
10. The investigator shall prepare an investigation report which shall set out: (1) the substance of the complaint, (2) the substance of the response, (3) the evidence of the complainant and respondent, (4) the evidence of any other witnesses, (5) the substance of any relevant documentary evidence, (6) the investigator’s conclusion as to whether harassment occurred, (7) the investigator’s reasons for that conclusion, and (8) any other matters that the investigator considers should be referenced in the report. The report need not be lengthy but may, if the investigator determines appropriate, be abbreviated.

If the **Human Resources Manager** is a respondent to a complaint or witness in an investigation, then the **Mine General Manager** or such other person as designated by the **Mine General Manager** shall investigate the complaint and the **Human Resources Manager** shall have no role in investigating the complaint or making recommendations or acting on the complaint or the results of the investigation. If any other person with authority or any role under this Policy or Program is a respondent to a complaint or witness to a complaint, then the **Mine General Manager** or his or her designate shall substitute another person to take on that person's authority or role. If the **Mine General Manager** is a respondent to a complaint or witness to a complaint, then the **Vice President of Canadian Operations** or his or her designate shall substitute another person to take on that person's authority or role.

F. Discipline of Respondent

The investigator shall provide a copy of all investigation reports, and documentation of any informal resolutions, to the **Human Resources Manager** for the mine or office at which the complainant works. The **Human Resources Manager** shall review such report or documentation and shall recommend to the **Department Manager** whether any discipline should be imposed on the respondent for any violations of this Policy and Program. The **Department Manager** shall, in consultation with the respondent's direct supervisor and any other appropriate persons, determine whether discipline is appropriate, considering the following factors: (i) the harm to or effect on the complainant or other persons; (ii) whether the respondent was aware of this Policy and Program; (iii) whether the respondent's conduct was intentional; (iv) whether the respondent was told or knew that his or her conduct was unwelcome; (v) whether the respondent has been found to have engaged in workplace harassment in the past; and (vi) any other appropriate factors. Any discipline for violation of this Policy and Program should be imposed by the **Department Manager** and documented in the respondent's file. Discipline may include requiring the respondent to provide a written apology to the complainant; a written reprimand; a requirement that the respondent attend appropriate counselling or training; a transfer; a demotion; suspension with or without pay; or, in serious cases, dismissal from employment.

G. Bad Faith

If the investigator determines that the complainant filed the complaint in bad faith, dishonestly, out of malice or spite, or for an improper purpose (such a finding will be rare and will not be made lightly), the investigator may recommend to the **Department Manager** that the complainant receive a warning or other appropriate discipline.

H. No Retaliation

Regardless of the outcome of a harassment complaint made in good faith, no employee shall be retaliated against for lodging a complaint, providing information, or participating in an investigation.

