

Theme ¹ Policy for reporting on Hydro-Québec’s activities and requesting support or mediation in the event of a difficult situation in the workplace	Effective 2022-10-03
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Adoption

Resolution no. Will be available soon	Adopted on YYYY-MM-DD 2022-09-23	Revised on YYYY-MM-DD	Secretary General Pierre Gagnon EVP – Corporate, Legal and Regulatory Affairs and Chief Governance Officer Official document signed
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¹ This is a courtesy translation of the official French document entitled “Politique de signalement à l’égard des activités d’Hydro-Québec et de demande d’accompagnement ou de médiation en cas de situation difficile au travail.”

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1. DEFINITIONS

For the purposes of this policy, unless the context indicates otherwise, we mean by:

“support”

An approach that involves listening and searching for ways of doing things or formulations that facilitate harmonious communication or the independent resolution of a conflict.

"wrongdoing"

An act is considered a wrongdoing if it is:

- a) a violation of any law or regulation applicable in Québec
- b) a serious breach of Hydro-Québec's ethical standards and rules of professional conduct
- c) misuse of funds or property belonging to Hydro-Québec, including those that it manages or holds for others
- d) gross mismanagement within Hydro-Québec, including abuse of authority
- e) an act or omission that seriously compromises or could seriously compromise a person's health or safety, or the environment
- f) advising or ordering a person to commit an act referred to in paragraphs a) to e) above

“discrimination”

Intentional or unintentional distinction, exclusion or preference for any of the reasons set out in the *Charter of Human Rights and Freedoms* (race, color, sex, pregnancy, sexual orientation, gender identity or expression, marital status, age – except as provided for by law, religion, political convictions, language, ethnic or national origin, social condition, disability or the use of a means to remedy that disability) and which has the effect of destroying or compromising a right.

“harassment”

Distressing behavior in the form of repeated and hostile or unwanted conduct, words, actions or gestures that affect the victim's dignity or psychological or physical integrity and results in a harmful work environment for them. Harassment also includes such behaviour in the form of such words, actions or gestures of a sexual nature. A single serious instance of this type of conduct can also constitute harassment if it causes such harm and has a continuing harmful effect on the victim.

“misconduct”

Any violation of the *Code of Ethics* for Hydro-Québec employees, the *Code of Ethics and Rules of Professional Conduct for Directors and Executives of Hydro-Québec and Its Wholly Owned Subsidiaries*, or the *Supplier Code of Conduct*, or any wrongdoing committed or about to be committed pertaining to Hydro-Québec's activities.

The seriousness of the act or omission is determined by factoring in the intent, the perpetrator's position, the recurrence and the consequences.

For the purposes of this policy, misconduct excludes a situation of harassment and discrimination.

“mediation”

A voluntary, confidential conflict resolution process in which an impartial third party helps the parties involved find mutually acceptable solutions.

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“ethics officer”

The person holding the position of Executive Vice President – Corporate, Legal and Regulatory Affairs, and Chief Governance Officer.

“platform”

A dedicated telephone line combined with a secure electronic form for both the reporting service and the support or mediation services offered in the event of a difficult situation in the workplace.

“retaliation”

Any adverse action or threat of adverse action against a person, such as dismissal, demotion, suspension, transfer, and any disciplinary action or interference with employment or working conditions because that person made use of a mechanism set out in this policy.

“reporting”

The act of communicating, in good faith, information about misconduct or a situation of harassment or discrimination that a person has allegedly a) committed, b) asked a third party to commit, c) intends to commit, or d) intends to ask a third party to commit.

2. OBJECTIVES

In order to preserve trust in Hydro-Québec and maintain high standards of integrity and ethics, Hydro-Québec’s Board of Directors and management do the following:

- make available to everyone a service for reporting misconduct
- make available to everyone a service for providing information and dealing with discrimination and harassment
- make available to Hydro-Québec employees a support or mediation service in the event of a difficult situation in the workplace

The reporting services also help identify ways to improve Hydro-Québec’s processes, practices and guidelines.

The objectives of this policy are to ensure that action is taken and that sanctions are applied, if applicable, following an investigation conducted as a result of a report or complaint of harassment and discrimination, when it is proven to be well-founded. It also aims to establish a protection regime against retaliation for the people involved in a case opened under this policy.

Finally, this policy is part of Hydro-Québec’s commitment to adopting and promoting a responsible, integrated approach that is based on the principles of the *United Nations Global Compact*, to which it is a signatory.

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3. AREAS OF APPLICATION

3.1 Misconduct reporting service

Reporting

Anyone can report misconduct, in good faith, 24 hours a day, 7 days a week, by calling 1-866-384-4783 (toll free) or by filling out a secure electronic form, anonymously if they wish. Any report must be in the public interest and not be for personal or frivolous reasons. Reports for the purpose of questioning the validity of Hydro-Québec's policies and program objectives will not be admissible.

Anyone can, in certain situations, also call upon the Ombudsperson by writing to <https://protecteurducitoyen.qc.ca/en>.

Reporting must be handled impartially and diligently. If it is admissible for investigation purposes, a report will be issued that states the facts and establishes whether the claims made are well-founded or not.

Anonymity

Hydro-Québec is committed to taking all measures necessary to ensure that the identity of the person making the report or cooperating in a validation or investigation conducted further to a report remains confidential, unless that person waives that right or when legislation or a court orders it.

When anonymity is requested, Hydro-Québec may be limited in the handling of the report such that it may decide to postpone the examination of the alleged misconduct.

End of handling the case

When information brought to Hydro-Québec's attention must be conveyed to an external organization responsible for preventing, detecting, or cracking down on crimes or violations of the law, the company conveys it as soon as possible and ends the handling of the report in keeping with the terms and conditions agreed upon with the organization to which it transmitted the information.

In addition, at any time, Hydro-Québec will end the handling of a report if:

- a) an investigation report finds that the misconduct is unfounded
- b) appropriate recommendations or corrective measures are submitted to management
- c) the alleged misconduct is the subject of a court proceeding or involves a decision handed down by a court
- d) the alleged misconduct is frivolous or outside the scope of this policy, for example by being excessive or otherwise made in bad faith
- e) the anonymity of the person who made the report, the time that has elapsed, or any other constraint makes it impossible to continue with the case
- f) the disclosure is sent to the Ombudsperson when they are in a better position to follow up on it
- g) the person who made the report requests it

When the handling of a case ends, a reasoned opinion is provided to the person who initiated the process, if their identity is known.

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3.2 Service for handling discrimination and harassment situations

Reporting

Anyone can report, in good faith, a situation involving Hydro-Québec employees in the performance of their duties, where one or more people are subjected to conduct that resembles or could become discrimination or harassment. The report can be made 24 hours a day, 7 days a week, by calling 1-866-384-4783 (toll free) or by filling out a secure electronic form.

Complaint

Further to a report, a Hydro-Québec employee can file a formal complaint in order to initiate the procedure for handling the harassment and discrimination complaint. When the complaint is admissible, the case is referred to the person responsible for investigations. The investigation report states the facts and establishes whether the claims are well-founded or not.

End of handling the case

Hydro-Québec will end the handling of a report or complaint if:

- a) an investigation report finds that an act is unfounded
- b) appropriate recommendations or corrective measures are submitted to management
- c) the alleged situation is frivolous or outside the scope of this policy, for example by being excessive or otherwise made in bad faith
- d) the person who made the report or complaint requests it

3.3 Support or Mediation Service in the Event of a Difficult Situation in the Workplace

Request for support or mediation

A Hydro-Québec employee can put in a request, 24 hours a day, 7 days a week, for support or mediation in the event of a difficult situation at work by calling 1-866-384-4783 (toll-free number) or by filling out a secure electronic form. It can involve, for example:

- an interpersonal conflict with a colleague or manager
- a work-related dispute
- an inequitable situation pertaining to the application or interpretation of an internal process
- a feeling of having experienced incivility, abuse of power or discrimination

Requests pertaining to the interpretation or application of a provision from collective agreements, a suspension, or a break in employment are not admissible.

4. ROLES AND RESPONSIBILITIES

The ethics officer is responsible for distributing, applying, and reviewing this policy. They are also responsible for the contract signed with an external agency for setting up the platform. They must establish an office of integrity and ethics (Bureau d'intégrité et d'éthique, BIE) for Hydro-Québec.

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The ethics officer also ensures that all reports are handled, except those considered to be discrimination, harassment, or related cases, as well as those claiming misconduct allegedly committed by Hydro-Québec's suppliers. In such cases, this person applies the standard *Traitement des signalements d'inconduite* [*Handling Misconduct Reports*].

The Vice President – Talent and Culture is responsible for handling reports and complaints when they involve discrimination, harassment or related situations that involve a Hydro-Québec employees in the performance of their duties. In such cases, that Vice President applies the standard *Milieu de travail sain et exempt de discrimination et de harcèlement* [healthy and engaging work environment free from *discrimination and harassment*].

The Executive Vice President, Chief Infrastructure and Energy System Officer is responsible for handling reports of misconduct allegedly committed by Hydro-Québec's suppliers. As such, that person applies the standard *Handling Breaches of Hydro-Québec's Supplier Code of Conduct*.

The ethics officer is also responsible for overseeing the support and mediation services provided in the event of a difficult situation in the workplace. As such, they mandate one or more impartial resources to act as the ombudsperson for handling the requests received and applying the directive *Règlement des différends* [*dispute resolution*].

Notwithstanding the above and with the aim of guaranteeing independent handling, the Vice President – Internal Audit is responsible for cases that, had it not been for a conflict of interest or apparent conflict of interest, would have been handled by the individuals mentioned above.

All people involved in handling a report, complaint, or request for support or mediation are required to comply with the obligations regarding impartiality, diligence, and confidentiality.

The reports received must be entered into the centralized reporting log for integrity and coordination purposes, in keeping with the standard *Traitement des signalements d'inconduite* [*Handling Misconduct reports*].

5. CONFIDENTIALITY

Hydro-Québec is committed to taking all necessary measures to ensure the confidentiality of the information conveyed, unless a court or statute requires it to be disclosed.

Confidential handling means that only those who need to know the information in the context of their duties are authorized to access it, where such access does not compromise the independence and integrity of the process.

6. OBLIGATION TO COOPERATE

Every person must cooperate fully in the context of a report, complaint, validation, or administrative investigation.

It is prohibited for anyone to obstruct or attempt to obstruct the BIE's action by providing false or misleading information or by refusing to provide information or a document that is useful for a validation, investigation, or for support or mediation services by concealing or destroying it.

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7. PROTECTION AGAINST RETALIATION

It is prohibited to retaliate against a person because they:

- a) made a report or filed a complaint
- b) cooperated in a validation or investigation conducted further to a report or complaint
- c) made a request for support or mediation for a difficult situation in the workplace

The protection measures provided for in this paragraph are applicable only if the report, complaint, cooperation or request for services is made in good faith or in a non-abusive manner.

Anyone who believes that they are the victim of retaliation can contact the ethics officer, who is committed to taking the necessary actions to ensure that appropriate protection measures are put in place. In a timely manner and when applicable, they remind the people who are involved in the case or cooperating in a validation or investigation about the time limit for seeking recourse under the *Act respecting labour standards*.

Any person who believes that they have been the victim of retaliation can also file a complaint with the Ombudsperson in the event of a report of wrongdoing or, where applicable, the Autorité des marchés publics. The organization that received the complaint will submit, if applicable, appropriate recommendations to the relevant authority at Hydro-Québec.

8. SANCTIONS AND REMEDIES

Any person who commits misconduct or causes a harassment or discrimination situation that is found to be well-founded following an investigation or who violates this policy may be subject to administrative or disciplinary measures up to and including dismissal, and may also be subject, in some cases, to legal or criminal proceedings. These measures will be applied in keeping with, as applicable, collective agreements or agreements in effect setting out the working conditions of the Hydro-Québec employee.

Similarly, a supplier, partner or external third party who commits misconduct or causes a harassment or discrimination situation that is found to be well-founded following an investigation or who violates this policy may be subject to the sanctions and remedies set out in the agreement binding them to Hydro-Québec, in the applicable legislation and regulations, or in Hydro-Québec's guidelines in this regard, including the *Procedure for Handling Breaches of Hydro-Québec's Supplier Code of Conduct*.

9. ACCOUNTABILITY

The ethics officer submits a semi-annual accountability report to the Audit Committee of Hydro-Québec's Board of Directors, pertaining to reporting, except those being cases of discrimination or harassment involving a Hydro-Québec employee in the performance of their duties or relating to them.

In accordance with the *Act to facilitate the disclosure of wrongdoings relating to public bodies*, the ethics officer submits an accountability report pertaining to reporting as part of Hydro-Québec's annual report and submits it to the Secrétariat du Conseil du trésor.

The Vice President – Talent and Culture submits an annual accountability report to the Human Resources Committee of Hydro-Québec's Board of Directors, pertaining to reports that are discrimination or harassment cases involving a Hydro-Québec employee in the performance of their duties or relating to them.

An impartial resource who acts as the ombudsperson prepares an annual report about the exercising of their mandate, which is submitted to the President and Chief Executive Officer and to the Human Resources Committee of Hydro-Québec's Board of Directors.

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APPENDIX – Legal Requirements and Hydro-Québec Guidelines

The Policy is based primarily on the following:

- the *Act to facilitate the disclosure of wrongdoings related to public bodies* (CQLR, c. D-11.1), whose purpose is to facilitate disclosure, in the public interest, of wrongdoings committed or about to be committed relating to public bodies and to establish a general protection regime against retaliation
- the *Anti-corruption act* (CQLR, c. L-6.1), whose purpose is to strengthen the prevention and anti-corruption actions in the public sector, particularly in contractual matters, and to help foster public confidence in public procurement and public institutions
- the *Act respecting labour standards* (CQLR, c. N-1.1.)
- the *ISO 37001 Standard*, which enables all types of organizations to prevent, detect and deal with corruption
- the following Hydro-Québec guidelines:
 - Hydro-Québec's *Code of Ethics*
 - Hydro-Québec's *Code of Ethics and Rules of Professional Conduct for members of the Board of Directors, Executives of Hydro-Québec and Its Wholly Owned Subsidiaries* (in French only)
 - the *Regulation respecting public office holders* (in French only)
 - *Hydro-Québec's Supplier Code of Conduct*
 - the standard *Handling Breaches of Hydro-Québec's Supplier Code of Conduct* standard
 - the directive *Dispute Resolution* (in French only)
 - the standard *Healthy Work Environment Free from Discrimination and Harassment* (in French only)
 - the standard *Handling Misconduct Reports* (in French only)