



<b>Policy:</b>	Discrimination & Harassment Prevention	<b>Policy Number:</b>	207
<b>Category:</b>	Compliance	<b>Effective Date:</b>	January 1, 2007
<b>Applicability:</b>	Global	<b>Review/Revision Date:</b>	October 9, 2014

**Policy:**

This policy applies to all employees of FRHI Hotels & Resorts and its affiliates and subsidiaries (referred to herein as, collectively, “FRHI” and/or the “Company”) and to the employees of all hotels, resorts and properties owned, operated or managed by FRHI. The intent and provision of this policy is to apply to all employees worldwide unless where contrary to any collective agreement, local laws, rules and/or regulations. The Company is committed to providing and maintaining a workplace that is free from discrimination and harassment contrary to law, where employees are accorded equality of employment opportunity based on merit and ability.

The Company is committed to administering Human Resources policies and practices consistent with the required legislation of each geographic location and the Code of Ethics. Each employee has the right to work in an environment that is free from discrimination and harassment based on any character that defines them and that which is defined and protected by applicable legislation in the specific geographic location (hereinafter referred to as “protected characteristic”). Examples of protected characteristics are: race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, sex, sexual orientation, age, record of offenses, marital status, family status, pregnancy, disability or any other ground listed in specific legislation.

**Coverage**

This policy covers interactions between employees, leaders and employees, employees and guests, and employees and contractors. Others who would be covered include family and friends of the Company employees attending work-related functions.

**Definitions**

**Workplace:** For the purpose of this policy, the Company will consider, but will not be limited by, the following as it determines where and when this policy will apply:

- a. Any hotel or office, including all areas, as well as housing provided to employees as it relates to their employment;
- b. Other locations or situations such as business-related travel or work-related social gatherings;
- c. Other locations or situations where a prohibited behaviour has a discriminating or harassing impact on the workplace environment.

**Discrimination:** is defined as the denial of equal treatment in employment based on a protected characteristic, which is defined under the legislation in the respective geographic location.

**Harassment:** is defined as any course of conduct, comment or gesture relating to a protected characteristic, that is known, or ought reasonably to be known, to be unwelcome, or that is likely to cause offence or humiliation to any employee.

**Bullying:** Bullying may be defined as the activity of repeated, aggressive behavior intended to hurt another person, physically or mentally. Bullying is characterized by an individual behaving in a certain way to gain power over another person. Behaviors used to assert such domination can include verbal harassment or threat, physical assault or coercion, and such acts may be directed repeatedly towards particular targets.

**Poisoned/Hostile Work Environment:** is defined as a work environment that is "poisoned" or negatively affected by discriminatory or harassing conduct, even if not directed at a specific individual.

**Condonation:** is defined as a course of behaviour where a manager or supervisor has become aware that discrimination or harassment may be occurring and he or she does not demonstrate due diligence in taking the necessary actions to stop it.

**Sexual Harassment:** is defined as any course of conduct, comment, gesture or contact of a sexual nature that is known, or ought reasonably to be known, to be unwelcome, or that is likely to cause offence or humiliation to any employee.

Sexual Harassment may also involve “quid pro quo” situations – where a person in a position of authority solicits sexual activity and the solicitation is known, or ought reasonably to be known, to be unwelcome, or where the person in authority threatens retaliation if

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the other person refuses the sexual solicitation, or it becomes a basis for employment decisions, or interferes with an employee's work performance.

The Company will not accept behaviour that could in any manner be classified as sexual harassment, and will make every reasonable effort to ensure that no one, male or female, is subject to sexual harassment.

### **Examples of Harassment**

Harassment may be intended or unintended and it may be one incident or a series of incidents. Harassment may include (but is not limited to) the following:

- a. Unwelcome gestures, remarks, messages, jokes, innuendoes or taunting about a person's race, age, disability or any other prohibited ground;
- b. Displaying offensive, derogatory, or racist pictures or material;
- c. Practical jokes related to a prohibited ground, which cause awkwardness or embarrassment;
- d. Displaying or transmitting sexually suggestive or pornographic pictures or material;
- e. Leering or other gestures of a sexually suggestive nature;
- f. Unwelcome suggestive remarks, jokes, innuendoes or taunting about a person's body or sex;
- g. Unnecessary physical contact such as touching, patting, or pinching;
- h. Unwelcome invitations or requests, whether direct or indirect, intimidation or any other comments that might be construed as demands for sexual favours;
- i. Sexual assault of any type;
- j. Any type of behavior that could be construed as bullying.

Harassment may be considered to have occurred where behavior would have the reasonable impact of being demeaning, embarrassing, intrusive, or intimidating based on a prohibited ground. Harassment will be considered to have taken place if a person knows, or ought reasonably to have known, that such behavior was unwelcome. Employees are encouraged to report incidents of harassment.

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### **Procedures:**

#### **1. Manager and Supervisor Responsibilities**

Management is responsible for ensuring that the work environment is free from discrimination and harassment by:

- a. Posting this policy in an area accessible to all employees and communicating this policy at orientation and annually thereafter;
- b. Responding appropriately and efficiently to any known incidents of discrimination or harassment and communicating these immediately to the Director, Human Resources, General Manager or Regional Human Resources; Department/Corporate Human Resources. Failure to take such action amounts to condonation of the behaviour.
- c. Ensuring that the work environment is free of printed material and other prohibited materials or behaviours which could be discriminatory or harassing;
- d. Assuring employees who complain of discrimination or harassment that their employment will not be affected in any way as a consequence of their complaint, and that bringing forth complaints in good faith is important to ensure a respectful and productive workplace;
- e. Conveying that a charge of discrimination or harassment is very serious and will be dealt with accordingly;
- f. Role modeling the Company Values and the employee responsibilities listed below.

#### **2. Employee's Responsibilities**

Employees are responsible for helping to ensure every employee's right to a work environment free from discrimination and harassment by:

- a. Behaving in a professional manner and treating others with respect by refusing to participate in or tolerate discrimination or harassment;
- b. Reporting known or observed incidents of discrimination or harassment and supporting employees to report incidents of discrimination or harassment;
- c. Respecting the confidential nature of any discrimination or harassment investigation.

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### **3. Reporting Incidents of Discrimination or Harassment**

- a. If an employee is comfortable and believes it would help, he or she should approach the offending individual and let the individual know that the comments or conduct are unwelcome or offensive. Sometimes individuals don't recognize the impact of what they are doing and when they are made aware, they stop.
- b. If an employee is not comfortable approaching the person, or if he or she has done so and the behavior has not stopped, the employee should make a complaint to his or her Manager, Director, Human Resources, or The Ethics Hotline (country listings and phone numbers can be found in the current Code of Ethics or Human Resources).

### **4. Complaint Procedure**

Every General Manager or Corporate Department Head of the Company is responsible for ensuring that an appropriate procedure for responding to discrimination and/or harassment complaints is in place and adhered to. The complaint procedure must provide, at minimum, the following steps:

- a. Any employee who believes that he or she has been subject to discrimination or harassment should promptly voice a complaint to the Director, Human Resources, his or her Manager, The Ethics Hotline or Regional Human Resources Department/Corporate Human Resources;
- b. Upon receiving a complaint, the Director, Human Resources or Regional Human Resources Department/Corporate Human Resources will interview the complainant, the person alleged to have discriminated or harassed, and any witnesses to establish the facts of the case. All relevant facts should be documented accurately and completely in a fair and unbiased manner;
- c. In the event that any of the employees involved in the complaint are bound by a collective agreement, any investigation procedures of the collective agreement must be followed to the extent applicable in a given case;
- d. A decision on any action to be taken should be rendered in a reasonably timely manner;
- e. The complainant and the person alleged to have discriminated or harassed should be kept apprised of the progress of the investigation;
- f. Under no circumstances may the name of the complainant or the circumstances related to the complaint be disclosed to any person except where the disclosure is necessary for the purpose of investigating the complaint or taking disciplinary action;
- g. In the event that disciplinary action is recommended with respect to the resolution of a complaint, the General Manager or Corporate Department Head must approve such disciplinary action;
- h. Employees should be aware of their right to file a complaint with the appropriate government agency.

### **5. Disciplinary Action**

Discrimination and Harassment of any form, and condonation of such actions, is a serious offense subject to a wide range of disciplinary sanctions, up to and including discharge, and will be treated accordingly by management.

- a. The appropriate disciplinary action for any discrimination or harassment should be determined individually and should be exercised with due regard for the specific circumstances;
- b. Anyone making a charge against another employee that is found to be false, malicious, or in bad faith, will be subject to disciplinary action;
- c. Discipline could range from a verbal warning to dismissal, but disciplinary action should only be taken after all relevant information has been properly presented to the employee being disciplined, and he or she has been given the opportunity to respond to all of the allegations against him or her.

### **6. Retaliation, Threat of Reprisal, Reprisal**

Any retaliation, threat of reprisal, or actual reprisal because someone refused to participate in an act of unlawful discrimination or harassment, submitted a good faith complaint or cooperated in an investigation of unlawful discrimination or harassment would be seen as unacceptable and grounds for disciplinary action.

### **7. Conclusion**

The Company will not tolerate discrimination or harassment of its employees, nor will it accept casual or unfair handling of complaints.

The Company will take whatever actions it considers necessary to provide an environment free of unlawful discrimination and harassment, in accordance with local laws, rules and/or regulations.

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**Relevant Resources:**

[Code of Ethics](#)

[Discrimination & Harassment Prevention Acknowledgement Form](#)

**Related Policies:**

[205 Ethical Conduct & Ethics Hotline Policy](#)