MetSoc

Code of Conduct

*9 Oct 2022*

# Purpose

## To provide guidance to MetSoc staff, members and other volunteers on:

### how to handle inappropriate conduct at MetSoc Events (MetSoc Events Code of Conduct), and

### how to consider nominee credentials during appointment and award considerations (MetSoc Nomination Guidelines).

# Definitions

## MetSoc Events

### Any event organized or sponsored by MetSoc that involves MetSoc staff, volunteers, members, exhibitors, speakers, contractors, award recipients or any other attendee or stakeholder (collectively ‘participants’). Non-limiting examples include the COM, CMSC, committee or Board of Director meetings. Events can be held in physical spaces or virtually.

## Inappropriate conduct:

### For the purposes of this Code of Conduct, inappropriate conduct will encompass discrimination or harassment, as defined below.

#### Discrimination is any conduct that causes MetSoc participants engaged in MetSoc activities to be treated unequally or unfairly on any of the grounds protected by Canadian Human Rights and Freedoms legislation (see Appendix).

#### Harassment includes psychological harassment, sexual harassment, discriminatory harassment and bullying. Harassment can be directed at individuals or at groups of individuals.

# Application

## This Code of Conduct applies particularly to:

### conduct by MetSoc participants at MetSoc Events,

### nominee appropriateness for MetSoc awards and activities, and

### any inappropriate conduct directed at MetSoc staff.

## Exclusions:

###  Any inappropriate conduct perpetrated by MetSoc staff will be handled through the CIM Workplace Discrimination and Harassment Policy (appended below).

### MetSoc staff work under the CIM Code of Conduct (appended below).

## CIM Policy

## MetSoc events also fall under CIM jurisdiction. CIM Policy provides additional governance regarding a code of conduct. In the case of a conflict the CIM Policy will take precedent.

# MetSoc Events Code of Conduct

1. MetSoc prohibits and will not tolerate any form of inappropriate conduct at its events, whether the event is held in person or virtually.
2. MetSoc will investigate all complaints of inappropriate conduct in an unbiased manner according to the process defined below.
3. All complaints will be treated seriously and confidentially.
4. Full investigation of any complaint will be completed within three months.
	1. Depending on the circumstances, and at the discretion of the MetSoc Manager, the participant(s) identified as being in violation can be asked to immediately leave the event at which the incident occurred.
5. Event security and local police may be contacted in the event violators pose an imminent threat to others or are disrupting the event.
6. MetSoc expressly forbids any retaliation against individuals for reporting harassment.
7. Procedure for lodging a complaint:
	1. Criminal behavior should immediately be reported to the authorities. MetSoc reserves the right to impose additional or parallel sanctions to those imposed by the criminal system.
	2. Accusations of violations of the MetSoc Code of Conduct should be made directly to the MetSoc Manager. In the event that this is not possible, the complaint should be made to a MetSoc Board Member or Conference/Event Organizer.
	3. The following information should be provided when reporting inappropriate conduct. MetSoc understands that this information may not always be available, however, it may limit the investigator(s) if this information is not provided.
		1. Name and contact information of participant who was harmed by the inappropriate conduct
		2. Name and contact information of any witnesses
		3. Identifying information (e.g., name, badge number, physical appearance) of the individual(s) who are accused of the inappropriate conduct
		4. A description of the specific action or behavior that was in violation of the MetSoc Code of Conduct.
		5. The date and approximate time of the incident.
		6. The location and circumstances surrounding the incident.
8. Procedure for investigation
	1. Unless the MetSoc Manager is directly involved, all complaints and attendant information should flow to the MetSoc Manager, who will normally handle the complaint.
	2. In the event that the conduct warrants immediate action, the MetSoc Manager can take such action as soon as the report is made, independent of any consultation with MetSoc board members or other volunteers.
	3. If the report of inappropriate conduct comes after the event where the inappropriate conduct occurred, or that it requires further investigation:
		1. The MetSoc Manager (as chair) will convene a special meeting of a sub-committee of the MetSoc Executive (to include at least two of: the Immediate Past-President, President, 1st VP) within 48 hours. This meeting may also be convened by any member of the Executive who received a complaint of inappropriate conduct.
		2. The complaint will be investigated and managed by this sub-committee with the maximum amount of confidentiality.
		3. A finding and decision will be made within 3 months.
		4. Any decisions on sanctions will be made initially by the sub-committee and secondarily approved by the entire MetSoc Executive.
		5. The MetSoc Manager and President will communicate the findings and any repercussions, within 48 hours of approval by the Executive, to those involved in the complaint.

# MetSoc Nomination Guidelines for Award Recipients, Board Positions, and other Leadership Positions

1. Decisions on award recipients or nominees for leadership positions can be fraught with complicating factors that may include concerns around past behavior
	1. In some cases, such concerns are well founded and may even be publicly documented. In other cases, such concerns may not be widely known, or well documented, and may result from personal or professional interactions/relationships between MetSoc staff, volunteers, members, exhibitors, speakers, contractors, award recipients or any other attendee or stakeholder and the nominee.
	2. The following guidelines should be used by decision makers (the Awards Committee, the Executive, the Nominating Committee, the Board) when navigating what can be a difficult decision-making process.
2. Nominees are expected to meet the standards as defined by the MetSoc Values and Character Standards policy.
	1. Character

A strong indication that the individual does not meet the value and character standards (as outlined in the MetSoc Values and Character Standards) should be seriously considered by MetSoc decision makers before proceeding with a nomination.

* 1. Conflict of interest

Clear evidence of an undisclosed conflict of interest should be seriously considered by MetSoc decision makers before proceeding with a nomination.

1. Nominees should be generally suitable for the award or position for which they are being considered. Suitability includes such considerations as whether or not the nominee has taken, or will take, action that could harm, or be reasonably expected to harm, the reputation of MetSoc or CIM.
2. In the event that an allegation, or report, of inappropriate conduct by a nominee becomes known by MetSoc staff, volunteers, members, or decision-makers this should be handled:
	1. Confidentially – ideally these should be made known to the MetSoc Manager who can communicate concerns to the appropriate people.
	2. In accordance with the Code of Conduct procedures for investigation as outlined above, should sufficient information be available
3. In the event that an allegation, or report, of inappropriate conduct by an award nominee becomes known, or is known, by MetSoc BoD member(s) or attendee(s) before the Spring BoD meeting, where award nominations are considered, the BoD member(s) should immediately and confidentially discuss the issue with the MetSoc Manager.
	1. If the situation warrants it, the MetSoc manager will arrange to defer a vote on the award nominations until such time as the Awards Committee can discuss the issue.
	2. If the allegation is not raised until the Spring BoD meeting then there must be no further discussion until appropriate steps have been taken to investigate and the matter referred back to the Awards Committee for review.
4. Reasonable, informed decisions on a nominee’s suitability can be made based on an assessment of the risk to MetSoc’s reputation and MetSoc’s stakeholders. However, such decisions should be handled confidentially and should be ethical and free of personal animus.

# Appendix

1. Canadian Human Rights and Freedoms legislation

## Website reference

<https://www.chrc-ccdp.gc.ca/en/resources/your-guide-understanding-the-canadian-human-rights-act-page1>

(cf. Canadian Human Rights Act R.S.C., 1985, c. H-6,

https://laws-lois.justice.gc.ca/eng/acts/h-6/page-1.html).

## Detail

### Discrimination is an action or a decision that results in the unfair or negative treatment of person or group because of their race, age, religion, sex, etc. Some types of discrimination are illegal under federal and provincial human rights laws. If you are the victim of discrimination under the Act, you can file a complaint with the Canadian Human Rights Commission (the Commission).

### Section 3 of the Act makes it illegal for federally regulated employers and service providers to discriminate against people, or treat them unfairly, based on the following grounds:

* race
* national or ethnic origin
* colour
* religion
* age
* sex
* sexual orientation
* marital status
* family status
* disability
* a conviction for which you have been granted a pardon.
1. CIM Workplace Harassment Policy



Workplace Discrimination and

Harassment policy

**Effective Date: November 2020**

* 1. Purpose and Scope of the Policy:

The Canadian Institute of Mining, Metallurgy and Petroleum (“CIM”) is committed to promoting a work environment that is free of discrimination and harassment, in which its employees are treated with respect and dignity, and in which they are able to contribute fully while having equal access to employment opportunities.

To this end, CIM has adopted this Workplace Discrimination and Harassment Policy (the “**Policy**”). The Policy aims to promote a workplace free of discrimination and harassment and to establish a complaint- handling process.

* 1. More specifically, the Policy’s objectives are as follows:
* Advising employees and business partners CIM that harassment and discrimination in the workplace is unacceptable, is inconsistent with CIM standards, will not be tolerated by CIM, and is a violation of the law;
* Providing examples of the types of behaviour that may be considered as workplace harassment or discrimination;
* Setting out the process for dealing with complaints regarding Policy violations.

This Policy applies to all personnel and business partners of CIM, including its directors, officers, volunteers, delegates, and those involved in activities connected to CIM (conferences, events, meetings, publications, presence on social media, etc.).

* 1. Definitions:
		1. Workplace Discrimination:

Workplace discrimination is any conduct which causes an employee, a volunteer, consultants or others engaged in CIM activities, would be treated unequally or unfairly on any of the grounds protected by applicable human rights and freedoms legislation.

In Canada, the Canadian Human Rights Act provides that the prohibited grounds for discrimination are:

1. Race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.
2. Where the ground of discrimination is pregnancy or childbirth, the discrimination shall be deemed to be on the ground of sex. Where the ground of discrimination is refusal of a request to undergo a genetic test or to disclose, or authorize the disclosure of, the result of a genetic test, the discrimination shall be deemed to be on the ground of genetic characteristics.

For greater certainty, discrimination occurs when a distinction, exclusion or preference has the effect of nullifying or impairing the employee, volunteer, consultants or other engaged in CIM activities rights to full and equal recognition and exercise of his or her rights and freedom.

* + 1. Workplace Harassment:

Every employee has the right to a workplace free of harassment. For the purposes of this Policy, workplace harassment includes:

1. Psychological harassment;
2. Sexual harassment (which is a form of psychological harassment); and
3. Discriminatory harassment.

With respect to workplace harassment, comments or conduct need not be directed at a specific individual, and may come from any person, regardless of position or status (including from customers, suppliers or other stakeholders).

1. *Psychological Harassment*

Psychological harassment means any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.

It should be noted that the fact that a person does not specifically object to harassing behaviour, or that he or she appears to be accommodating such behaviour, does not mean that the behaviour is not harassment, nor does it mean that the person consents to it.

For the sole purpose of illustrating the type of behaviour that can be considered psychological harassment, the following is a non-exhaustive list of behaviours that may be qualified as such:

* + Bullying, including repeated acts or comments intended to intimidate or isolate an individual or group;
	+ Discrediting a person by spreading rumours about them, ridiculing them, humiliating them, inappropriately questioning their beliefs or their private life;
	+ Verbal and/or physical abuse, which includes yelling at or attacking someone, damaging their property, assaulting or threatening them;
	+ Any interaction that would reasonably make a person feel uncomfortable, such as stalking, staring at, or getting too close to a person;
	+ Abusive surveillance;
	+ Destabilizing a person by making fun of or making negative references to their beliefs, tastes, choices or weaknesses.
1. *Sexual Harassment*

Sexual harassment is any behaviour that meets the definition of psychological harassment and involves actions, words or gestures of a sexual nature.

For the sole purpose of illustrating the type of behaviour that can be considered sexual harassment, the following is a non-exhaustive list of behaviours that may be qualified as such:

* + Comments about a person’s gender, physical characteristics or mannerisms;
	+ Gender-based paternalism that undermines a person’s self-respect, status or responsibility;
	+ Unwanted physical contact;
	+ Suggestive remarks or offensive innuendoes of a sexual nature;
	+ Proposals for intimate relationships;
	+ Words, threats or taunts of a sexual nature;
	+ Lustful, languid or lecherous stare;
	+ Bragging about sexual prowess or having discussions about sexual activities;
	+ Offensive jokes or comments of a sexual nature;
	+ Coarse or vulgar language or humor of a sexual nature;
	+ Displaying, sharing or disseminating videos, photos, drawings or other material of a sexual nature, including by electronic means;
	+ Repeated invitations to dates;
	+ Requests for sexual favours.

For greater clarity, this Policy also prohibits sexual solicitation or advances by any person who is able to grant or deny an advantage to the person solicited or receiving an advance, or to impose a sanction (the “*quid pro quo*”). This includes managers and supervisors, as well as co-workers. Reprisals for rejecting such solicitations or advances are also prohibited.

1. *Discriminatory Harassment*

Discriminatory harassment means any behaviour, gesture or word that corresponds to the definition of psychological harassment, but which is based on one of the grounds protected by the Québec *Charter of Rights and Freedoms* as described in this Policy, or as provided by applicable provincial or federal legislation.

For the sole purpose of illustrating the type of behaviour that can be considered discriminatory harassment, the following is a non-exhaustive list of behaviours that may be qualified as such:

* + Disparaging remarks, jokes, innuendoes, offensive comments or remarks that make someone uncomfortable related to any of the grounds listed below;
	+ Displaying, sharing or disseminating offensive pictures, drawings or other discriminatory documents, including by electronic means;
	+ Singling out a person for the purpose of humiliating or demeaning them by teasing or making jokes about them being a member of a protected group;
	+ Unjustifiably excluding an individual, for example, by withholding information, refusing to speak to them, excluding them from discussions, meetings or from social events, based on any of the protected grounds;
	+ Unjust division of work or responsibilities based on any of the protected grounds.
1. *Management Rights and Interpersonal Conflicts*

It is understood that the reasonable exercise of management rights by CIM, including performance management and the imposition of administrative or disciplinary measures, shall not be considered psychological and/or discriminatory harassment of any kind.

Similarly, interpersonal conflicts between employees that form a part of the normal work environment or interpersonal relationships between colleagues do not necessarily constitute harassment within the meaning of the above definitions.

* 1. Roles and Responsibilities:

## All employees and business partners of CIM are responsible for:

* + Contributing to a workplace free of harassment and discrimination;
	+ Refrain from any behaviour prohibited under this Policy;
	+ Promptly report to their supervisor any situation that may constitute a violation of this Policy;
	+ Cooperate fully in any process or investigation of a complaint made under this Policy.

## Managers of CIM have additional responsibilities to those of other employees, as follows:

* + Reporting immediately any situation that may constitute a violation of this Policy to the Department or person in charge of Human Resources;
	+ Acting immediately on any report or complaint of a violation of this Policy (including reporting the situation to the Department or person in charge of Human Resources);
	+ Promoting an atmosphere of respect within CIM, that is free of harassment and discrimination.
	1. Complaint Processing Procedures:
		1. Reporting:

Employees are encouraged, whenever possible, to communicate their discomfort or the unwanted aspect of any behaviour towards them directly to the individual responsible for it, and to ask them to stop the behaviour. However, this is not a required step prior to reporting or filing a complaint.

If the situation cannot be resolved in this manner, or if the employee in question is uncomfortable or unable to attempt such resolution, the employee is encouraged to file a complaint without delay.

Such a complaint may be addressed either:

* + To the manager of the employee making the complaint;
	+ To the manager of the person who is the subject of the complaint;
	+ To the Department or person in charge of Human Resources.

Whenever possible, the complaint should be submitted in writing and include all the following details:

* + What: What happened – a description of the events or situation;
	+ Where: The location(s) the events occurred;
	+ When: The dates and times of the events;
	+ Who: The name of the person(s) who is/are the subject of the complaint and the names of potential witnesses (if any).
		1. Processing of Complaint:

Any complaint of a violation of this Policy will be dealt with promptly and impartially by CIM. If an informal resolution process (e.g., mediation) is not sufficient to resolve the situation and if CIM deems it appropriate in the circumstances, an impartial investigation will be conducted. CIM reserves the right to entrust such an investigation to an external resource, where appropriate.

The Department or person in charge of Human Resources will inform the person(s) against whom the complaint has been made of the situation in due course, as well as of the allegations against them.

In handling the complaint, CIM will take such interim measures as it deems reasonable in the circumstances to protect the parties involved (e.g., transfer, suspension for investigation, etc.). The decision to impose interim measures (and the nature of such measures) will be made on a case-by- case basis, in respect of the principle that the complainant will not be penalized for having filed a complaint.

* 1. Confidentiality and Protection of Personal Information:

Information obtained about an incident or complaint under this Policy and information necessary to address it, including the investigation, will only be disclosed on a need-to-know basis, if it is necessary for the purposes of the investigation, to take necessary corrective action, or if required by law.

All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, as well as documents arising from the complaint, will be kept in a secure location by Human Resources, separate from employees’ personal files.

* 1. Reprisals:

CIM will not retaliate against an employee who reports in good faith a perceived or actual violation of this Policy, or who participates or cooperates in an investigation of such situations.

All employees must respect the right of their co-workers to file complaints under this Policy. Employees are strictly prohibited from threatening, intimidating or otherwise discouraging an employee from filing a complaint or cooperating with an investigation under this Policy. Any situation of retaliation by an employee of CIM against an individual because of his or her participation in a complaint or investigation under this Policy will be treated as a violation of this Policy.

Any employee who believes that he or she has been subjected to retaliation in any way must report such retaliation in the same manner as harassment or discrimination. CIM may take the necessary measures to deal with such behaviour, including the imposition of disciplinary measures, up to and including termination.

However, CIM reserves the right to take appropriate action, including appropriate disciplinary action, if a complaint under this Policy is made in bad faith, with malicious intent and/or is found to be untruthful.

* 1. Amendments to the Policy:

This Policy may be amended from time to time at CIM's discretion.

* 1. Acknowledgement:

I acknowledge that I have received, read and understand the Workplace Discrimination and Harassment Policy of the Canadian Institute of Mining, Metallurgy and Petroleum (CIM), and I agree to comply with its provisions.

Signature Date

Printed Name

If you have any questions regarding this Policy, please contact

**Angela Hamlyn**

**Chief Executive Officer** **ahamlyn@cim.org**

**514-939-2710 x 1303**

# CIM Code of Conduct



*Code of Conduct and Competition Law Compliance Undertaking*

**Undertaking with Respect to the CIM Code of Business Conduct, Competition Law Compliance Guide and Conflict of Interest Policy**

Council members, staff and agents of CIM will always conduct themselves in a manner that:

* Supports the objectives of the Organization
* Conforms with the By-law and all policies approved by the Council, including the Code of Business Conduct, Competition Law Compliance Guide and Conflict of Interest policies
* Serves the overall best interests of the Organization rather than any particular constituency
* Exercises the responsibilities of office, at all times, with due diligence, care and skill in a reasonable and prudent manner
* Demonstrates good faith, prudent judgement, honesty, transparency and openness in any activities undertaken on behalf of CIM
* Ensures that the financial affairs of CIM are conducted in a responsible and transparent manner with due regard for fiduciary responsibilities and public trusteeship
* Brings credibility and good will to the Organization
* Respects principles of fair play and due process
* Strives to ensure that the business of the organization is conducted in a legal, fair, equitable and respectful manner in all matters
* Demonstrates respect for individuals in all manifestations of their cultural and linguistic diversity and life circumstances
* Respects and gives fair consideration to diverse and opposing viewpoints
* Demonstrates due diligence and dedication in preparation for and attendance at meetings, special events and in all other activities on behalf of CIM
* Avoids and declares real or perceived conflicts of interest
* Respects the confidentiality of all information of a personal or privileged nature, particularly those matters dealt with during in-camera meetings of the Council
* Does not knowingly take advantage or benefit from information, not publicly available, obtained in the course of duties
* Protects and ensures the proper use of property and assets of the organization.Does not make commitments to outside parties in a way that may limit discretion to act objectively in the exercise of duties or to vote on issues that are or may come before the Council for decision
* Does not solicit or accept transfers of economic benefit other than incidental gifts, customary hospitality or other benefits of nominal value
* Publicly demonstrates acceptance, respect and support for decisions legitimately taken in transaction of CIM’s business
* Does not exercise or seek to exercise authority over the organization except as defined in the terms of a position description, committee terms of reference or otherwise delegated by specific resolution of the Council or general Council policy
* Encourages employees to use formal reporting lines to raise issues for management and Council consideration and does not engage in communication with employees in a manner that undermines or subverts the authority of management or the Council
* Protects ‘whistleblowers’ from retribution for acting in what might reasonably be construed to be ‘the best interests of the organization’

I have read, understand and agree to conduct myself in accordance with the Code of Business Conduct, the CIM Competition Law Compliance Guide (Appendix C – The Guide), The Conflict of Interest Policy as outlined here and elaborated in CIM’s Governance Policies. In case of doubt with respect to the application of the Code of Business Conduct, the Competition Law Compliance Guide or the Conflict of Interest Policy:

1. I undertake to consult with the Chief Executive Officer or Governance Committee Chair (Past President) [at CIM headquarters – 514 939-2710] and also to report any practice or conduct contrary to the Code of Conduct, the Guide or the Conflict of Interest Policy of which I become aware. I understand that I can do so without fear of retribution.
2. I understand that:
3. it is the policy of CIM that its Council members, directors and employees comply in all respects with the Code of Business Conduct, Competition Law Compliance requirements, and the Conflict of Interest Policy; and that
4. non-compliance with the Code of Business Conduct, Competition Law Compliance Guide or Conflict of Interest Policy is a violation that may result in disciplinary measures up to and including revocation of CIM membership or termination of CIM employment.

Name Signature Date Address: