

Anti-Harassment Policy

Purpose

NiCAN Limited (“NiCAN or the “Company”) is committed to providing a healthy and productive work environment. The purpose of the Company’s Anti-Harassment Policy (the “Policy”) is to ensure employees are informed and understand that discrimination, harassment and workplace violence against its employees by anyone within or outside the organization is prohibited and will not be tolerated.

Scope

All NiCAN employees, directors and officers are covered by this Policy and it applies to all activities which take place on the Company’s premises, or which are directly connected to the workplace and during any employment-related duties or activities, including conferences, training sessions, travel and social functions, including client-related events. This includes electronic communication and communication through social media. This Policy is not intended to constrain reasonable and appropriate consensual social interactions.

Definitions

1. Discrimination means the harmful treatment of an individual or group based on race, national origin, colour, gender, age, religion, mental or physical disability, marital status or sexual orientation. Discrimination is harmful to the culture of an organization and can create an environment that is intimidating, humiliating or uncomfortable. It includes any behaviour that is known or reasonably should be known to be offensive. Types of behaviour that may comprise discrimination include, but are not limited to:
 - a. unwelcome remarks, slurs or taunts about a person’s ancestry, national or ethnic origin, sexual orientation or any other prohibited ground of discrimination;
 - b. insulting names or comments;
 - c. jokes, cartoons, pictures or memes;
 - d. ignoring, isolating, or segregating a person or group; and
 - e. negative treatment because of gender, ancestry, disability or any other prohibited ground of discrimination.
2. Harassment is any conduct, comment or gesture that is likely to cause offence or humiliation, or that may be perceived as placing a personal condition on employment, work assignment, or on any opportunity for training or promotion. Harassment may be verbal, written or physical and it may be one incident or a series of incidents.

Personal harassment results from a pattern of abusive, unfair or demeaning behaviour that a reasonable person would consider to be humiliating, unwelcome or unwanted. Personal harassment can make a person feel uncomfortable, embarrassed, offended or intimidated. Types of behaviour that may comprise personal harassment include, but are not limited to:

- a. unwelcome written or verbal remarks, slurs, jokes, taunts, or suggestions about a person’s body, clothing, race, national or ethnic origin, colour, religion, age, sex, marital status, family status, physical or mental disability, sexual orientation, criminal or summary conviction, or other personal characteristics not specifically stated above;
- b. verbal or written abuse or threats;

- c. unwelcome physical contact or physical assault;
- d. ongoing, condescending comments;
- e. offensive gestures or comments;
- f. jokes that are insulting or embarrassing;
- g. abuse of authority that disrupts or prevents the performance of workplace duties; and
- h. intimidation or bullying.

Performing supervisory responsibilities, including appropriate performance management, training, work assignments and discipline does not constitute personal harassment. In addition, social interactions, jokes and bantering, which are mutually acceptable, provided the interactions are respectful and there is no negative impact for others in the work environment, do not constitute personal harassment.

Sexual harassment is any unwelcome conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation, or that might, on reasonable grounds, be perceived as placing a condition of a sexual nature on employment, work assignment, or on any opportunity for training or promotion. Sexual harassment can make a person feel uncomfortable, embarrassed, offended or intimidated. Types of behaviour that may comprise sexual harassment include, but are not limited to:

- i. unwelcome remarks, jokes or innuendoes;
 - j. displaying of pornographic, or other offensive or derogatory material;
 - k. practical jokes of a sexual nature that cause awkwardness or embarrassment;
 - l. unwelcome sexual invitations or requests, whether indirect or explicit;
 - m. leering or other gestures;
 - n. condescension that undermines self-respect;
 - o. unwelcome physical contact; and
 - p. sexual assault.
3. Workplace violence means the threat, attempt or actual conduct of a person that causes or is likely to cause physical injury, whether at a worksite or work-related place. Workplace violence includes, but is not limited to:
- a. threatening behaviour such as shaking fists, destroying property or throwing objects;
 - b. verbal or written threats that express an intent to inflict harm;
 - c. physical attacks; and
 - d. any other act that would cause fear in a reasonable person under the circumstances.

Employees' Rights and Obligations

Each employee has the right to be treated fairly and respectfully in the workplace. Each employee also has the responsibility to treat co-workers, supervisors and the public in a way that respects individual differences. Employees should refrain from making a joke, comment or other behaviour if it may embarrass, humiliate, degrade or otherwise bother someone else.

Management's Roles and Responsibilities

Management has a legal and ethical responsibility to create and maintain a discrimination, harassment and violence free workplace. Managers must be sensitive to the climate in the workplace and address potential problems before they become serious. Managers are obligated to act when they become aware of discrimination, harassment, violence or the threat of violence in the workplace. The manager shall:

- a. support the employee without prejudice;
- b. work with the employee and document the offensive action(s); and
- c. contact their superior and/or senior management and provide details of the incident on behalf of the employee.

Reporting Harassment

Employees who believe that they have been discriminated against, harassed or have experienced workplace violence, or have been witness to potential or actual discrimination, harassment or workplace violence, must report the incident to management in accordance with the Company's Whistleblower Policy. A copy of the Whistleblower Policy is available on the Company's website at www.nicanltd.com.

Bad Faith Complaints

It is a violation of this Policy to provide false information about a complaint.

Investigation

NiCAN seeks to resolve claims of discrimination, harassment or workplace violence as expediently as possible. Employees are required to cooperate with any investigative procedures resulting from a complaint. Supervisors and managers are required to report all complaints to the Company's Compliance Officer (the Chair of the Company's Corporate Governance and Nominating Committee) who has specific and exclusive responsibility to investigate all complaints. The Company's Compliance Officer will inform the Board of Directors and senior management of complaints and how they were addressed.

Confidentiality

The Company will not disclose a complainant's or alleged harasser's name, or any circumstances related to the complaint, to anyone, except as necessary to investigate the complaint or take disciplinary action related to the complaint, or as required by law. Managers involved in a complaint are reminded to keep all information confidential, except in the above circumstances. The Company will take all reasonable steps to protect confidential information. However, it must be understood that absolute confidentiality cannot be guaranteed.

Consequences

Upon concluding that an instance of discrimination, harassment and/or workplace violence has occurred, progressive disciplinary action, up to and including termination of employment and possible legal action, depending on the severity of the incident, may occur. Disciplinary actions imposed will be determined on the basis of the facts of each case including the degree of violation of the Company's values, this Policy and the Company's Code of Business Conduct and Ethics.

Retaliation

Retaliation is considered a serious breach of this Policy and can lead to disciplinary action up to and including termination from employment. Anyone who retaliates in any way against a person who has complained of discrimination, harassment or workplace violence, given evidence in an investigation of

alleged discrimination, harassment or workplace violence, or been found guilty of discrimination, harassment or workplace violence, will themselves be considered guilty of harassment and penalized accordingly. The possible penalties are the same as those assessed against individuals who have engaged in discrimination, harassment or workplace violence.

Review and Amendment of this Policy

This is a policy and is subject to change from time to time by the Board. In addition, the Board may, from time to time, permit departures from the terms hereof.

Approved by the Board on January 1, 2023.