

Theme Policy for Reporting Misconduct and Situations Involving Discrimination or Harassment	Effective YYYY-MM-DD 2024-08-26
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Adoption

Resolution No. HA-106/2024	Adopted on YYYY-MM-DD 2022-09-23	Revised on YYYY-MM-DD 2024-08-23	Secretary General François Ramsay, Acting Vice President – Corporate, Legal and Regulatory Affairs and Acting Chief Governance Officer
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1. DEFINITIONS

In this policy, the following terms have the meaning assigned to them below:

wrongdoing	<p>An act is considered a wrongdoing if it is:</p> <ul style="list-style-type: none"> a) a violation of any law or regulation applicable in Québec b) a serious breach of the standards of ethics and professional conduct c) a misuse of funds or property belonging to Hydro-Québec, including the funds or property it manages or holds for others d) gross mismanagement within Hydro-Québec, including abuse of authority e) any act or omission that seriously compromises or that may 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 <p>A wrongdoing includes acts committed or about to be committed by a Hydro-Québec employee or director in the performance of their duties, or by any other person, partnership, group or other entity as part of an adjudication or awarding of a Hydro-Québec contract, or in the performance of such a contract, including the granting of financial assistance.</p>
discrimination	<p>Intentional or unintentional distinction, exclusion or preference for any of the reasons set out in the <i>Charter of Human Rights and Freedoms</i> (race, colour, 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.</p>
harassment	<p>Distressing behaviour 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.</p>
misconduct	<p>Any violation of the codes of ethics that apply to Hydro-Québec's employees or directors, any violation of the <i>Supplier Code of Conduct</i>, or any wrongdoing committed or about to be committed concerning Hydro-Québec's activities.</p> <p>For the purposes of this policy, misconduct excludes a situation of harassment and discrimination.</p>
ethics officer	<p>Person appointed by the President and Chief Executive Officer responsible for managing ethics and integrity (or responsible for following up on disclosures) in accordance with the <i>Act to facilitate the disclosure of wrongdoings related to public bodies</i>, as well as any other legislative provisions amending it from time to time, pursuant to the appointment notice signed on June 12, 2024.</p>
reprisal	<p>Any adverse action or threat of adverse action against a person, such as a transfer, suspension, demotion, dismissal or termination of their internship, and any disciplinary action or interference with a person's employment, working conditions or internship, including discriminatory measures, or imposing any other sanctions because that person exercised a mechanism set out in this policy.</p>
reporting	<p>The act of communicating information, in good faith, about misconduct or a situation of discrimination or harassment 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.</p>

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 make available to everyone a service for reporting misconduct and situations involving discrimination and harassment.

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The reporting service also helps 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 audit or investigation conducted as a result of a report or complaint of discrimination or harassment, when it is proven to be well founded. It also aims to establish a protection regime against reprisals for the persons involved in a case opened under this policy.

This policy also aims to facilitate employees' disclosure of wrongdoings in accordance with the *Act to facilitate the disclosure of wrongdoings related to public bodies* (CQLR c D-11.1) (the "Act"), the objective of which is to facilitate disclosure, in the public interest, of wrongdoings committed or about to be committed involving a public body and to establish a general protection regime against reprisals.

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

3. REPORTING

3.1 Misconduct reporting service

Reporting misconduct to Hydro-Québec

Anyone can report misconduct by telephone or online, at any time:

- 1 866 384-4783 (toll-free number)
- [Secure electronic form](#)

To report wrongdoing under the Act, in the public interest, you can contact the ethics officer directly at any time in writing or by phone at 514 707-4427.

Situations can be reported anonymously to Hydro-Québec. Hydro-Québec is committed to taking all measures necessary to ensure that the identity of the person making the report or cooperating in an audit or investigation conducted further to a report remains confidential.

Reporting under this provision will be handled in accordance with the standard *Norme de traitement des signalements d'inconduite* (handling of misconduct reports).

Reporting wrongdoing to the Public Protector (Protecteur du citoyen)

Any person can, in the public interest and at any time, disclose information to the [Public Protector](#) that may demonstrate that a wrongdoing (as defined above) was committed or is about to be committed involving Hydro-Québec. Reports filed with the Public Protector are handled in accordance with the procedure it has established, and they can be filed anonymously.

The contact information for the Public Protector's Direction des enquêtes sur les divulgations en matière d'intégrité publique is as follows:

Direction des enquêtes sur les divulgations en matière d'intégrité publique Protecteur du citoyen
800, place D'Youville, 18e étage, Québec (Québec) G1R 3P4

Phone: 1 800 463-5070 (toll-free in Québec) or 418 643-2688 (city of Québec area)

Fax: 1 844 375-5758 (toll-free in Québec) or 418 692-5758 (city of Québec area)

Secure online forms: <https://protecteurducitoyen.qc.ca/en/whistleblowers/how-to-disclose-a-wrongdoing>

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3.2 Service for handling situations involving discrimination and harassment

The Hydro-Québec standard *Milieu de travail sain et exempt de discrimination et harcèlement* details the process for handling situations involving discrimination and harassment.

Reporting

Any person who witnesses a situation of discrimination or harassment (or a situation that could become one of discrimination or harassment) involving Hydro-Québec employees in the performance of their duties or third parties with whom Hydro-Québec employees are required to interact as part of their duties can disclose the situation to Hydro-Québec by reporting it.

Situations involving discrimination or harassment can be reported by telephone or online at any time:

- 1 866 384-4783 (toll-free number)
- [Secure electronic form](#)

The reporting of a situation will be handled in accordance with the procedure set out in the standard *Milieu de travail sain et exempt de discrimination et de harcèlement*.

Complaint

A Hydro-Québec employee who believes they are a victim of discrimination or harassment can file a formal written complaint to initiate the complaint handling procedure involving discrimination or harassment provided in the standard *Milieu de travail sain et exempt de discrimination et de harcèlement*. To do this, the person wishing to file a formal complaint can use the *Formulaire de plainte- Environnement de travail sain*. In such a case, the file is assigned to an outside firm responsible for examining the validity of the complaint and, where applicable, conducting the investigation.

4. MAIN ROLES AND RESPONSIBILITIES

Ethics officer	<ul style="list-style-type: none"> • receives employees' disclosures in the public interest that may demonstrate that a wrongdoing involving Hydro-Québec was committed; • verifies whether a wrongdoing has been or is about to be committed; • submits a report to the President and Chief Executive Officer if they determine that a wrongdoing has been or is about to be committed; • ensures that reporting of situations under this policy (with the exception of reporting of situations referred to below) are handled correctly and ensures that the standards <i>Norme de traitement des signalements d'inconduite</i> and <i>Milieu de travail sain et exempt de discrimination et de harcèlement</i> are applied in accordance with all applicable laws; • coordinates and implements measures to prevent wrongdoings and reprisals or threats of reprisals; • applies and distributes this policy; • documents the information required for Hydro-Québec's accountability obligations on the application of this policy;
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	<ul style="list-style-type: none"> informs Hydro-Québec employees about the possibility of making a disclosure and the protection against reprisals provided for in the <i>Act respecting protection against reprisals related to the disclosure of wrongdoings</i>; and beginning November 30, 2024, acts as a liaison officer when an audit or investigation is conducted for the purposes of the <i>Act to facilitate the disclosure of wrongdoings relating to public bodies</i> and the <i>Act respecting protection against reprisals related to the disclosure of wrongdoings</i>.
Executive Vice-presidency – Strategy and Finance	<ul style="list-style-type: none"> applies the <i>Standard for Handling Breaches of Hydro-Québec’s Supplier Code of Conduct</i>.
Executive Vice-Presidency– Internal Audit	<ul style="list-style-type: none"> is responsible for cases that, had it not been for a conflict of interest or apparent conflict of interest (and not including the reporting of situations involving wrongdoings), would have been handled by the persons responsible for such matters. This person applies the <i>Procédure interne pour le traitement des signalements d’inconduites requérant l’indépendance du groupe d’Audit interne</i> in these cases.

Everyone involved in handling a report or complaint is required to comply with their obligations of impartiality, diligence and confidentiality. They are required to use discretion in the performance of their duties, including taking the necessary measures to ensure the confidentiality of information communicated to them, such as the identity of any person who has contacted them to obtain information about the possibility of filing a report or complaint or requesting protection against reprisals. The reports received must be entered into the centralized reporting log for the purposes of integrity and coordination.

5. CONFIDENTIALITY

Hydro-Québec is committed to taking all necessary measures to ensure the confidentiality of the information conveyed.

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 the reporting of a situation, a complaint, audit or administrative investigation.

It is prohibited for anyone to obstruct or attempt to obstruct the handling of reports or complaints, for example, by providing false or misleading information or by refusing to provide or destroying a document that is useful for an audit or investigation.

7. PROTECTION AGAINST REPRISALS

7.1 Prohibition against reprisals

Reprisals against a person are prohibited for the following reasons:

- a) They made a report or filed a complaint.
- b) They cooperated in an audit or investigation conducted further to a report or complaint.
- c) They exercised a right under the *Act respecting protection against reprisals related to the disclosure of wrongdoings* or the *Act to facilitate the disclosure of wrongdoings related to public bodies*.

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- d) They advised a person to make a disclosure or exercise a right under the *Act respecting protection against reprisals related to the disclosure of wrongdoings* or the *Act to facilitate the disclosure of wrongdoings related to public bodies*, encouraged them to do so or provided them with information about these possibilities.
- e) They have personal or family connections with someone who made a disclosure or exercised a right under the *Act respecting protection against reprisals related to the disclosure of wrongdoings* or the *Act to facilitate the disclosure of wrongdoings related to public bodies*.

It is also prohibited to threaten a person with reprisals in an attempt to prevent them from reporting a situation or filing a complaint, cooperating in an audit or investigation, or exercising a right under the *Act respecting protection against reprisals related to the disclosure of wrongdoings*.

7.2 Recourse against reprisals

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

Employees or managerial personnel who believe they are a victim of a prohibited practice under section 122 of the *Act respecting labour standards* must exercise their recourse with the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST) (Québec's workplace health, safety and equity board) within 45 days following the complaint. Recourses available to unionized personnel depend on the applicable provisions of their collective agreement.

Anyone who believes they are the victim of reprisals can also file a complaint with the [Public Protector \(Protecteur du citoyen\)](#) within 90 days of learning about these reprisals or threats.

The Public Protector can, with the parties' agreement, appoint a mediator to attempt to settle the complaint. If the parties refuse mediation or if no settlement has occurred at the end of the mediation, the Public Protector can represent the complainant regarding the exercise of the appropriate recourse in court or, with the complainant's authorization, conduct an audit or investigation to determine whether the complaint is well founded and make appropriate recommendations to the President and Chief Executive Officer of Hydro-Québec.

8. SANCTIONS AND RECOURSES

Any person who commits misconduct or causes a harassment or discrimination situation that is determined to be well founded following an investigation, who commits or threatens reprisals or who contravenes this policy may be subject to administrative or disciplinary measures up to and including dismissal. They may also be subject to legal proceedings (civil, penal or criminal). Depending on the case, these measures will be implemented in accordance with applicable laws, regulations and guidelines as well as with collective agreements or other agreements in effect establishing 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 determined to be well founded following an investigation or who contravenes this policy may be subject to the sanctions and recourses set out in the agreement between them and 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*.

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9. ACCOUNTABILITY REPORT

The DACG submits an accountability report:

- at least each semester to the audit committee of Hydro-Québec's board of directors on the reporting of situations, except situations involving wrongdoings;
- at least once a year to the human resources committee of Hydro-Québec's board of directors, jointly with the principal Vice-presidency – Talent and Organizational Development, on the reporting of situations of discrimination or harassment.

The anonymity of any person who has disclosed a situation and of any person who has cooperated in the investigation, must be maintained, including after the investigation.

10. APPLICATION

This policy and the standards adopted hereunder take precedence over all prior Hydro-Québec guidelines concerning disclosure and the management of misconduct, harassment, violence and discrimination in the workplace. In the event of inconsistencies, this policy will prevail.

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APPENDIX – Legal Requirements and Hydro-Québec Guidelines

This Policy is based primarily on the following:

- the *Act to facilitate the disclosure of wrongdoings relating to public bodies*
- the *Act respecting protection against reprisals related to the disclosure of wrongdoings*
- the *Anti-Corruption Act*
- the *Act respecting labour standards*
- the *Act to prevent and fight psychological harassment and sexual violence in the workplace*
- *ISO Standard 37001: 2016* (and all subsequent versions)
- the following Hydro-Québec guidelines:
 - *Code of Ethics* for Hydro-Québec employees
 - *Code d'éthique et de déontologie des administrateurs et des dirigeants* (code of ethics and rules of professional conduct for members of the board of directors and executives of Hydro-Québec) (in French only)
 - *Regulation respecting the ethics and professional conduct of public office holders*
 - *Supplier Code of Conduct*
 - *Politique sur la lutte contre la corruption* (in French only)
 - *Standard for handling breaches of the Supplier Code of Conduct*
 - the standard *Milieu de travail sain et exempt de discrimination et harcèlement* (in French only)
 - the standard *Traitement des signalements d'inconduite* (in French only)
 - *Procédure interne pour le traitement des signalements d'inconduites requérant l'indépendance du groupe d'Audit interne* (in french only)