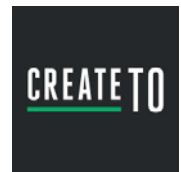


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Appendix A



APPENDIX A: CREATE TO HR POLICIES

(Reviewed by internal legal counsel and staff at Strategic and Corporate Policy, City Manager’s office. In virtually all cases, fully aligned with the City)

POLICY CATEGORY	POLICIES
LEGISLATIVE / CITY COMPLIANCE	Accessibility, Code of Conduct, Disclosure of Wrongdoing and Reprisal Protection; Domestic Violence Policy and Program, Employment Equity, Health and Safety, Privacy, Harassment and Discrimination, Personal Emergency Leave, Privacy, Use of Resources During an Election Period (Prepared per compliance requirements)
PREGNANCY / PARENTAL LEAVE	Top Up. Maintain current practice of 75% top up (inclusive of EI)
LEAVES / TIME OFF	Vacation. Grandfather existing plan (3 weeks up to 5 years, 4 up to 10, 5 up to 20, 6 after 20)
	2 Personal Days
	4 Bereavement Days
	Paid Jury Duty/Witness Service
TRAVEL (will be included in CreateTO expenditure policy)	Business Travel. Mileage \$.54/km up to 5,000 km annually, \$.48 thereafter. Air: coach/economy class



ACCESSIBILITY

CreateTO is committed to meeting its current and ongoing obligations under the Ontario Human Rights Code respecting non-discrimination.

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1. COMMITMENT TO SERVICE FOR INDIVIDUALS WITH DISABILITIES

CreateTO understands that obligations under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and its accessibility standards do not substitute or limit its obligations under the Ontario Human Rights Code or obligations to people with disabilities under any other law.

CreateTO is committed to complying with both the Ontario Human Rights Code and AODA.

CreateTO is committed to excellence in serving all customers including people with disabilities.

Our accessible customer service policies are consistent with the principles of independence, dignity, integration and equality of opportunity for people with disabilities.

2. ASSISTIVE DEVICES

People with disabilities may use their personal assistive devices when accessing our goods, services or facilities.

In cases where the assistive device presents a significant and unavoidable health or safety concern or may not be permitted for other reasons, other measures will be used to ensure the person with a disability can access our goods, services or facilities.

We will ensure that our staff are trained and familiar with various assistive devices we have on site or that we provide that may be used by customers with disabilities while accessing our goods, services or facilities.

3. COMMUNICATION

CreateTO will communicate with the general public and invited guests of our office with disabilities in ways that take into account their disability and allow them to communicate effectively for the purpose of receiving and requesting CreateTO’s services.

Employees who provide frontline services to the general public and invited guests of our offices must be responsive to individuals' needs on a case-by-case basis. For example, CreateTO employees will, on request, communicate with individuals via teletypewriter (TTY), e-mail, or large-font communication. We will work with the person with a disability to determine what method of communication works for them.

4. SERVICE ANIMALS

We welcome people with disabilities and their service animals. Service animals are allowed on the parts of our premises that are open to the public.

When we cannot easily identify that an animal is a service animal, our staff may ask a person to provide documentation (template, letter or form) from a regulated health professional that confirms the person needs the service animal for reasons relating to their disability.

A service animal can be easily identified through visual indicators, such as when it wears a harness or a vest, or when it helps the person perform certain tasks.

A regulated health professional is defined as a member of one of the following colleges:

- ⇒ College of Audiologists and Speech-Language Pathologists of Ontario
- ⇒ College of Chiropractors of Ontario
- ⇒ College of Nurses of Ontario
- ⇒ College of Occupational Therapists of Ontario
- ⇒ College of Optometrists of Ontario
- ⇒ College of Physicians and Surgeons of Ontario
- ⇒ College of Physiotherapists of Ontario
- ⇒ College of Psychologists of Ontario
- ⇒ College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario

If service animals are prohibited by another law, we will do the following to ensure people with disabilities can access our goods, services or facilities:

- ⇒ explain why the animal is excluded
- ⇒ discuss with the customer another way of providing goods, services or facilities

5. SUPPORT PERSONS

In general, all individuals are welcome to bring a friend or a family member with them when attending meetings or information sessions at or with CreateTO. Similarly, individuals are welcome to bring their support persons (i.e., persons specifically assisting individuals in respect of a disability) with them when meeting with CreateTO employees, attending public meetings, or when visiting areas of CreateTO that are open to the public.

6. NOTICE OF TEMPORARY DISRUPTION

Notice will be provided for all planned and unplanned disruptions CreateTO's offices and services at www.createto.ca, and such disruptions will be scheduled so as to minimize any inconvenience to individuals. Notice of a planned disruption of telephone lines will be placed on CreateTO's outgoing main switchboard message. Notice of any unexpected disruption in these services will be similarly provided as noted above, to the extent possible.

In the event of a disruption affecting the accessibility of public information sessions held at off-site locations, notice will be provided to attendees and CreateTO will find reasonable alternatives for affected individuals as needed on a case-by-case basis.

7. TRAINING

CreateTO will provide accessibility training to all employees who deal with individuals or other third parties on its behalf. The type of training given will be targeted to the nature of the employee's interaction with third parties, for example, employees providing frontline services and those who participate in developing service policies, practices and procedures will receive more extensive training than other areas.

Training will include the following topics:

- ⇒ The purposes of the Accessibility for Ontarians with Disabilities Act, 2005 and the requirements of the individual service standard;
- ⇒ How to interact and communicate with individuals with various types of disabilities;
- ⇒ How to interact with individuals with disabilities who use an assistive device or require the assistance of a service animal or a support person;
- ⇒ What to do if an individual with a disability is having difficulty in accessing CreateTO's premises or services;
- ⇒ CreateTO policies, practices and procedures relating to the individual service standard.

Training will be provided to new employees upon hire. Training will also be provided periodically in connection with changes to this policy, and its related practices and procedures.

8. FEEDBACK

Feedback on this policy and on CreateTO's provision of services to individuals with disabilities may be provided in writing, by telephone, or by electronic communication directed to the Director, Human Resources.

Feedback will be reviewed and any complaints will be addressed as soon as is practical. An acknowledgment of feedback will be issued within seven business days. The acknowledgment will indicate how and when the matter will be addressed. CreateTO will follow up with any required action within the timeframe noted in the acknowledgement.

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CreateTO is committed to ensuring we consistently maintain the highest standards of ethical behavior and advance the public service as a professional body that is objective, impartial and ethical, with consistent public service requirements. We are committed to conducting the business of the organizations fairly, honestly, efficiently and in compliance with all corporate and legal requirements.

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1. INTRODUCTION

The Code of Conduct (the “Code”) sets out the expected standards of behaviour for the conduct of CreateTO representatives in the conduct of business. It applies to all of the following (“Individuals”):

- Permanent, contract, and part-time employees and volunteers of CreateTO, including any employees seconded to CreateTO from the City or any of its agencies, boards or corporations (“Employees”); and
- Any consultant or advisor who works on CreateTO’s premises for more than four weeks.

Where specific provisions of the Code apply to only a group, but not all, Individuals, that will be identified within the specific provisions.

The Head of CreateTO is responsible to (i) promote ethical conduct and decision-making; (ii) ensure Individuals are familiar with the ethical rules in the Toronto Municipal Code, Chapter 192 and provide guidance on their application, and (iii) provide advice and guidance to staff on situations involving conflict of interest, political activity and other ethical matters. This Code serves these purposes. The Code cannot directly address every situation in which Individuals may find themselves. It does not preclude the use of common sense and good judgment. Rather, it provides a set of rules and ethical standards to be used as a guide for the day-to-day conduct of business. Compliance with the Code is mandatory. Any breach of the Code may result in disciplinary action, up to and including dismissal for just cause.

This Code operates along with and as a supplement to the existing statutes governing the conduct of CreateTO representatives. The following provincial and federal legislation governs the conduct of CreateTO representatives:

- the City of Toronto Act, 2006;
- the Municipal Conflict of Interest Act;
- the Municipal Freedom of Information and Protection of Privacy Act;
- the Ontario Human Rights Code;
- the Securities Act; and
- the Criminal Code of Canada.

In addition to this Code, Individuals must comply with the standards of conduct of any professional organization to which they belong (e.g., CMA Society, Law Society, etc.). Where these standards differ from the Code, Individuals must always comply with the higher standard.

In addition to this Code of Conduct Policy, CreateTO has policies to deal with Conflict of Interest for Directors and Officers, and a Wrongdoing and Reprisal Protection Policy to deal with the reporting, investigation and resolution of concerns.

2. WHERE TO GO FOR HELP

CreateTO encourages Individuals to consult with their managers as necessary to clarify policies, including the Code, or to raise concerns. An Individuals’ manager, director, SVP or the Director, Human Resources can advise on any uncertain situations. The Director, Human Resources is the designated executive with responsibility for ensuring compliance with the Code of Conduct and for coordinating the Wrongdoing and Reprisal Protection Policy associated with this policy, except where otherwise noted. Compliance with this code is required and any breach of this policy can result in disciplinary action up to and including dismissal. Individuals are expected to apply the Code in day-to-day responsibilities and decision-making activities while employed at CreateTO. Confidentiality obligations outlined in the Code continue after you leave CreateTO. If in doubt, it is better to ask and be certain than to assume an activity is acceptable and later discover it is not.

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3. CORE VALUES

Each Individual's fundamental obligation is to understand and comply with applicable law and CreateTO's policies and procedures, to conduct themselves with personal integrity, ethics, honesty and diligence, to maintain political neutrality and to perform his/her duties in a manner that reflects our core values:

Fairness	Being consistent, equitable and balanced
Integrity	Conducting business honestly and ethically
Respect	Treating each other with dignity and trust
Service	Exceeding expectations to all internal and external contacts
Teamwork	Working together to achieve results

A number of the provisions of this Code incorporate policies and procedures adopted by Toronto City Council. Individuals are required to observe the terms of all policies and procedures established by CreateTO and any Council policies and procedures that apply to CreateTO or its Employees.

Individuals with management or oversight responsibilities have a further obligation to exercise reasonable supervision over Individuals reporting to them to ensure that the Individuals are conducting themselves in accordance with their obligations.

4. WORKPLACE CONDUCT

Individuals must act courteously, professionally and ethically when dealing within and outside the organization. Individuals must work to maintain a culture of cooperation, respect and trust, and fulfill their responsibilities with integrity and diligence.

4.1 Accurate Records

CreateTO's records must contain a clear representation of all of the true facts of the components of every business action. Individuals have a duty to prepare and maintain accurate and complete business records. Never participate in the creation of a false or misleading record, or the destruction of records, except in accordance with documented Records Retention and Disposal practices.

4.2 Harassment and Discrimination

CreateTO complies with all applicable legislation, including the Ontario Human Rights Code and the Occupational Health and Safety Act, and strives to provide a work environment that supports diversity, where all Individuals and job applicants have an equal opportunity to reach their potential, free from all forms of violence and discrimination, including sexual and other forms of harassment. Harassing conduct, including any behaviour that a reasonable person would conclude contributes to an intimidating or offensive environment, will not be tolerated from Individuals or from outside parties with whom we deal (please see the [Harassment & Discrimination Policy](#)).

5. CONFLICTS OF INTEREST

Individuals must abide by the Conflict of Interest provisions in *Toronto Public Service By-Law, Chapter 192, Public Service, Toronto Municipal Code*, which can be accessed at https://www.toronto.ca/wp-content/uploads/2017/11/9208-Chapter_192_Toronto_Municipal_Code_Article_IV_Conflict_of_Interest.pdf.

Individuals must avoid situations where their personal interests conflict with their duty to CreateTO. A conflict of interest occurs when: (i) an Individual's personal interest or obligation could compete or be perceived to compete with their duties or responsibilities to CreateTO; (ii) an Individual can use their position for private gain or expectation of private gain; or (iii) in the case of (i) or (ii), the personal interest benefits an Individual's family,

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friends or organizations in which the Individual or his or her family or friends have a financial interest. A personal interest may create:

- an *actual conflict*, (for example - an Individual owns property or a business interest that is directly related to property CreateTO is proposing to sell, and the Individual is involved in or able to influence CreateTO's decision or negotiations regarding the sale);
- a *potential conflict*, (for example - an Individual responsible for selling one of CreateTO's assets is also responsible for selling on behalf of others, and may at some point be placed in a conflict situation); or
- a *perceived conflict*, (for example - an Individual who is involved in choosing suppliers, purchasers or consultants for CreateTO is a close friend of an employee of a particular supplier, purchaser or consultant and often attends personal and family events in their presence).

These examples are intended to illustrate the types of conflicts that should be avoided and should not be considered an exhaustive list.

Individuals must not use their positions to give anyone preferential treatment that would advance the Individual's own personal interest or that of any other party where such advance is contrary to the interests of CreateTO.

While conflicts must be avoided wherever possible, some conflicts can be appropriately managed or cured through full disclosure and separation of duties. In general:

- you must disclose in writing to the Head, Legal & Corporate Secretary all situations where there is a conflict of interest, including a potential or perceived conflict of interest;
- you must take all reasonable measures to avoid situations in which you, or your spouse, children or other relatives or associates, could directly or indirectly benefit personally from a transaction or contract with CreateTO or from your knowledge of or ability to influence decisions for CreateTO;
- where an actual, potential or perceived conflict of interest may exist:
 - CreateTO's interests must always be considered paramount,
 - You are required to immediately disclose your interest to the Head, Legal & Corporate Secretary who will determine how to deal with the conflict in accordance with this policy. Officers must declare their interests to the CreateTO Board or to the Build Toronto or TPLC Board and to the Head, Legal & Corporate Secretary at the earliest opportunity in accordance with the approved Conflict of Interest Policy;
 - Where the Head, Legal & Corporate Secretary determines that there is a conflict, the Head, Legal & Corporate Secretary should exclude the conflicted Individual from any involvement in negotiations, discussions or decision-making by CreateTO from which the conflict arises, unless the conflict is determined to be immaterial.

5.1 Outside Activities and Directorships

Employees are entitled to choose how they spend their non-working hours; however, they must not engage in any outside activity, including acting as a director, which could interfere with the proper discharge of their duties to CreateTO. Unless authorized by the Director, Human Resources, outside activities should not be carried on during working hours or using CreateTO's facilities or resources and must not imply CreateTO's sponsorship or support for the outside organization or its initiatives. Authorization to use CreateTO's facilities for or spend working hours on an outside activity will generally be given for activities such as participation in professional organizations or courses related to business functions.

Employees may not:

- knowingly be employed by, have a financial interest in, or borrow from (except on widely offered customary terms), a supplier or service provider of CreateTO;
- purchase or own residential or commercial units within CreateTO projects, properties or joint ventures without the express written approval of the CreateTO Board of Directors. This applies to Employees' spouses and immediate family members as well;
- receive fees or benefits for referring CreateTO or CreateTO staff members to an outside business or referring an outside business to CreateTO staff members;
- engage in any other external employment or business activity unless:
 - the activity is legal and does not compete with or conflict with CreateTO's interests or adversely affect the reputation of CreateTO,
 - the activity does not benefit from confidential information obtained by the Employee during the course of their employment with CreateTO.

If an Employee is a director of a corporation at the request of CreateTO or in the capacity as a CreateTO Employee or Officer, the primary responsibility is to protect CreateTO. Any securities or fees awarded to you as a director must not be collected by the Employee, but given to CreateTO.

For directorships other than those held at the request of CreateTO, all Employees must disclose any board or similar positions they hold (see Form One attached) on an annual basis. In addition, before accepting a board appointment for a public or private business entity, or nonprofit or charitable directorships with fiduciary responsibility, Employees must seek approval from the Director, Human Resources to assess whether there is a potential conflict.

5.2 Appearing Before City or Agency Committees

An Individual may not appear before a City or CreateTO committee on behalf of a private citizen or third party other than for themselves or for a family member. Individuals must identify themselves as employees of CreateTO if they are making a deputation to a City or CreateTO committee, unless they appear as a private citizen on matters that do not relate to their employment with or service to CreateTO.

5.3 Lobbyists

Individuals must be familiar with the requirements and expectation for dealing with lobbyists as outlined in Toronto Municipal Code Chapter 140, Lobbying. Individuals should not engage knowingly in communications in respect of the list of subject matters contained in the definition of "Lobby" as set out in Municipal Code Chapter 140 with a person who is not registered as required by Chapter 140. Individuals should also not knowingly communicate with a registered lobbyist who is acting in violation of Chapter 140.

Lobbying of public office holders is a permissible but regulated activity in the City of Toronto. Lobbying is defined and regulated by Municipal Code Chapter 140, Lobbying (the City's lobbying by-law inclusive of the Lobbyist Code of Conduct). If an Individual is or at any time becomes aware that a person is in violation of Chapter 140, the Individual should either refuse to deal with the lobbyist or, where appropriate, either terminate the communication with the lobbyist at once or, if in the Individual's judgment it is appropriate to continue the communication, at the end of the communication, draw that person's attention to the obligations imposed by

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Chapter 140. Individuals should report any such violation or attempted violation of Chapter 140 to the Lobbyist Registrar unless the Individual believes in good faith that the violation in communicating or attempting to communicate with the Individual was inadvertent or 8 insignificant.

6. GIFTS AND BENEFITS

Individuals will not accept, arrange to accept, give or request to be given a reward, gift, advantage or benefit of any kind from any person or entity that influences or could be perceived to influence the performance of the Individual's duties.

An Individual who receives a gift in the performance of their duties, will immediately notify their manager/supervisor or the Director, Human Resources.

An Individual may accept a gift of nominal value given as an expression of courtesy or hospitality if doing so does not influence, or would not be perceived to influence, the performance of the Individual's duties. The head of CreateTO may pre-determine that no gift may be accepted under any circumstance.

7. CHARITABLE AND POLITICAL DONATIONS

CreateTO must ensure that any expenditure made contributes to our business interests. CreateTO is prohibited from making political donations (candidate or political party donations), charitable, community, educational, cultural or religious donations¹ except:

- participation in or sponsorship of registered charitable events, but only if they:
 - promote CreateTO's commercial interests,
 - provide CreateTO appropriate recognition or reciprocal benefit,
 - have the prior written approval of CreateTO's CEO, and
 - are within a total annual dollar limit for charitable events.
- support (i.e., office space, supplies, Individual work time or obsolete equipment) for Individual fund-raising efforts for broad-based charities, such as the United Way, that are approved by the CEO;
- attendance and purchase of individual tickets to a charitable event to support the personal volunteer efforts of a CreateTO Individual where they are a member of the Board or a Committee affiliated with a Charitable Organization may be approved in accordance with the Business Expense Policy.

CreateTO encourages the valuable contribution that is made by Individuals personally participating in charitable, community, and similar organizations.

- You may support causes of your choice, but you must ensure that your contribution is not associated, or perceived to be associated, with CreateTO.
- You may not solicit donations from other Individuals or from CreateTO's suppliers or service providers except in support of CEO-approved charitable initiatives, or with the written approval of your manager.
- You must comply with the requirements of Section 9, Political Activity, of this Code.

¹ For clarification, the following would not be considered donations by CreateTO:

- Charitable donations made under CreateTO which are financed solely by Individual contributions, to recognize significant life events of Individuals, i.e. a new baby or, a wedding;
- Membership or event fees paid to professional/industry associations relevant to CreateTO's business mandate.

8. POLITICAL ACTIVITY

8.1 General Principles

Individuals must abide by the Political Activity provisions in Toronto Public Service By-Law, Chapter 192, Public Service, Toronto Municipal Code, which can be accessed at https://www.toronto.ca/wp-content/uploads/2017/11/8a34-Chapter_192_23_Toronto_Municipal_Code_Article_IV_Conflict_of_Interest.pdf.

Individuals have the right to participate in political activity which is balanced against the City's legitimate interest in having a public service that both is and appears to be politically impartial.

All Individuals have the fundamental right to vote and attend all-candidate meetings.

All Individuals are entitled to engage in other political activity, subject to the rules in this Code.

8.2 Prohibited Political Activity

Individuals shall not:

1. Use City or CreateTO resources, including facilities, equipment or supplies while engaging in political activity;
2. Engage in political activity during working hours;
3. Wear clothing or buttons that advertise any candidate, political party or referendum issue while at work; or
4. Use his or her title or position with CreateTO in a way that would lead a member of the public to infer that the City or CreateTO is endorsing a candidate, political party or a particular response to a referendum question.

8.3 Individuals in Designated Positions

The Head or CEO of CreateTO or other Individuals designated by the City Manager or the Head of CreateTO are "Designated Employees" and the following describes limitations on the political activity in which they may engage:

1. The Head or CEO of CreateTO may run for elected office, seek appointment to a municipal council or school board, be a member of a political party, and financially contribute to a candidate's campaign (except in a Toronto municipal election) but may not campaign or canvass for a political party or candidate before or during municipal, provincial and federal elections or in any way related to a Toronto referendum question.
2. Designated Employees and any Individuals who routinely provide governance and procedural advice directly to City Council or to the CreateTO board of directors and/or its committees (such as the Head, Legal & Corporate Secretary and any other legal counsel) are restricted from campaigning or canvassing to support or oppose a candidate before or during a Toronto municipal election or campaigning or canvassing on a Toronto referendum question.
3. Individuals who are not Designated Employees and who are uncertain whether intended political activity may impair or be perceived to impair the Individual's ability to perform their duties in a politically impartial manner are required to disclose such political activity and seek guidance from the Head, Legal & Corporate Secretary.

If you are unsure whether you are a Designated Employee, you can speak with the Director, Human Resources for clarification.

8.4 Seeking Election or Appointment to Political Office

8.4.1 Candidacy for Toronto Municipal Election

A CreateTO Employee is eligible to be a candidate for and to be elected as a member of Toronto City Council, subject to the following rules:

1. As required by the Municipal Elections Act, 1996, the Employee must take an unpaid leave of absence to become a candidate for Toronto City Council.
2. The leave will begin on the day the Employee files his or her nomination papers and will end on voting day.
3. The Employee must provide written notice, in advance, of his or her intentions to take unpaid leave pursuant to CreateTO procedures.
4. The Employee is entitled to be paid out any vacation pay or overtime pay owing during the period of the unpaid leave of absence.
5. If the Employee who takes a leave of absence is not elected, the leave will not be counted in determining the length of his or her service for any purpose and the service before and after the leave shall be deemed to be continuous for all purposes.
6. If the CreateTO Employee is elected to Toronto City Council, he or she will be deemed to have resigned from employment with CreateTO immediately before making the declaration of office referred to in section 186 of the City of Toronto Act, 2006.

8.4.2 Appointment to Toronto City Council

A CreateTO Employee is eligible to seek appointment to and be appointed as a member of Toronto City Council subject to the following rules:

1. The Employee must take an unpaid leave of absence.
2. The leave will begin on the day the Employee files his or her declaration of qualification and consent papers with the City Clerk and will end when City Council determines who will be appointed.
3. The Employee must provide written notice, as soon as reasonably possible, of his or her intentions to take unpaid leave to seek appointment pursuant to CreateTO procedures.
4. If the CreateTO Employee is appointed to Toronto City Council, he or she will be deemed to have resigned from employment with CreateTO immediately before making the declaration of office referred to in section 186 of the City of Toronto Act, 2006.

8.4.3 Candidacy or Appointment to Any Other Municipal Council or School Board

A CreateTO Employee is eligible to be a candidate for and to be elected as a member of any municipal council or school board or seek appointment to and to be appointed as a member of any municipal council or school board subject to the following rules:

1. To become a candidate or seek appointment, a CreateTO Employee may take an unpaid leave of absence.
2. If the Employee intends to take unpaid leave, he or she must provide written notice to request an unpaid leave pursuant to CreateTO procedures.
3. If a CreateTO Employee is elected or appointed to another municipal council or school board, the Employee is not required to resign, but is subject to the Conflict of Interest policy, other applicable employment policies and performance expectations.

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8.4.4 Candidacy for Provincial Legislature of Federal Parliament

A CreateTO Employee is eligible to be a candidate for and to be elected as a member of Provincial legislature or Federal parliament subject to the following rules:

1. To become a candidate, a CreateTO Employee must take an unpaid leave of absence and provide written notice to request an unpaid leave pursuant to CreateTO procedures.
2. If a CreateTO Employee is elected to provincial or federal office, they shall be deemed to have resigned from employment with CreateTO.

8.5 **Use of CreateTO Resources**

A CreateTO Employee who is on a leave of absence while seeking election or appointment to any elected office cannot:

1. Use any City or CreateTO resources during that time; or
2. Act in a manner that could reasonably give rise to a presumption that they are using City or CreateTO resources during the leave period.

All access to City or CreateTO resources, including security, parking, voice-mail and computer access, will be temporarily disabled during the Employee's leave.

8.6 **General**

If a CreateTO Employee is unsure about the appropriateness of his or her participation in political activity, the Employee should consult with the Head, Legal & Corporate Secretary.

A CreateTO Employee who fails to comply with the political activity rules in this article may be subject to disciplinary action up to and including dismissal.

9. PRIVACY AND CONFIDENTIALITY

Individuals may have access to different types of confidential information in the course of their duties with CreateTO, including:

- Personal information, which includes names, contact details (excluding business contact information) and financial and medical information relating to Individuals, or their families. This information is protected by privacy laws from being collected, used or disclosed to others without the person's written consent;
- Inside information, which refers to material non-public information relating to the business or securities of a public company or entity, such as litigation or the content of negotiations, and material which would be considered 'inside information' under the Criminal Code. Information is material if it would reasonably be expected to have a material effect on the market price or value of the good or information to others except in the necessary course of business, until it has been publicly disseminated;
- Third party information, which includes business and financial information received in the course of negotiations for a business transaction or for an ongoing arrangement (i.e., with a supplier or service provider) pursuant to a confidentiality agreement signed by the parties. These agreements limit the use and disclosure of the information except as needed to further the transaction or relationship. Third party business information would also include participating employer information regarding a new Employee's former employer. CreateTO must never obtain, use or disclose confidential business information of other organizations without their consent;

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- Proprietary information, which includes confidential and sensitive CreateTO information, such as Board deliberations and proprietary, technical, or financial information about CreateTO, and its activities, that could negatively impact operations if revealed.
- City information, which includes, but is not limited to, privileged information, draft by-laws or staff reports, third party information, personal information, technical, financial or scientific information and any other information collected, obtained or derived for or from City records that must or may be kept confidential under the Municipal Freedom of Information and Protection of Privacy Act or the City of Toronto Act, 2006.

In order for CreateTO to comply with the above legal and contractual obligations, and to preserve its business interests and reputation, Individuals must:

- never access or disclose confidential information unless you are expressly authorized by CreateTO and it is necessary for the performance of your responsibilities to do so,
- never use confidential information to further your own personal interests or the interests of any person or entity other than CreateTO, and
- protect confidential information by following the security measures described below.

These obligations continue indefinitely, even after you leave or retire from CreateTO.

9.1 Information Security

Individuals must be diligent in protecting confidential information from unauthorized use or disclosure, which includes taking the following steps:

- Confidential documents must not be left where they can be seen or accessed by unauthorized persons. Documents prepared by Individuals containing confidential information must be clearly marked "Confidential" before being distributed.
- Physical measures such as locking storage rooms and file cabinets, securing personal computer databases, and password protecting mobile devices must be followed.
- Avoid copying confidential information to desktop or laptop local drives or to removable USB keys. If unavoidable, ensure the USB is protected and the information erased at the earliest opportunity.
- When sending confidential information physically or electronically ensure correct addressing, appropriate protection (sealed or encrypted if possible) and confirmation of receipt.
- Confidential matters must not be discussed in public places where they may be overheard by others, such as elevators, hallways, restaurants or at social gatherings.
- Only designated equipment in secure premises should be used for faxing and copying confidential documents.
- CreateTO's systems must only be remotely accessed from a secure environment (i.e., an Individual's home computer or one supplied by CreateTO) since confidential material may inadvertently remain on the remote system after accessing CreateTO's systems.

- Confidential documents must be disposed of by returning them to the provider, archiving or shredding them.

9.2 Corporate Opportunity

CreateTO studies and is involved in a wide range of opportunities at any time. Individuals may not take advantage of any of these opportunities for their own benefit or assist any other person in taking advantage of any of these opportunities for their own benefit, unless CreateTO advises the Individual that it no longer has an interest in the opportunity.

10. USE OF FACILITIES

CreateTO makes a substantial investment in physical, electronic and staff resources to enable Individuals to carry out their duties effectively. Individuals must protect assets from theft or destruction, use electronic research and communication tools responsibly and avoid any activities that would compromise CreateTO's operational effectiveness, business or reputation.

Examples of unacceptable use of information technology (IT) facilities include:

- sharing passwords or participating in unauthorized file sharing networks;
- using trivial (easy to guess) passwords and being careless about password secrecy;
- connecting any non- CreateTO approved equipment to the network or connecting internal networked computers to external networks using a device, such as dial-up modem or broadband link, that bypasses normal security control points;
- intentionally interfering with the normal operation of IT facilities such as preventing others from accessing services or attempting to disrupt services, or probing security mechanisms;
- using another person's user-id to send messages under someone else's identity; and
- accessing or attempting to access information without authorization.

10.1 Personal Use

While CreateTO's facilities are intended for business use (i.e., for activities related to job functions), limited personal use by Individuals may be permitted for personal communications and interests; however, any personal use of CreateTO's facilities, staff or other resources must:

- be conducted on personal time and with minimal resource use;
- not interfere with CreateTO's business operations or create risk to its reputation;
- never be used for:
 - political or personal lobbying purposes;
 - commercial or profit-making purposes not related to CreateTO;
 - unethical or illegal activities, including viewing or transmitting obscene, racist or otherwise objectionable material;
 - accessing, downloading or sending games, chain letters, or gambling sites; and

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- activities such as posting to newsgroups, use of “chat” facilities, and participation in mail lists, that may associate CreateTO with controversial issues.

10.2 Personal use of cellular phones, mobile devices and other CreateTO equipment:

CreateTO provides cellular phones and other mobile devices such as Blackberries to those Employees who require them for business purposes. Personal use of cellular phones, mobile devices and other facilities and equipment should be minimized. CreateTO will require reimbursement of hard costs associated with any purely personal use.

10.3 Copyright

Copyright is the legal right that persons may claim to limit use of their work-product by others. All original material is automatically subject to copyright. Generally, copyrighted material that is published (including being posted electronically) may be copied and used by an Individual who buys or downloads the publication, or obtains permission from the owner; however, it must not be re-distributed or re-posted by the Individual for use by others without permission.

CreateTO purchases or licenses computer software for business use. Individuals should not make, acquire or use unauthorized copies of computer software, or download any software without prior approval from their manager as the software may contain viruses or be subject to licensing requirements or copyright protection.

CreateTO retains ownership of the copyright in any work-product created in the performance of Individuals' jobs, including documents and computer programs. CreateTO's work may not be distributed to outsiders unless authorized.

10.4 Asset Ownership and Access

CreateTO retains ownership of all physical assets and IT resources (hardware, software, information, etc.) that it provides to Individuals. To ensure proper and effective functioning of its facilities, CreateTO may need to examine both usage of facilities and contents of files and communications at any time. So while limited personal use of CreateTO's facilities is permitted, there should be no expectation of privacy on the part of users.

11. MEDIA CONTACT AND PUBLIC STATEMENTS

In order to ensure that CreateTO's reputation is maintained and that messages are consistent, all media inquiries must be directed to the approved Corporate Communications person, who will answer the inquiry or direct the media representative to the appropriate person. Similarly, Individuals must not make CreateTO's material public or post it to the Internet without prior approval from Corporate Communications.

In all of your dealings as an Employee of CreateTO you must present your personal opinions, ideas, or questions on issues that may affect CreateTO as your own and not those of CreateTO. To the extent possible, you should discuss them with a subject matter expert within CreateTO or legal counsel in advance of making any public statement that may be controversial. When giving presentations at conferences and seminars, Individuals should generally avoid commenting on specific situations.

12. REPORTING VIOLATIONS

If you are aware of inappropriate or unethical behaviour by others that violates or appears to violate the Code, you must report it to your manager or the Director, Human Resources. There will be no reprisal against any Individual for making a report in good faith; however, failure to report a violation may lead to disciplinary action. The Wrongdoing and Reprisal Protection Policy outlines in detail the reporting obligations of suspected violations of this Code of Conduct. For the purposes of the Wrongdoing and Reprisal Protection Policy, the definition of Wrongdoing is any serious actions that are contrary to the public interest including but not limited to:

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- (i) fraud;
- (ii) theft of City assets;
- (iii) waste:
 - mismanagement of City resources or assets in a willful, intentional or negligent manner that contravenes a City policy or direction by Council;
- (iv) violations of the City's Conflict of Interest rules set out in Article IV of Toronto Public Service By-Law, Chapter 192, Public Service, Toronto Municipal Code, which can be accessed at https://www.toronto.ca/wp-content/uploads/2017/11/9208-Chapter_192_Toronto_Municipal_Code_Article_IV_Conflict_of_Interest.pdf; and
- (v) breach of public trust.

12.1 Personal or Family Relationships (Nepotism)

As also referenced in the Recruitment Policy if any Individual involved in a recruitment has a close personal or family relationship with an applicant the relationship must be disclosed to others involved in the recruitment as soon as the Individual becomes aware of the application.

Employees must not be employed under the direct or indirect supervision of an immediate family member, which includes:

- A legal or common-law spouse
- A child, step-child or grandchild
- A niece or nephew
- A parent, foster parent or grandparent
- A mother-in-law or father-in-law
- A brother or sister, and brother-in-law and sister-in-law
- Any other relative residing in the same household.

12.2 Wrongdoing and Reprisal Protection Policy

Should you wish further information with respect to reporting/assessing what you consider to be inappropriate behaviour(s) please reference our Wrongdoing and Reprisal Protection Policy which is available on-line for your confidential review. The designated executive with responsibility for the Code of Conduct and the Wrongdoing and Reprisal Protection Policy is the Head, Legal & Corporate Secretary.

12.3 Reprisals and Obstruction

Individuals should respect the integrity of this Code and are obligated to cooperate with investigations conducted under it. Any reprisal or threat of reprisal against a complainant or anyone for providing relevant information is prohibited. It is a violation of this Code to obstruct the Director, Human Resources in the carrying out of her or his responsibilities, as, for example, by the destruction of documents or the erasing of electronic communications.

13. ANNUAL ACKNOWLEDGEMENT OF COMPLIANCE

All Individuals are required, as a condition of their appointment or employment, to annually complete the CreateTO Code of Conduct acknowledgement of compliance with the Code form, by January 30 of each calendar year. New staff must complete this process within 30 days of their start date. Any material changes to this information require another Form 1 to be completed and submitted to the Director, Human Resources within 30 days of any change.

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Effective: January 2018

CODE OF CONDUCT

**FORM 1 –
OUTSIDE ACTIVITIES DISCLOSURE STATEMENT AND ANNUAL STATEMENT OF COMPLIANCE**

I hold the following directorships or similar positions which I am required to disclose to Compliance under sections 5.1 and 10 of the Code:

(Please list any outside Board or similar positions you hold with any public or private business entity, or nonprofit or charitable organization. State “none” if you have nothing to disclose. If required, attach an additional sheet)

Name of Organization	Type of Organization (public/private business, non-profit/charity)	Senior Management Approval (name of approver if required*)	Position Held (Director, Trustee, general partner, executive committee etc.)

*** Note:** Employees must receive written Senior Management approval before accepting a board appointment for a public or private business entity or for non-profit or charitable organizations with Fiduciary responsibility.

I have received, read and understand the requirements of the Code of Conduct policy and will comply with the spirit and intent of the policy. I understand that non-compliance with the policy could result in disciplinary action, up to and including termination of my employment with CreateTO.

_____ Signature _____ Date _____
Name (please print)

_____ Signature _____ Date _____
Manager's Name (please print)

Please return your completed form to the Director, Human Resources

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION [FORMERLY CALLED WHISTLEBLOWER POLICY]

CreateTO is committed to achieving the highest standards of openness, accountability, and security. An important aspect of this commitment is the provision of a mechanism that enables members of the Board of Directors and employees to voice concerns in a responsible and effective manner.

Employees are often among the first to discover any possibility of wrongdoing. This Policy is in place to encourage and enable Directors and employees to come forward without fear of reprisal if they honestly believe they have discovered a serious breach of CreateTO's Code of Conduct.

For clarity, "wrongdoing" is defined as: *Serious actions that are contrary to the public interest including but not limited to: (1) Fraud; (2) Theft of CreateTO assets; (3) Waste: mismanagement of CreateTO resources or assets in a willful, intentional or negligent manner that contravenes a CreateTO policy or direction by the Board; (4) Violations of the City's Conflict of Interest rules set out in Article V of the Code of Conduct policy; and (5) Breach of public trust."*

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1. SCOPE

The CreateTO Code of Conduct (hereinafter referred to as the Code) requires directors and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

This policy affirms CreateTO's commitment to ensure that complaints of illegal or unethical conduct are fully investigated and addressed in a timely manner and that "whistleblowers" are protected against reprisals for complaints made in good faith. This policy supports and follows from the reporting provisions in two other CreateTO policies.

- ⇒ The **Code of Conduct Policy** requires all employees and Directors to report violations of the Code to their manager, the CEO or the Chair of CreateTO.

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION

- ⇒ The **Harassment and Discrimination Policy** permits complaints of misconduct under that policy to be reported to the Director, Human Resources or the Management team either directly or through any manager.

The objectives of the CreateTO Whistleblower Policy are to establish policies and procedures for:

- ⇒ The submission of concerns regarding questionable accounting or auditing matters, illegal or unethical business practices or other violations of adopted policies of the organization by employees, directors, officers, and other stakeholders of the organization, on a confidential and anonymous basis.
- ⇒ The receipt, retention, and treatment of complaints received by the organization regarding accounting, internal controls, or auditing matters, illegal practices or other violations of adopted policies.
- ⇒ The protection of directors and employees reporting concerns from retaliatory actions.

For clarity,

2. INDEPENDENCE AND FAIRNESS OF INVESTIGATIONS

It is fundamental to the effectiveness of this policy that every alleged offender is presumed innocent until proven guilty and that investigations are independent. Persons involved in conducting or overseeing an investigation must be free from actual or perceived conflicts. In particular:

- ⇒ a person who makes or is the subject of a complaint must not conduct or oversee any aspect of the investigation of that complaint; and
- ⇒ employees must not be involved in an investigation where the alleged offender or the complainant is in a position senior to, nor is a peer of, the employee.

As soon as possible, but without compromising the effectiveness of the investigation or any anonymity requested by the complainant, the alleged offender must be notified of the complaint and be given an opportunity to respond.

3. REPORTING RESPONSIBILITY

Each director and employee of CreateTO has an obligation to report in accordance with this Whistleblower Policy (a) questionable or improper accounting or auditing matters, (b) other illegal practices or unethical business practices and (c) violations and suspected violations of CreateTO's Code of Conduct (hereinafter collectively referred to as Concerns).

4. NO RETALIATION

This Whistleblower Policy is intended to encourage and enable directors and employees to raise Concerns within CreateTO for investigation and appropriate action. With this goal in mind, no director or employee who, in good faith, reports a Concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, an employee who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including termination of employment.

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION

5. REPORTING CONCERNS

5.1 Employees

Employees should first discuss their Concern with the immediate supervisor if they feel comfortable. If, after speaking with his or her supervisor, the individual continues to have reasonable grounds to believe the Concern is valid, the individual should reduce the concern to writing and submit the report of the Concern to the Director, Human Resources or the Management team.

5.2 Directors

Directors should submit Concerns in writing directly to the CEO, or the Board Chair or Corporate Secretary.

6. HANDLING OF REPORTED VIOLATIONS

A complaint involving alleged criminal conduct should be referred to the police.

It is fundamental to the effectiveness of this policy that every alleged offender is presumed innocent until proven guilty and that investigations are independent. Persons involved in conducting or overseeing an investigation must be free from actual or perceived conflicts.

Upon learning of the complaint the CEO, or the Board Chair or Corporate Secretary will determine what level of violation they are investigating. (Still remembering that the person(s) is considered innocent at this point.)

6.1 Classification of Complaints

Complaints under this policy will be classified in two ways, Minor Issues and Major Issues.

A Minor issue: is an issue with minimal financial, organizational or reputational impacts - i.e. excessive personal internet usage, inadvertent errors on an expense claim, undeclared external interest with no financial impacts, etc. A Major issue: is an issue with significant financial, organizational or reputational impacts or any issue that involves a willful fraudulent act or other illegal activity - i.e. an individual who has input into Accounts Payable setting up a fake invoice and paying the amount of the invoice to themselves/someone they know; accepting services or prohibited gifts (i.e. building services or use of vacation property) from a vendor who they have awarded or had influence over who was successful in getting the contract; fraudulent expense or reimbursement claims; unreported conflict of interest etc.

7. ACTING IN GOOD FAITH

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting or auditing practice, illegal practice, or a violation of the Code. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including, termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

8. CONFIDENTIALITY

Reports of Concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION

Disclosure of reports of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

9. OVERSIGHT ACCOUNTABILITY

The CEO, or the Board Chair or Corporate Secretary of CreateTO, are accountable for ensuring that complaints of violations are appropriately investigated, resolved and reported under this policy. Managers must forward any complaints they receive to the Director, Human Resources unless the complaint is in relation to the Director, Human Resources and then will pass to the CEO, Board Chair or Corporate Secretary. The Director, Human Resources must evaluate the nature of the complaint to determine if it would be classified as a minor or major concern and then respond appropriately.

The role of the CEO in investigations of complaints relating to Directors/Senior Management team is only to facilitate the retention of appropriate external counsel and to provide resources and access to information requested by external counsel to properly fulfill the engagement. If the Board Chair or the Corporate Secretary receives a complaint regarding a Director, they must coordinate any investigation with the CEO. External investigations are required for complaints involving Directors and Senior Management to avoid potential conflicts from peers investigating peers or individuals investigating persons with whom they have a direct or indirect reporting relationship.

The CEO may delegate responsibility for overseeing or investigating specific matters to external counsel or other staff, including the Director, Human Resources. Where it appears that the Board Chair or Corporate Secretary has an actual or perceived conflict, the complaint must be referred to the CEO, who must refer the complaint to external counsel who will report to the CEO.

The CEO, Board Chair or Corporate Secretary or external counsel overseeing the investigation must also ensure that:

- ⇒ the CEO is kept informed of complaints against employees (including Senior Management other than the CEO) and external vendors or consultants;
- ⇒ the Board Chair is kept informed of complaints against other Directors or the CEO; and
- ⇒ the CEO is kept informed of complaints against the Board Chair.

In order to protect the confidentiality of the investigation process and the legitimate privacy rights of the individuals involved, neither the Board Chair nor the Corporate Secretary is required to report complaints or investigations to the Board or any other Director except as expressly mentioned by the processes set out in this policy.

10. REPORTING

The Investigator must produce a report of the investigation as expeditiously as possible and provide it to 1) the CEO, 2) Board Chair, 3) Corporate Secretary.

The actions that may be taken to address a violation will depend on the particular circumstances including, without limitation:

- ⇒ if the violation involves an employee, including Senior Management: disciplinary action up to and including dismissal; and

DISCLOSURE OF WRONGDOING AND REPRISAL PROTECTION

- ⇒ if the violation involves a Director, including the Board Chair: a reprimand; the suspension or removal from the position of Board Chair, Committee Chair or Committee Vice Chair; a request for resignation; or disclosure of the sanction to the shareholders Civic Appointments Committee.

In the case where an employee has been found innocent of the accusation, the investigation report, nor any reference to it, may be kept in the employee's personnel file.

From time to time, the Corporate Secretary will provide a report to the Board outlining any complaints received and a general description of how they were resolved. These reports must not contain information that could identify the individuals involved unless required as a matter of law. If necessary, based on the nature of the complaint, the Corporate Secretary may provide a report to the Board at its next meeting.

Effective Date: January 2018



DOMESTIC VIOLENCE POLICY

CreateTO is committed to working with its employees to provide a safe work environment. The Occupational Health and Safety Act (OHSA) sets out the duties of workplace parties in respect of workplace violence and workplace harassment. Violence or harassment in the workplace may originate from anyone the worker comes into contact with in a workplace, such as a client, a customer, a student, a patient, a co-worker, an employer, or a supervisor. The person may be someone with no formal connection to the workplace, such as a stranger or a domestic/intimate partner, who brings violence or harassment into the workplace.

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1. SCOPE

CreateTO recognizes that domestic/intimate partner violence may impact an employee or employees in the workplace, The *Occupational Health and Safety Act* (OHSA) requires employers to take every precaution reasonable in the circumstances for worker protection if they become aware, or ought reasonably to be aware, of an employee in a domestic/intimate partner violence situation that may expose a worker to physical injury in the workplace. CreateTO is committed to meeting this legal responsibility in a manner that:

- ⇒ is sensitive to, and supportive of, the needs of employees who are in domestic/intimate partner violence situations
- ⇒ provides employees who are in domestic/intimate partner violence situations access to information regarding resources and supports to ensure their physical safety, emotional health, and basic material and financial needs
- ⇒ is protective of the health and safety of all employees that may be placed at risk as a result of domestic/intimate partner situations impacting the workplace while respecting the privacy rights of the employee in a domestic/intimate partner violence situation

2. DEFINITION

Domestic/intimate partner violence is the intentional and systematic use of tactics to induce fear and establish and maintain power and control over the thoughts, beliefs and conduct of another in an intimate/familial relationship. The pattern of behaviour may include physical violence, sexual, emotional /psychological abuse exhibited by verbal abuse, stalking and using electronic means. Anyone can be a victim of domestic/intimate partner violence, regardless of gender, age, race, religion, sexual orientation, economic status or education. The abuser may be a current or former spouse or partner, relative or friend. Other common terms for domestic/intimate partner violence include personal relationship violence or family violence.

3. RESPONSIBILITIES

CreateTO will:

- ⇒ Strive to create a workplace that:
 - is free from all forms of violence, including domestic/intimate partner violence

DOMESTIC VIOLENCE POLICY

- supports employees who are recognized to be, or who report being, victims of domestic/intimate partner violence
- ⇒ Take reasonable preventative measures to protect the safety of employees who request assistance in the workplace because they are the victims of domestic/intimate partner violence
- ⇒ Respect the confidentiality of the employee who reports domestic/intimate partner violence, informing other employees on a need-to-know basis only, and only to the extent necessary to protect safety and to comply with legislative requirements

Managers/supervisors will:

- ⇒ Understand and uphold the principles of this policy
- ⇒ Ensure this policy is explained to employees
- ⇒ Be aware of observable signs or behaviours that may suggest domestic/intimate partner abuse
- ⇒ Take every precaution reasonable in the circumstances for worker protection if they become aware, or ought reasonably to be aware, that domestic/intimate partner violence that would likely expose a worker to physical injury may occur in the workplace
- ⇒ Provide informed and supportive responses to employees experiencing or witnessing domestic/intimate partner violence in the workplace. Make these employees aware of resources (internal and external to the City) that are available to assist victims of domestic/intimate partner violence (Note: Resource list is an appendix to this policy)
- ⇒ Work with employees who report being the victims of domestic/intimate partner violence that may pose a threat in the workplace in developing a workplace safety plan to protect them and others in the workplace. This plan will be individualized to the circumstances reported but may include elements such as:
 - Resource and referral information
 - Call screening, new phone number, e-mail blocking, removal of employee contact information from public directories
 - Additional security measures at the workplace
 - Work schedule adjustment to enable domestic/intimate partner violence victim to obtain medical, counselling or legal assistance
 - Develop a workplace safety plan
 - Properly document any report of domestic/intimate partner violence
 - Protect the confidentiality of employees who report domestic/intimate partner violence within the limits needed for safety, recognizing that information may need to be shared on a strictly need-to-know basis if an employee's safety at work is jeopardized
 - Take all reasonable and practical measures to protect workers, acting in good faith, who report domestic/intimate partner violence in the workplace or act as witnesses, from reprisals (acts of retaliation, direct or indirect) or further violence
 - Take appropriate corrective and/or disciplinary actions to address instances in which an employee uses workplace resources to perpetrate domestic/intimate partner violence

Employees who are witnesses to domestic/intimate partner violence in the workplace are required to:

- ⇒ Take action to ensure their own immediate safety in the event of a domestic/intimate partner violence incident
- ⇒ Report any such incident immediately to the supervisor or manager
- ⇒ Report to their supervisor/manager any information that indicates the safety of any employee in the workplace is at risk as a result of domestic/intimate partner violence
- ⇒ Apart from these situations, maintain confidentiality regarding a co-worker experiencing domestic/intimate partner violence

CreateTO recognizes that employees experiencing domestic/intimate partner violence may be reluctant to disclose the problem to a supervisor or manager. CreateTO encourages disclosure in order to protect the safety of the employee and others in the workplace. Disclosure also enables CreateTO to support the employee and

DOMESTIC VIOLENCE POLICY

provide links to appropriate services. Although CreateTO respects the employee's need for confidentiality, an employee is responsible for:

- ⇒ Disclosing any situation that threatens the safety of the workplace
- ⇒ Informing the supervisor/manager if they have applied for, or obtained, a restraining order that includes the workplace as a protected area.

The Occupational Health and Safety Coordinating Committee will:

- ⇒ Review this policy and guidelines and make recommendations for amendments, as needed.

Effective Date: January 2018



DOMESTIC VIOLENCE SAFETY PROGRAM

Domestic violence can have serious and even lethal consequences. Behaviours such as emotional and psychological intimidation and harassment can be disruptive and harmful to the victim and can quickly turn into physical violence.

Stalking has been identified as one of the primary risk factors for attempted and actual murder of female partners in intimate relationships. Recent separation is also an important red flag as many deaths related to domestic violence in Ontario occurred when the relationship was ending or following separation.

1. THE PROGRAM

NAME:	DATE:
LOCATION:	
AGGRESSOR'S FULL NAME:	
ADDRESS:	
CURRENT RELATIONSHIP STATUS:	
DESCRIPTION & PHOTO:	
AGGRESSOR'S patterns of behaviour and high risk times (e.g. free hours):	

DOMESTIC VIOLENCE PROGRAM

CURRENT PROGRAM(S) or WORKING DAYS & HOURS:	
<p>(a) Would switching programs or changing your work schedule help?</p> <p>If yes, please indicate new program or schedule:</p>	YES / NO
<p>(b) How do you normally arrive? (bus, walking, car, etc.)</p> <p>If you drive, where do you park and do you have a permit?</p>	
<p>(c) Would finding a new method to work help (including a new parking spot)?</p> <p>If yes, please indicate new method and/or parking spot:</p>	YES / NO
<p>(d) Would having someone escort you to your car or public transportation help?</p> <p>If yes, please indicate plan:</p>	YES / NO

DOMESTIC VIOLENCE PROGRAM

<p>(e) If the aggressor shows up, how would you suggest handling the situation?</p> <ul style="list-style-type: none"> <input type="radio"/> Call the police <input type="radio"/> Say that I am unavailable or not here <input type="radio"/> Ask him/her to leave the building <input type="radio"/> Other: 	
<p>(f) If it's possible, would you like to have his/her phone number and email blocked?</p> <p>If yes, please include information:</p>	YES / NO
<p>(g) Do you believe that he/she would be violent to others or cause a scene in order to see you?</p> <p>If yes, please describe some of his/her behaviour and/or concerns you have:</p>	YES / NO
<p>(h) Would you like to attach any records to keep as evidence? (emails, voicemails)</p> <p>If yes, please indicate and attach:</p>	YES / NO

2. ADDITIONAL SAFETY

Who can we contact in case of emergency? (Name & phone number)

DOMESTIC VIOLENCE PROGRAM

3. CODE WORD

If you are in danger, what code word can you use to ask for help?

4. ADDITIONAL SUPPORT

Safety plans look at the steps that can be taken at different points in time or in various situations (when at work, while living with the aggressor, getting ready to leave, leaving, afterwards, protecting children and family pets). Creating a safety plan requires experience in risk and threat assessments, so you may want to connect with services in your community to get additional expert help.

- **Assaulted Women's Helpline 1-866-863-0511** – They offer anonymous and confidential crisis support for abused women in Ontario in 1554 languages.
- **Shelternet at www.shelternet.ca or 1-416-642-5463** – They provide information for abused individuals, their family, friends and colleagues on a variety of topics, including finding shelter and safety planning.

5. PRIVACY

CreateTO has the duty to take every precaution reasonable to protect workers and that responsibility might outweigh the need for complete privacy.

We can ensure that all communication will happen on a "need to know" basis and that it will be done with the highest level of respect and confidentiality.

If it is determined that some information needs to be shared, we will make every effort to first discuss with you:

- Who needs to be informed and why
- What information will be communicated
- The expectations for confidentiality
- Consequences if confidentiality is breached

6. CHANGES

If at any time you would like to update or change the safety plan please advise the Director, Human Resources.



EMPLOYMENT EQUITY

The policies and programs of CreateTO are designed to achieve equality in the workplace for all to ensure that no employee or potential employee is denied employment or promotional opportunities or benefits for reasons unrelated to their ability.

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1. SCOPE

CreateTO is committed to a policy of fairness and equity in employment and services in recognition of its obligations and responsibilities as an employer and of its role in the community. This will be achieved through employment equity programs that remove barriers and monitor outcomes rather than by establishing requirements to precisely reflect the percentage of designated groups in the community.

2. CONTEXT

CreateTO will:

- ⇒ hire and promote on the basis of merit and potential;
- ⇒ compensate fairly according to the value of the work performed;
- ⇒ create a climate of understanding and mutual respect for the dignity of each individual.

Full equality will be achieved through the combined efforts of CreateTO, its employees, employee associations, and the community. Specifically, CreateTO will:

- ⇒ provide equality of opportunity to all individuals, and identify and remove artificial and systemic barriers to full employment with respect to an employee’s or potential employee’s race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, age, record of offences, marital status, family status, disability and level of literacy;
- ⇒ commit to principles of potential and merit as key criteria for hiring and promotion; will make the best use of the talents of all available employees regardless of their gender, sexual orientation, disability, racial status or Aboriginal status;
- ⇒ ensure equitable compensation practices consistent with pay equity requirements;
- ⇒ undertake to educate and inform its employees on equity principles;

3. APPLICATION

This policy covers all employees and prospective employees of CreateTO. This policy takes into account issues regarding protection of privacy and freedom of information.

CreateTO’s Employment Equity Program will consist primarily of the following components:

EMPLOYMENT EQUITY

- ⇒ communication about equity principles, practices and programs;
- ⇒ policy review and development on equity issues (work and family life initiatives which highlight corporate policies and practices);
- ⇒ for the purpose of identifying barriers and improving process, monitor, provide input and make recommendations on the recruitment, selection, promotional and appointment processes and outcomes when required;
- ⇒ input on staff development and training programs.

Effective Date: January 2018



HEALTH AND SAFETY POLICY

CreateTO recognizes that our employees are our most valuable asset and are entitled to work in a safe and healthy environment. CreateTO is committed to conducting all aspects of business in a manner that is consistent with the highest standards of health and safety with the continuing objective of reducing risk of injury.

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1. SCOPE

This policy sets out how CreateTO meets this objective and complies with the *Ontario Occupational Health and Safety Act (OHSA)* and *Workforce Safety and Insurance Board (WSIB)*. Additional health and safety information such as Emergency Evacuation, Fire Warden Contacts, Locations of First Aid and CPR kits can be obtained from the Director, Human Resources.

2. JOINT HEALTH AND SAFETY COMMITTEE (JHSC)

A JHSC has been established within CreateTO. The purpose of the JHSC is to address health and safety issues by identifying potential hazards or risks, recommending action to the Management team, and reviewing progress to resolve the issues.

2.1 COMPOSITION

The JHSC must be co-chaired by a manager and a non-manager member. At least one non-manager and one manager member must be certified by the Ministry of Labour.

⇒ The JHSC has 3 members of which 2 are volunteer non-manager employees. The current JHSC members are:

Name	Extension	Position	Mgmt / Non-Mgmt
Sharon Goff-McCue	2454	Co-Chair	Management
Helen Finch	3807	Co-Chair	Non-Management
Nelson Carreiro	3625	Member	Non-Management
Sylvie Eadie	2888	Member	Non-Management

⇒ The Resource person for the JHSC is Sharon Goff-McCue, Director, Human Resources

2.2 MEETINGS AND MINUTES

The JHSC must meet quarterly. Minutes of each meeting must be recorded and signed by the co-chairpersons, and should include details of all matters discussed and how issues were resolved. The minutes will be posted and must be available for immediate review by a Ministry of Labour inspector, if requested.

2.3 WORKPLACE INSPECTIONS

The JHSC must:

- ⇒ Establish a workplace inspection schedule to ensure that at least part of the workplace is inspected each month and the entire workplace is inspected at least once a year.
- ⇒ Appoint a certified non-manager committee member to carry out inspections and report to the JHSC with recommendations on any actual or potential hazards from equipment, substances and working conditions.
- ⇒ Where there is an employee work refusal or if a worker is killed or critically injured on the job, a non-manager member must be appointed to investigate the incident and report to the JHSC, and the Ministry of Labour.
- ⇒ Co-chairpersons must report on compliance with the Health and Safety Policy annually.

2.4 ADDITIONAL JHSC DUTIES

- ⇒ Provide assistance to managers on health and safety issues such as ergonomic work station assessments, maintaining workplace equipment, handling hazardous materials and general information to promote wellness in the workplace.
- ⇒ Ensure the Wellness Room and the First Aid and CPR kit are maintained at designated locations.
- ⇒ Promote fire safety by appointing and ensuring fire wardens are trained and by conducting annual fire drills in which all employees participate.

2.5 CONFIDENTIALITY

Any confidential information that JHSC members have access to must be kept confidential, except as required to be disclosed by law, including:

- ⇒ Information unrelated to health and safety issues;
- ⇒ Workplace tests or inquiries conducted by external parties; or
- ⇒ Personal information of individuals from complaints or reports of injury.

2.6 RESPONSIBILITIES OF OTHERS

All CreateTO employees must:

- ⇒ Take reasonable steps to ensure the health and safety of themselves and others and cooperate with JHSC members;
- ⇒ Report to their manager or the JHSC any hazard or potential risk within a workplace that could harm themselves or others; and
- ⇒ Report to their manager or the JHSC any type of work related injury or illness immediately, so it can be reported to the Ministry of Labour or other regulatory bodies within the legislated time frames as required.

Managers must ensure that:

HEALTH AND SAFETY POLICY

- ⇒ Work equipment in their area is safe;
- ⇒ Employees receive adequate training in their specific work tasks; and
- ⇒ Employees work in compliance with established safe work practices.

Senior Management must:

- ⇒ Annually review and approve the Joint Health and Safety policy.
- ⇒ Provide any information requested by Ministry of Labour and JHSC and attest that CreateTO is in compliance.
- ⇒ Ensure any health and safety concerns raised by the JHSC are appropriately addressed in a timely manner.

Effective Date: January 2018



JURY DUTY / WITNESS SERVICE

CreateTO provides paid leave of absence for employees who are called to serve as jurors or witnesses in civil or criminal cases.

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- 2. CONDITIONS1
- 3. SALARY AND BENEFITS1

1. APPLICATION

This policy applies to all employees.

2. CONDITIONS

Employees must provide the summons, a certificate showing the period of jury/witness service or subpoena to the Director, Human Resources.

3. SALARY AND BENEFITS

Employees are paid their regular pay provided they submit any compensation received for jury or witness service to the Director, Human Resources, unless this compensation is paid for days they are not scheduled to work.

Compensation received for travelling expenses and meal allowance does not have to be returned to CreateTO.

All benefits continue during the leave.

An employee's service is not affected by the leave. An employee's vacation entitlement, and pension credit do not change.



PERSONAL DAYS

CreateTO provides a competitive vacation plan, which exceeds the legal minimum, to all regular full time and part time employees. However, CreateTO recognizes that from time-to-time employees may require a day off for personal reasons.

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1. SCOPE

Full-time permanent employees are eligible to two paid (2) Personal Days in a calendar year. Part-time permanent employees are also entitled to Personal Days on a pro-rated basis.

2. SCHEDULING PERSONAL DAYS

Employees must obtain approval from their managers before scheduling Personal Days when possible. In giving approval to their employees, managers must ensure that their area’s day-to-day operations continue to run efficiently and productively during employee absences. Managers should avoid giving approval for new employees to take Personal Days during their three-month probationary period. Personal Days should be taken one at a time and not consecutively.

3. CARRY OVER

There is no carry over for Personal Days. If an employee does not use his/her Personal Days within a calendar year prior to December 31st the Personal Days will expire at that time.

4. VACATION

Personal Days may not be used to extend vacation time.

5. EMPLOYEE DEPARTURE

When an employee leaves the employment of CreateTO, any unused Personal Days will expire and will not be paid out.

PERSONAL DAYS

6. ACCOUNTABILITY

Employees must advise the Director, Human Resources if they are aware of errors recorded for their time off.

Managers must ensure that employee attendance is recorded in a timely manner and reported to the Director, Human Resources.

Human Resources is responsible for maintaining attendance records.

Effective Date: January 2018

PERSONAL EMERGENCY LEAVE

CreateTO is committed to providing a work-life balance for its employees and understands that situations and unforeseen circumstances can and will arise that call for employees to be absent from work. This Policy covers instances where employees may need to take planned or unplanned time off work in order to attend to urgent situations that directly affect themselves, their families or dependents.

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1. SCOPE

In compliance with governing legislation, all employees are entitled to take up to 10 days of job-protected leave from work under the Employment Standards Act provisions. This is known as **Personal Emergency Leave (PEL)**.

Employees are entitled to up to 10 personal emergency leave days per year, with two of those days paid. An employee can take personal emergency leave for illnesses, injuries and medical emergencies for themselves or a family member. The 10 days of leave do not have to be taken consecutively.

An employee can also take personal emergency leave because of an “urgent matter”. An urgent matter is an event that is unplanned or out of the employee’s control, and can cause serious negative consequences, including emotional harm, if not responded to urgently.

2. APPLICATION

PEL days will be measured only in full or half days. There is no accumulation of unused time, no carry-forward and no payouts for unused time.

PEL days cannot be used to extend vacation time unless exceptional circumstances occur.

Should additional time off be required, the employee’s Manager, in conjunction with HR, will review available options including use of vacation days and other alternatives.

3. POLICY REQUIREMENTS

In accordance with the Employment Standards Act, credited service will continue to accrue during any days taken under this policy. CreateTO will also continue to pay the regular company-paid premiums for certain benefit plans (i.e. life insurance, extended health and dental benefits) that were provided prior to the time off.

PERSONAL EMERGENCY LEAVE

4. NOTICE REQUIREMENTS

Generally, an employee must inform his/her Manager and Human Resources before starting the leave that he or she will be taking a personal emergency leave of absence.

If an employee has to begin the leave before notifying his/her Manager and Human Resources, the employee must inform them as soon as possible after starting the leave. Notice does not have to be given in writing. Oral notice is sufficient.

5. LEGISLATION

Under the Employments Standards Act, there are several other leaves permitted as follows:

- Pregnancy and Parental Leave (See Policy on Pregnancy and Parental Leave)
- Family Caregiver Leave
- Family Medical Leave
- Critical Illness Leave
- Organ Donor Leave
- Reservist Leave
- Child Death Leave
- Crime-related Child Disappearance Leave
- Domestic or Sexual Violence Leave

Please refer to the Employment Standards Act for more information on any of these leaves. Information can be found at <https://www.labour.gov.on.ca/english/es/> or <https://www.ontario.ca/document/your-guide-employment-standards-act>.

PREGNANCY AND PARENTAL LEAVE

CreateTO provides employees who are new parents with a comprehensive benefits program that meets or exceeds all legislative requirements. This policy sets guidelines for all CreateTO employees and sets out entitlements and conditions for Pregnancy and Parental Leaves as well as defines the waiting period and Benefits top-up option for permanent employees.

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1. SCOPE

CreateTO provides employees who are new parents with a comprehensive benefits program that meets or exceeds all legislative requirements. Subject to the conditions below, all permanent and contract employees of CreateTO are eligible for the following job-protected time off from work:

Pregnancy Leave – entitles a biological mother, including surrogate mothers, who cannot work because they are pregnant or have recently given birth a maximum of 15 weeks of time off. Maternity Leave can start as early as 12 weeks before the expected date of birth and can end as late as 17 weeks after the actual date of birth.

Parental Leave –available to biological, adoptive, or legally recognized parents and can be shared between the two parents. There are two options available for receiving parental benefits: standard or extended.

- ⇒ *Standard Parental Leave* -- can be for a maximum of 35 weeks and must be claimed within a 52-week period (12 months) after the week the child was born or placed for the purpose of adoption.
- ⇒ *Extended Parental Leave* - can be for a maximum of 61 weeks and must be claimed within a 78-week period (18 months) after the week the child was born or placed for the purpose of adoption.

PREGNANCY AND PARENTAL LEAVE

2. CONDITIONS OF LEAVE

2.1 Eligibility

The employee must have been hired at least 13 weeks prior to the expected due date of the child for Pregnancy Leave and at least 13 weeks prior to the start of the Parental Leave to be eligible for the Top-up Plan.

2.2 Qualifying for Pregnancy and/or Parental Leave

To qualify for Pregnancy and/or Parental Leave, the employee must be a biological, adoptive, or legally recognized parent, or a person in a relationship of some permanence with a parent of a child and who plans on treating the child as his or her own.

2.3 Annual Salary Increases

If a permanent employee is on Pregnancy and/or Parental Leave at the time of the annual staff base salary review, any salary increase will not be effective until the employee returns to work. If the annual base salary adjustments are provided to employees while a permanent employee is on Pregnancy and/or Parental Leave but the employee was actively at work the date the retroactive adjustment is effective, the prorated portion for the time the employee was actively at work will be paid to the employee upon returning to work.

2.4 Extension of Contract

If a contract employee's employment contract expires before the conclusion of his/her Pregnancy or Parental Leave, CreateTO is not required to extend the employee's contract past the original expiration date or reinstate the employee following the conclusion of his/her leave.

2.5 Reinstatement

A permanent employee returning from a Pregnancy and/or Parental Leave is entitled to return to the same position the employee had before the leave began. If the position no longer exists, the employee will return to a comparable position.

3. BENEFITS WHILE ON LEAVE

3.1 Permanent Employees

(not applicable to contract employees)

- (a) *Top-up Plan* – CreateTO will pay permanent employees their regular salary payments for the first week of Pregnancy Leave. Employment Insurance (E.I.) considers this a waiting period and does not pay any benefit for this first week period of Pregnancy and/or Parental Leave. CreateTO will also continue to pay the employee a top up to their E.I. benefits. The top-up is based on the employee's pre-leave bi-weekly income and the amount of the top-up is based on whether the employee chooses to take the Standard Parental Leave or the Extended Parental Leave.
- (b) CreateTO provides a bi-weekly lump sum benefit that brings the employee's combined bi-weekly benefit payments (E.I. and CreateTO) to 75% of their pre-leave bi-weekly salary for a Standard Parental Leave. If an employee chooses to take the Extended Parental Leave, the total amount of the top-up payable under the Standard Parental Leave will be spread over the Extended Parental Leave. For example if the total amount of top-up for the Standard Parental Leave is \$20,000, the total amount of the top-up for the Extended Parental Leave would be the same.

PREGNANCY AND PARENTAL LEAVE

- (c) To ensure calculations of the benefit are accurate, employees must submit a copy of their E.I. benefit statements to the Director, Human Resources to receive the top-up benefit. Top-up Plan payments received under this plan are not considered earnings for purposes of E.I. benefit entitlement calculation, but are subject to income tax. Top-up Plan payments are taxable to the employee and subject to CPP deductions. They are not subject to E.I. deductions or included in:
 - ⇒ contributory earnings for pension purposes;
 - ⇒ earnings for the purposes of CreateTO incentive plans; or
- (d) *Vacation* – Permanent employees on Pregnancy and/or Parental Leave continue to accrue vacation for the duration of the leave. Employees have the option of taking any outstanding vacation either at the beginning or at the end of the Leave.
- (e) *Group Insurance Benefits* – Permanent employees will continue to participate in the CreateTO group insurance benefit plan and CreateTO will continue to pay the monthly employer premiums.

3.2 Credit for Service

CreateTO will continue to credit the employee for length of service and length of employment while the employee is on Pregnancy and/or Parental leave. If applicable, CreateTO will also pay its share of OMERS pension contributions for the period of the Pregnancy/Parental Leave if the employee chooses to purchase his/her portion of the pension contributions for this break in service. If the employee chooses to purchase the break period, the employee is responsible for paying their portion of the pension contributions.

4. RESPONSIBILITIES

4.1 Prior to Leave

Employees must:

- (a) At least six (6) weeks prior to their Pregnancy and/or Parental Leave, contact the Director, Human Resources to discuss the start and end dates of the leave, and other related matters (e.g. benefit information) and provide written notice to the employee's manager and the Director, Human Resources with the specifics of their leave, as discussed.

Human Resources must:

- (a) confirm employee Leave start and end dates prior to the start of Leave; and
- (b) prepare the appropriate payroll forms and processes regarding of the start and end dates and request through the payroll system that a Record of Employment (ROE) be issued.

4.2 During and After Leave

Permanent Employees must:

- (a) update benefits information with respect to the birth or adoption of the child and provide the information to the Director, Human Resources; Please note that there are specific timelines in which to do so.
- (b) prior to the end of the Leave, provide both his/her manager and the Director, Human Resources with at least two weeks' written notice to confirm the return date; and

PREGNANCY AND PARENTAL LEAVE

- (c) if applicable, following the Leave, review his/her OMERS pension options, decide whether or not to purchase the broken period of service and advise the Director, Human Resources of the decision.

Contract Employees must:

- (a) contact both his/her manager and the Director, Human Resources several weeks prior to the end of their Leave to discuss a possible return date; and
- (b) if applicable, following the Leave, review his/her OMERS pension options and decide whether or not to purchase the broken period of service and advise the Director, Human Resources of the decision.

Managers must:

- (a) notify the Director, Human Resources on the birth/adoption of the child;
- (b) ensure that the employee's attendance has been recorded accurately by advising the Director, Human Resources; and
- (c) make every effort to ensure that the department's day-to-day operations continue to run efficiently in the absence of the employee on Leave.

Director, Human Resources must:

- (a) if applicable, notify benefit provider(s) of the employee's new dependent(s);
- (b) confirm the return date with the employee at least two weeks before the Leave ends and update Payroll records;
- (c) on notice from the employee or the employee's manager, discontinue the employee's regular pay, produce a ROE and, if applicable, process Top-up Plan payments for the required time period;
- (d) reinstate the employee's regular pay effective the confirmed return to work date and determine if the employee is eligible to receive an annual base salary increase;
- (e) report all earnings and deductions to the appropriate government agencies; and
- (f) make arrangements with the employee to process any broken service payment for their OMERS pension plan.



PRIVACY POLICY

Protecting the privacy and confidentiality of personal information is an important aspect of the way CreateTO conducts its business. Collecting, using, and disclosing personal information in an appropriate, responsible, and ethical manner is fundamental to CreateTO’s daily operations.

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1. SCOPE

CreateTO strives to protect and respect personal information of its staff members, consultants, business partners and other stakeholders in accordance with all applicable provincial and federal laws. Each staff member of CreateTO must abide by the company’s procedures and practices when handling personal information.

2. APPLICABILITY

This Privacy Policy sets out CreateTO’s commitment to privacy and establishes the methods by which privacy is ensured. This Privacy Policy applies to all personal information within CreateTO’s possession and control.

Personal information is defined as any identifying information about an individual or group of individuals, including name, date of birth, address, phone number, e-mail address, social insurance number, nationality, gender, health history, financial data, credit card numbers, bank account numbers, assets, debts, liabilities, payment records, credit records, loan records, opinions, and personal views.

Business information is defined as business name, business address, business telephone number, name(s) of owner(s), executive officer(s), and director(s), job titles, business registration numbers, and financial status. Business information is treated and handled with the same level of confidentiality, privacy, and respect as personal information.

Consent occurs and is obtained when an individual signs a form containing personal information, thereby authorizing CreateTO to collect, use, and disclose the individual’s personal information for the purposes stated on the form or in the Appropriate Use section of this policy.

- ⇒ Implied consent is granted by the individual when he/she signs the form. This allows CreateTO to obtain or verify information from third parties (such as banks, credit bureaus, lenders, or insurance companies) in the process of assessing the eligibility of an individual, consultant, job applicant, or business partner.

3. APPROPRIATE USE

CreateTO collects and uses personal information solely for the purpose of conducting business and asserts that personal information will only be used for business-related purposes.

4. POLICY STATEMENTS

- ⇒ CreateTO assumes full accountability for the personal information within its possession and control. This organization has appointed Steven Trumper as the Privacy Officer and custodian of all privacy matters and legal compliance with privacy laws.
- ⇒ CreateTO obtains personal information directly from the individual to which the information belongs. Individuals are entitled to know how CreateTO uses personal information and this organization will limit the use of any personal information collected only to what is needed for business-related purposes. CreateTO will obtain individual consent if personal information is to be used for any other purpose. CreateTO will not use that information without the consent of the individual.
- ⇒ Under no circumstances will CreateTO distribute, or otherwise disclose personal information or contact lists to third parties. However, limited disclosure may be required as part of CreateTO fulfilling its stated business duties and day-to-day operations. This may include consultants, suppliers, or business partners of CreateTO or the City of Toronto (which is CreateTO's sole shareholder), but only with the understanding that these parties obey and abide by this Privacy Policy, to the extent necessary of fulfilling their own business duties and day-to-day operations.
- ⇒ CreateTO undertakes to protect personal information with the appropriate security measures, physical safeguards, and electronic precautions. CreateTO maintains personal information through a combination of paper and electronic files. Where required by law or disaster recovery/business continuity policies, older records may be stored in a secure location.
 - Access to personal information will be authorized only for the Directors, staff members and consultants of CreateTO who require the information to perform their job duties, and to those otherwise authorized by law.
 - CreateTO's computer and network systems are secured by complex passwords. Only authorized individuals may access secure systems and databases.
 - Active paper files are kept in locked filing cabinets.
 - Routers and servers connected to the Internet are protected by a firewall, and are further protected by virus attacks or "snooping" by sufficient software solutions.
 - All information that is accessible to web and IT consultants is protected through confidentiality agreements and contracts that prevent non-business use of this information.
- ⇒ CreateTO's web site includes our privacy statement and discloses our personal information practices.
- ⇒ In most instances, CreateTO will grant staff members access to their personal information upon request. If staff member finds errors of fact with his/her personal information, the Director, Human Resources & Administrative Services must be notified as soon as possible to make the appropriate corrections.
- ⇒ CreateTO may use personal information without the individual's consent under particular circumstances. These situations include, but are not limited to:
 - CreateTO is under obligation by law to disclose personal information, including in order to adhere to the requirements of an investigation of the contravention of a provincial or federal law or regulation, under the purview of the appropriate authorities.

PRIVACY POLICY

- ⇒ An emergency exists that threatens an individual's life, health, or personal security.
- ⇒ The personal information is for in-house statistical study or research.
- ⇒ The personal information is already publicly available.
- ⇒ Disclosure is required to investigate a breach of contract.

5. PRIVACY AND CONFIDENTIALITY

Individuals may have access to different types of confidential information in the course of their duties with CreateTO, including:

- ⇒ Personal information, which includes names, contact details (excluding business contact information) and financial and medical information relating to Individuals, or their families. This information is protected by privacy laws from being collected, used or disclosed to others without the person's written consent;
- ⇒ Inside information, which refers to material non-public information relating to the business or securities of a public company or entity. Information is material if it would reasonably be expected to have a material effect on the market price or value of the good or information to others except in the necessary course of business, until it has been publicly disseminated;
- ⇒ Third party business information, which includes business and financial information received in the course of negotiations for a business transaction or for an ongoing arrangement (i.e., with a supplier or service provider) pursuant to a confidentiality agreement signed by the parties. These agreements limit the use and disclosure of the information except as needed to further the transaction or relationship. Third party business information would also include participating employer information regarding a new employee's former employer. CreateTO must never obtain, use or disclose confidential business information of other organizations without their consent;
- ⇒ Proprietary information, which includes confidential and sensitive CreateTO information, such as Board deliberations and proprietary, technical, or financial information about CreateTO, and its activities, that could negatively impact operations if revealed.
- ⇒ In order for CreateTO to comply with the above legal and contractual obligations, and to preserve its business interests and reputation, Directors, staff members and consultants must:
 - ⇒ never access or disclose confidential information unless expressly authorized by CreateTO and it is necessary for the performance of job responsibilities to do so,
 - ⇒ never use confidential information to further personal interests or the interests of any person or entity other than CreateTO, and
 - ⇒ protect confidential information by following the security measures described below.

These obligations continue indefinitely, even after the Directors, employees and consultants depart from CreateTO.

5.1 Information Security

Directors, employees and consultants must be diligent in protecting confidential information from unauthorized use or disclosure, which includes taking the following steps:

- ⇒ Confidential documents must not be left where they can be seen or accessed by unauthorized persons. Documents prepared by individuals containing confidential information must be clearly marked "Confidential" before being distributed.

PRIVACY POLICY

- ⇒ Physical measures such as locking storage rooms and file cabinets, securing personal computer databases, and password protecting mobile devices must be followed.
- ⇒ Avoid copying confidential information to desktop or laptop local drives or to removable USB keys. If unavoidable, ensure the USB is protected and the information erased at the earliest opportunity.
- ⇒ When sending confidential information physically or electronically, ensure correct addressing, appropriate protection (sealed or encrypted if possible) and confirmation of receipt.
- ⇒ Confidential matters must not be discussed in public places where they may be overheard by others, such as elevators, hallways, restaurants or at social gatherings.
- ⇒ Only designated equipment in secure premises should be used for faxing and copying confidential documents.
- ⇒ CreateTO's systems must only be remotely accessed from a secure environment (i.e., an employee's home computer or one supplied by CreateTO) since confidential material may inadvertently remain on the remote system after accessing CreateTO's systems.
- ⇒ Confidential documents must be disposed of by returning them to the provider, archiving or shredding them.

6. QUESTIONS AND/OR CONCERNS

Any questions or concerns regarding this Privacy Policy can be addressed by contacting the Privacy Officer or the Director, Human Resources. CreateTO will investigate and respond to concerns about any aspect of the handling of personal information. This organization will address concerns to the best of its abilities.

Effective Date: January 2018

USE OF CREATE TO RESOURCES DURING AN ELECTION PERIOD

This policy sets out provisions for the use of CreateTO facilities, resources and infrastructure during an election period, in order to preserve the public trust and integrity in the elections process and to comply with the Municipal Elections Act, 1996 ("Act"). This policy allows CreateTO to balance the need for freedom of expression and assembly of candidates and its legal responsibility to ensure that no candidate, registered third party advertiser or political party is provided with an unfair advantage.

This policy recognizes that Members of Council are holders of their office until the end of the term and supports them in continuing to fulfill their responsibilities as Members of Council and agency board members. Nothing in this policy shall preclude a Member of Council from performing their duty as an elected official, nor inhibit them from representing the interests of their constituents.

PURPOSE & BACKGROUND

The Act requires local boards to establish rules and procedures for the use of board resources during the election period (section 88.18).

Under the Act and for the purposes of this policy, CreateTO is considered a local board.

The provisions in this policy may also be subject to additional City by-laws and policies.

APPLICATION

This policy applies to municipal (including school board), provincial or federal elections or by-elections and to questions on the ballot. References in the policy with respect to political parties refers to provincial and federal elections or by-elections and do not apply to the City's municipal elections or by-elections.

PROVISIONS

1. ACCESS TO CREATE TO FACILITIES DURING AN ELECTION PERIOD

- 1.1 CreateTO facilities and infrastructure may not be used for any election-related purpose by a candidate, registered third party advertiser or political party.
- 1.2 No permits, licenses, leases or any other agreement for the use of CreateTO facilities, including civic squares and parks, will be issued to promote, support or oppose a particular candidate, registered third party advertiser or political party.
- 1.3 All-candidate meetings may be held at CreateTO facilities for a nominal fee or other consideration provided that all candidates for an office are invited to attend such meetings.

USE OF CREATE TO RESOURCES DURING AN ELECTION PERIOD

- 1.4 Candidates, registered third party advertisers or political parties may not distribute campaign materials on or in CreateTO facilities or at CreateTO events, but are permitted to distribute campaign materials on public right of way sidewalks and thoroughfares, during all-candidates meetings, at public parks and at the following City managed public squares: Nathan Phillips Square, Mel Lastman Square, Albert Campbell Square and David Pecaut Square.
- 1.5 CreateTO may issue a permit for the use of a CreateTO facility for election-related education purposes only, as long as no particular candidate, registered third party advertiser or political party is promoted, supported or opposed at the event. These events may include, but are not limited to: informing Members of Council or the public on how to become a candidate, registered third party advertiser or political party, or informing them on how to organize an election campaign.
- 1.6 Canvassing and distribution of campaign materials in some CreateTO facilities is permitted under the Residential Tenancies Act, 2006 ("RTA"), which states that "No landlord shall restrict reasonable access to a residential complex by candidates for election to any office at the federal, provincial or municipal level, or their authorized representatives, if they are seeking access for the purpose of canvassing or distributing election material." CreateTO facilities governed under the provisions of the RTA fall under the definition of "residential complex".
- 1.7 Informal media scrums are permitted in the public or common areas of CreateTO facilities.

Informal media scrums may not include: apparatus, mechanisms or devices for the amplification of the human voice or any sounds. The activity may not disrupt regular CreateTO business. If the media scrum is disrupting CreateTO services, CreateTO staff may ask the participants to find an alternative location.

2. ACCESS TO CREATE TO RESOURCES DURING AN ELECTION PERIOD

- 2.1 CreateTO's logo, crest, slogans, etc., may not be printed, posted or distributed on any election-related campaign materials or included on any election-related website.
- 2.2 Candidates may not post photographs of themselves with CreateTO employees in uniform.
- 2.3 Photographic or video materials which have been or may be created by CreateTO employees or with CreateTO resources may not be used for any election purpose or in campaign materials.
- 2.4 Websites or domain names that are funded by CreateTO may not include any campaign materials, make reference to and identify any individual as a candidate, registered third party advertiser or political party or profile any slogan or symbol associated with a candidate, registered third party advertiser or political party.
- 2.5 Domain names, websites or CreateTO email addresses that CreateTO funds may not include any election-related campaign material and may not be re-designated for campaign purposes or provide a link to a campaign site.
- 2.6 Members of Local Boards should follow the guidance of the Integrity Commissioner with respect to social media use.

3. ACCESS TO CREATE TO INFORMATION DURING AN ELECTION PERIOD

USE OF CREATE TO RESOURCES DURING AN ELECTION PERIOD

- 3.1 Information provided to one candidate, registered third party advertiser or political party that is of a general nature and may provide valuable guidance to all others will be provided to all candidates, registered third party advertisers or political parties. CreateTO will post the information on the internet or through other mechanisms to ensure equal access to information.
- 3.2 Requests by a candidate, registered third party advertiser or political party for personal meetings with CreateTO employees, as well as requests for tours of CreateTO facilities may not always be accommodated due to resource and time constraints. If a meeting or a tour is organized, the division must commit to organizing a similar meeting or tour for all other candidates, registered third party advertisers or political parties.
- 3.3 CreateTO databases may not be used by any candidate, registered third party advertiser or political party, unless the database has already been released for public use.

4. ATTENDING CREATE TO EVENTS DURING AN ELECTION PERIOD

- 4.1 Candidates, registered third party advertisers or political parties are permitted to attend CreateTO events, or events held at CreateTO facilities, in either their capacity as elected representatives or as private citizens, but may not campaign while in attendance. No election signs may be posted and no campaign materials may be disseminated at CreateTO events.
- 4.2 Elected officials are permitted to attend CreateTO-organized events or events held on CreateTO facilities and act as ceremonial participants in their capacity as elected officials, including speaking at the event and partaking in ceremonial activities. In provincial or federal elections, once the writ is issued, MPPs and MPs, with the exception of the Ministers of the Crown, are no longer elected officials and therefore should not be invited to attend CreateTO events.

5. RESTRICTIONS TO SERVICES PROVIDED TO MEMBERS OF COUNCIL BEGINNING AUGUST 1 OF AN ELECTION YEAR

- 5.1 Members of Local Boards may also be candidates in a municipal election. Accordingly, after August 1 in the municipal election year, CreateTO will discontinue the following activities for CreateTO Board Members who are candidates, and all Members of Council irrespective of whether they are seeking election to Council in the new term or not:
 - 5.1.1 All forms of advertising and communication, including in CreateTO publications and social media accounts, that are paid for by CreateTO funds or operated and distributed by the CreateTO will not reference the name or image of a Member of Council or a Board member who is a candidate.
 - 5.1.2 Signage for CreateTO events, including banners and posters, will not reference the name of a Member of Council or a Board member who is a candidate.
 - 5.1.3 CreateTO's media releases or materials will not reference the name of a Member of Council or a Board Member who is a candidate. Where CreateTO would typically name a specific Board Member who is a candidate, Member of Council or the Mayor in its communications or media materials during an election period, it will make reference to the generic terms "Board Member", "Councillor Ward XX" or "Mayor of Toronto" without naming the specific Board Member who is a candidate or Member of Council. This practice will be used for all [agency abbreviation] programs, events, announcements and to ensure effective communications with residents and businesses with respect to operational requirements, impacts or emergency situations.
 - 5.1.4 Ceremonial documents such as retirement scrolls for employees, scrolls in celebration of anniversaries, Letters of Greeting and other celebratory documents normally signed and

distributed by a Board Member who is a candidate or Members of Council will be signed by another Board Member.

RELATED BY-LAWS, POLICES AND PROCEDURES

- City of Toronto Community Grants Policy:
<https://www1.toronto.ca/City%20Of%20Toronto/Shared%20content/Articles/Community%20Grants%20Policy%20All.pdf>
- Code of Conduct for Members of Local Boards (Restricted Definition):
<https://www.toronto.ca/city-government/accountability-operations-customer-service/accountability-officers/integrity-commissioner/codes-of-conduct-and-resources/members-of-local-boards-restricted-definition/conduct-standards-for-members-of-local-boards/>
- Toronto Municipal Code, Chapter 192, Public Service:
<http://www.toronto.ca/legdocs/municode/toronto-code-192.pdf>
- Use of Social Media by Members of Local Boards, Interpretation Bulletin from the Office of the Integrity Commissioner:
<https://www.toronto.ca/city-government/accountability-operations-customer-service/accountability-officers/integrity-commissioner/codes-of-conduct-and-resources/members-of-local-boards-restricted-definition/interpretation-bulletins-for-members-of-local-boards/>

APPENDIX "A"

DEFINITIONS FOR TERMS IN THE USE OF CREATE TO RESOURCES DURING AN ELECTION PERIOD POLICY

Certain terms and phrases used throughout the Policy are defined in the Municipal Elections Act, 1996 (Act), the City of Toronto Act, 2006, the Municipal Affairs Act, 1990, and other relevant legislation. For those terms and phrases not so defined, the following definitions shall be used.

"CreateTO Resources" – means, but is not limited to: CreateTO employees, CreateTO events, CreateTO facilities, CreateTO funds, CreateTO information and CreateTO infrastructure. These are further defined as follows:

- "CreateTO employees" – means all non-union management and exempt employees
- "CreateTO events" – means events funded or organized by agencies, including events that may be jointly organized with community organizations or with external sponsors. CreateTO events include, but are not limited to: community meetings and consultations; program or facility openings; or celebrations.
- "CreateTO facilities" – means any facility which is owned or leased by CreateTO and which is directly managed and operated by CreateTO.
- "CreateTO funds" – means funding support through CreateTO's annual operating or capital budgets, including, but not limited to: funds provided directly to CreateTO programs and services, and staffing budgets.

The City's Community Grants Policy outlines political activity provisions for a grant recipient. It states that grant recipients shall not use funds provided by the City to oppose or endorse a named party or elected official. Any such grants may not be devoted directly to such activities or devoted indirectly through provision of resources to a third party engaged in partisan political activities.

- "CreateTO information" – means any information in the custody and control of CreateTO, including databases that may be the repository of names, contact information, business records, financial information or other identifiers compiled and used by CreateTO employees to conduct CreateTO business.
- "CreateTO infrastructure" – means any physical or technology systems that support the operation of CreateTO programs and services, including but not limited to: fleet vehicles, computer network, telecommunications and email system, wireless equipment, computer hardware, software and peripherals, internet and intranet.

"Campaign Materials" – means any materials used to solicit votes for a candidate or question on the ballot in an election period including, but not limited to: literature, banners, posters, pictures, buttons, clothing, or other paraphernalia. Campaign materials include, but are not limited to:

materials in all media, such as print, displays, electronic, radio or television and online sources including websites or social media.

"Campaigning" – means any activity by or on behalf of a candidate, registered third party advertiser, political party or question on a ballot meant to elicit support during the election period. Campaigning does not include the appearance of elected officials, other candidates or registered third party advertisers at an event in their personal capacity without the display of any signage or graphic which identifies the individual as a candidate or registered third party advertiser(s) and without the solicitation of votes.

"Candidate" – means any person who has filed and not withdrawn a nomination for an elected office at the municipal (including school board), provincial or federal level in an election or by-election.

"Contribution" – as defined in the Act:

- For a candidate – means "money, goods and services given to and accepted by a person for his or her election campaign, or given to and accepted by another person who is acting under the person's direction".
- For a registered third party advertiser – means "money, goods and services given to and accepted by an individual, corporation or trade union in relation to third party advertisements, or given to and accepted by another person who is acting under the direction of the individual, corporation or trade union".

"Elected Official" – means an individual elected to the House of Commons, the Legislative Assembly of Ontario, Toronto City Council or a school board.

"Election" – means an election or by-election at the municipal (including school board), provincial and federal level of government, or the submission of a question or by-law to the electors.

"Election Period" – means the official campaign period of an election.

- For a municipal (including school board) election, the election period commences on May 1 of an election year and ends on voting day.
- For a provincial or federal election, the election period commences the day the writ for the election is issued and ends on voting day.
- For a question on the ballot, the period commences the day City Council passes a by-law to put a question to the electorate and ends on voting day.
- For a by-election, the period commences when the by-election is called and ends on voting day.

"Local Board" – means an agency of the City of Toronto, which is a school board, municipal service board, transportation commission, public library board, board of health, police service board, planning board, or any other board, commission, committee, body or local authority established or

exercising any power or authority under any general or special Act with respect to any of the affairs or purposes, including school purposes, of the City of Toronto or parts thereof. Local Board includes CreateTO.

"Media Event" – means an event such as a press conference or photo opportunity to which the media is invited and the purpose of which is to promote, support or oppose a candidate, registered third party advertiser, a political party or a position on a question on a ballot. Features of a Media Event can include, but are not limited to: the issuing of a media advisory stating date, time and location of briefing/press conference, use of backdrops, podiums or public address systems, the distribution of media releases, media kits, display of signage or other materials to promote, support or oppose a candidate, registered third party advertiser or a position on a question on a ballot.

"Media Scrum" – means an unplanned encounter between a candidate, a registered third party advertiser, their staff or with media.

"Member of Council" – means the Mayor and Members of Council, except where the Mayor acts as the Chief Executive Officer of the City.

"Political Party" – means political parties for provincial and federal elections that are registered under the Ontario *Election Finances Act* or in the registry of parties referred to in section 374 of the *Canada Elections Act*. Under the current legislative framework, political parties cannot participate in the City's municipal elections or by-elections.

"Question on a Ballot" – means any question or by-law submitted to the electors by Council, a school board, an elected local board, or the Minister of Municipal Affairs under the Act.

"Registered Third Party Advertiser" – means, in relation to a municipal election, an individual, corporation or trade union that is registered with the City Clerk, as per section 88.6 of the Act, whose purpose is to promote, support or oppose a candidate for office, or an issue on a question on a ballot, and is not under the direction of a candidate.

"Third Party Advertisement" – means an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting or opposing a candidate for office, or an issue on a question on a ballot, and is not under the direction of a candidate.

"Voting Day" – means the day the final vote is to be taken in an election.



VACATION POLICY

CreateTO provides a competitive vacation plan, which exceeds the legal minimum, to all regular full time and part time employees. Vacation time provides employees with a needed break from their daily work routines, enhancing physical health, emotional well-being, work motivation and morale.

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1. VACATION ENTITLEMENT – FULL TIME

Vacation entitlement is earned (accrued) on a weekly basis from January 1st to December 31st of each year as follows:

Years of Service:	Vacation Entitlement:
During First Year of Service	3 week entitlement prorated based on start date
Less than 5 years of service	3 weeks
5 years and 1 day but less than 10 years of service	4 weeks
10 years and 1 day but less than 20 years of service	5 weeks
20 years and 1 day of service	6 weeks
25 years+ of service	One additional day of vacation for each additional year of service to a maximum of 7 weeks' vacation

2. SCHEDULING VACATION

2.1 Minimum Vacation

Employees are required by law to take a minimum of 10 vacation days each year. Those with responsibility for cash transactions (e.g. AP, Payroll) are required to take a minimum of two weeks off consecutively every calendar year. This may be waived at the discretion of the manager.

VACATION POLICY

2.2 Manager Approval

Employees must obtain approval from their managers before scheduling vacation. In giving approval to their employees, managers must ensure that their area's day-to-day operations continue to run efficiently and productively during employee absences, but must also ensure minimum vacations are taken and must not withhold approval unduly. Managers should avoid giving approval for new employees to take vacation during their three-month probationary period.

2.3 Carry Over

Where business or personal circumstances prevent an employee from taking their full vacation entitlement during the year, a maximum of one year's vacation entitlement can be carried over and taken in the next year, but must be used by December 31st. Any remaining vacation will expire at that time.

2.4 Unearned Vacation

Employees may use vacation entitlement for the current year before it is earned. However, if the employee's employment ends, the employee will be required to repay CreateTO for any unearned vacation days taken.

2.5 Illness

While on vacation, employees are not permitted to use sick days or emergency leave/dependent care days until the date that they were originally scheduled to return to work unless they are admitted to hospital. Time away from work during hospitalization will be recorded as sick days and not vacation.

3. VACATION ACCRUAL DURING LEAVE

Vacation accrues during:

- ⇒ Pregnancy/Parental leave;
- ⇒ Family Medical or Emergency leave;
- ⇒ Short-Term Disability (sick days).

Vacation does not accrue during:

- ⇒ Unpaid leave of absence;
- ⇒ Long-Term Disability - unused accrued vacation will be paid out at the time of LTD approval based on base salary.

4. VACATION PAYOUT UPON EMPLOYEE DEPARTURE

When an employee leaves the employment of CreateTO, any unused accrued vacation will be paid out with the final pay deposit based on base salary.

5. ACCOUNTABILITY

Employees must advise the Director, Human Resources if they are aware of errors recorded for their time off.

Managers must ensure that employee attendance is recorded in a timely manner and reported to the Director, Human Resources.

VACATION POLICY

Human Resources is accountable for analyzing trends in vacation usage and ensuring compliance with applicable legislation.

Human Resources is responsible for maintaining vacation records and providing Finance with accrual information at year end along with ensuring compliance with applicable legislation.

Effective Date: January 2018

WORKPLACE HARASSMENT AND DISCRIMINATION POLICY

CreateTO is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace [including customers, clients, other employees, supervisors, workers and members of the public, as applicable].

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1. THE WORKPLACE

CreateTO recognizes that our employees are our most valuable asset and are entitled to work in an environment that is free of discrimination, harassment and violence. All employees, Directors, suppliers, and service providers with whom we conduct business must be treated with dignity, respect and courtesy consistent with CreateTO’s core values. We also require our Board of Directors to abide by the standards set out in this policy.

This policy applies to all CreateTO premises and in external business-related settings, including while on business travel and at work-related social events.

2. PROHIBITED CONDUCT

2.1 Discrimination

Discrimination refers to unequal treatment on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity or gender expression, age, record of offences, marital status, family status, or disability (a “Prohibited Ground”).

CreateTO is committed to providing a workplace with equitable hiring, promotion and other employment practices, and encourages diversity at all levels.

WORKPLACE HARASSMENT & DISCRIMINATION POLICY

Examples of prohibited conduct include:

- Direct discrimination, such as not hiring women of child-bearing years, individuals with accents, or individuals over 60 years of age, etc.
- Indirect discrimination, such as instructing recruitment agencies to only refer applicants who are over 25 years of age or from a particular ethnic background, etc.
- Discrimination because of association with another person identified by a Prohibited measure, such as refusing to promote an employee because he or she has a close relationship with an Asian employee, etc.
- Adverse effect discrimination, which is when workplace requirements or factors may not be directly or intentionally discriminatory but may, nonetheless, be a barrier to opportunity or achievement. For example, having a dress code that prohibits wearing hats, scarves or other head coverings that would adversely affect those who must wear head coverings because of their religious beliefs.
- Discrimination through reprisal, which occurs when individuals who refuse to follow instructions to discriminate against others are discriminated against themselves.

2.2 Harassment

CreateTO considers harassment to mean any unwelcome vexatious behaviour or language that a reasonable person would conclude is unwelcome or contributes to an intimidating or offensive environment and:

- offends an individual based on a Prohibited Ground;
- is abusive or threatening (i.e. bullying); or
- is a sexual advance or solicitation.

It may involve a single incident or a course of conduct.

Examples of prohibited conduct include:

- unwelcome remarks, jokes, innuendo, mimicking or taunting about a person's body, attire or sex, or that perpetuate stereotypes relating to a Prohibited Ground, which cause awkwardness or embarrassment;
- viewing or displaying lewd, derogatory or demeaning posters, cartoons, graffiti, drawings, pornographic pictures or other offensive material, in hard copy or electronic formats;
- vandalizing or sabotaging the work area or work of a specific employee;
- leering (suggestive staring), obscene or threatening gestures, or unnecessary physical contact (i.e. touching, pinching or pushing);
- a person in authority suggesting an employment reward (i.e. higher bonus, promotion, office, etc.) for submitting to a sexual request or threatening reprisal for rejection;
- angry outbursts (shouting, door slamming, desk pounding, etc.) during the course of business dealings; or
- ridiculing an individual's work or competence in a vexatious manner, or in front of others, in a manner that demeans or humiliates the individual.

2.3 Workplace Harassment

The following definition is taken from the Occupational Health and Safety Act:

- engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or
- workplace sexual harassment.

2.4 Workplace Sexual Harassment

The following definition is taken from the Occupational Health and Safety Act:

WORKPLACE HARASSMENT & DISCRIMINATION POLICY

- engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

2.5 Violence

Violence means:

- the exercise or attempt to exercise physical force against another person that could cause physical injury; or
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against a person that could cause physical injury.

If actual physical violence has occurred or is likely to occur, immediate assistance should be summoned by calling 911.

Risks as a result of workplace violence that may arise from the nature of the workplace, the type of work or the conditions of work are assessed and the results reported to the Joint Health & Safety Committee and any measures and procedures deemed necessary to control any risks identified in the assessment must be implemented.

If a situation arises whereby domestic violence is likely to expose an individual to physical injury that may occur in the workplace, every possible precaution shall be taken that is reasonable in the circumstances for the protection of that individual.

3. COMPLAINT PROCESS

3.1 Making a Complaint – Discrimination or Harassment

If an individual believes that he or she has been discriminated against or harassed, and feels comfortable confronting the offender, the individual should do so by telling the offender that the behaviour is unwelcome and must stop.

An individual who is told that his or her behaviour towards a complainant is discriminatory or harassing must make every effort to understand how the behaviour has affected the complainant and work to resolve the situation and prevent it from recurring.

If the behavior does not stop, or if the complainant does not feel comfortable confronting the offender, the complaint should be reported to the Director, Human Resources, or through any manager or corporate counsel, by providing in writing the nature of and grounds for the complaint, the date, time, and details of the behaviour, and names of any witnesses. It is imperative that the complainant feel comfortable making the complaint. A complainant may also file a complaint directly with the Ontario Human Rights Commission under the Ontario Human Rights Code.

3.2 Making a Complaint – Violence

Any complaint involving actual, attempted or threatened physical violence should be reported to Director, Human Resources directly, or through any manager or corporate counsel, by providing in writing the nature of and grounds for the complaint, the date, time, and details of the behaviour, and names of any witnesses. In addition,

WORKPLACE HARASSMENT & DISCRIMINATION POLICY

an individual may have grounds to file a complaint directly with the police. Alternatively, in certain cases, it may be appropriate for Human Resources or corporate counsel to contact the police.

3.3 No Reprisal

CreateTO gives its assurance that no individual will suffer any reprisal as a result of coming forward in good faith with a complaint of harassment, discrimination or violence. Any attempted reprisal should be reported and will be subject to the same procedures as a complaint.

3.4 Investigations

Complaints will be promptly and thoroughly investigated pursuant to CreateTO's Harassment & Discrimination Investigation Program. CreateTO has an obligation to investigate a complaint even if a complainant decides he or she doesn't want to pursue it. If the complaint relates to criminal activity such as hate crimes, stalking, threats or assaults, the matter will also be referred to the police.

If the investigation warrants it, an external advisor or investigator may be retained by CreateTO.

For complaints involving Directors or Senior Management, the employee has the right to register their complaint directly with the Board Chair should they feel they will not be treated fairly/taken seriously by other members of Senior Management or Human Resources.

Otherwise, where a complaint of harassment or discrimination, harassment or violence has been substantiated, the Director, Human Resources, in consultation with legal counsel and the SVP, Legal & Administration, must take appropriate disciplinary and corrective action and will disclose the findings of the investigation to the complainant and the alleged offender.

All employees, at all levels of seniority, must cooperate fully with investigations when requested. Where, following an investigation or any steps taken to deal with the circumstances, an employee has reasonable grounds to believe that workplace violence is likely to endanger him or herself, he or she may refuse to work and the employee must notify an inspector appointed under the *Occupational Health and Safety Act*.

3.5 Confidentiality and Records

All reasonable efforts will be made to maintain the confidentiality of the complainant, the investigation, and the outcome, except to the extent that disclosure is necessary to conduct the investigation; take disciplinary action or as required by law. The complainant, the alleged offender and any witnesses or others interviewed as part of an investigation must respect the confidentiality of the process.

Investigation files will be kept by Human Resources separately from personnel files. A record of a complaint will not be kept in the personnel file of the complainant or the alleged offender unless improper conduct is found that results in disciplinary action. In that case, the only personnel file that will reflect the investigation is that of the disciplined employee.

Examples of improper conduct include:

- discriminatory or harassing conduct or attempted, actual or threatened violence;
- deliberately making false accusations of improper conduct against others; and
- failure of a manager to discourage or redress improper conduct of which they are aware.

WORKPLACE HARASSMENT & DISCRIMINATION POLICY

3.6 Counseling

Confidential counseling will be made available to any employee who has come forward as a complainant. All reasonable costs will be paid by CreateTO on a case-by-case basis. No information with respect to discussions with the Counselor or any prescribed medications will be shared with CreateTO.

4. ACCOUNTABILITIES

CreateTO's Board, Directors, Senior Management team and all other employees must support a positive environment free of prohibited conduct. Anyone who witnesses harassment, discrimination, or actual, attempted or threatened violence involving an employee is expected to report the matter to the Director, Human Resources & Administrative Services or the SVP, Legal & Administration.

Directors and Managers at all levels must actively promote a positive environment. They must intervene when problems occur and be vigilant in ensuring that prohibited conduct is dealt with quickly and decisively, regardless of whether a complaint has been filed. They must also take steps to prevent the situation from recurring.

The Director, Human Resources must ensure that all new staff, regardless of level, is made aware of this policy during their orientation and that periodic training is provided regarding this policy.

Effective Date: January 2018

WORKPLACE HARASSMENT AND DISCRIMINATION PROGRAM

CreateTO is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace [including customers, clients, other employers, supervisors, workers and members of the public, as applicable].

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1. SCOPE

CreateTO recognizes that our employees are our most valuable asset and are entitled to work in an environment that is free of discrimination, harassment and violence. All employees, Directors, suppliers, and service providers with whom we conduct business must be treated with dignity, respect and courtesy consistent with CreateTO’s core values. The following is the process to be followed when a complaint of discrimination or harassment has been made.

2. OBTAIN DETAILS OF THE INCIDENT / CLAIM

- ⇒ Listen to the employee, and ensure that they provide a full account of the incident(s).
- ⇒ Ensure that you treat the matter seriously, using a professional manner and avoid discounting their difficulties in coming forward and telling the story.
- ⇒ Contact the company legal counsel where it appears that the situation may require legal action.
- ⇒ Obtain a written, signed and dated statement from the claimant.
- ⇒ Ensure that the employee is free from retaliation as a result of their coming forward.
- ⇒ Ask the employee if there is a resolution that can be reached.
- ⇒ Inform the employee that they have the option of filing a complaint with the authorities.

3. CONDUCT AN INVESTIGATION INTO THE INCIDENT / CLAIM

- ⇒ Conduct the investigation immediately after learning of the complaint.
- ⇒ Ensure that the investigation remains confidential, and that all information gathered remains confidential. Information should be shared only where necessary, and with appropriate parties. They must also be informed of the need to remain confidential.
- ⇒ Investigate all claims seriously.
- ⇒ Document all information appropriately.
- ⇒ Contact the authorities where appropriate.

WORKPLACE HARASSMENT & DISCRIMINATION PROGRAM

3.1 Interview the Complainant

- ⇒ Obtain a full account of the incident, and document all details provided.
- ⇒ Determine any potential pattern involved, or if the incident was a singular occurrence.
- ⇒ Determine if the incident was influenced by any contextual factors.
- ⇒ Identify any reporting relationships, or hierarchical structures that may have influenced the incident(s).
- ⇒ Determine a timeline of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were.
- ⇒ Examine the potential of a charge made under false pretenses, and any motivating factors that may be involved. Work to rule out these potential elements.
- ⇒ Inform the complainant that a thorough investigation will take place.
- ⇒ Obtain a written, signed and dated statement from the claimant.
- ⇒ Ensure that the employee is free from retaliation as a result of their coming forward.

3.2 Interview the Accused

- ⇒ Describe the details of the accusation, and ask for the accused's side of the story.
- ⇒ Ask for clarification on any discrepancies between the two stories.
- ⇒ Identify any reporting relationships, or hierarchical structures that exist between the parties.
- ⇒ Determine a time-line of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were.
- ⇒ Determine any potential for retaliation or reprisal, and inform the accused that this would be unacceptable.
- ⇒ Inform the accused that a thorough investigation will take place.
- ⇒ Document all pertinent details of the interview, including observations of behaviour displayed and his/her account of the incident.
- ⇒ Request a written, signed and dated statement from the accused.

3.3 Interview Witnesses

- ⇒ Obtain written, dated and signed statements from any witnesses.
- ⇒ Ensure that the employee is free from retaliation as a result of coming forward.
- ⇒ Ensure that the accused is presumed innocent until proven otherwise.

4. RESOLVE THE COMPLAINT

- ⇒ Where a transfer is either requested or required, ensure that it does not create a negative impact on their employment.
- ⇒ Where disciplinary action is required, determine the level of discipline based on the severity of the incident, previous action taken in similar circumstances, the employee's previous history, and the frequency.
- ⇒ Review, revise and re-communicate company policy on violence.
- ⇒ Place documentation of the complaint, investigation, rulings, discipline imposed, and any actions taken into confidential files to be maintained by the Director, Human Resources.
- ⇒ Follow up with the involved parties to provide details of the actions being taken in response to the findings of the investigation. The findings shall include whether the complaint was validated or dismissed.