



# NEW LEVEL BREWING DIVERSITY, EQUITY AND INCLUSION and ANTI HARASSMENT POLICY

*V1.0 - October 12, 2021*

## **1. STATEMENT OF COMMITMENT**

Here at New Level Brewing we are proud to be a musically driven brewery with a DIY ethos. Our approach to beer can be called New Wave North American: we aim to make progressive beers by using unusual ingredients and putting our own spin on classic styles. This dovetails with our commitment to connecting with subcultures that live on the fringes. *We are proud to make weird beer for weird people, and to create an environment where everyone feels welcome - especially those who may feel that they do not belong elsewhere.*

This policy exists alongside our Code of Conduct and the NLB Values Statements, in which we make clear:

- We reject elitist culture and strive to hold space for all sorts of people
- We are committed to a zero tolerance approach for bullying, harassment and discrimination, whether it be from employees or customers

From our inception we have sought to create an environment that makes coming to work a good experience for everyone. The values and decision making processes outlined in the Code of

Conduct have guided us in making ethical choices; ones that are best for our people, our community and our brand.

In saying that, we are frustrated and saddened by the occurrences of sexual harassment and gender-based violence in the craft brewing industry and we recognise that, in order to create a truly safe and inclusive culture, it is important to have formalized policy and procedures.

The intention of this policy is therefore to ensure that our people have clarity as to what is expected of them at NLB, and understand how situations will be dealt with if behaviour falls outside of those expectations. This policy outlines the proactive steps that we will take to ensure the prevention of behaviours that might lead to unfair discrimination, less favourable treatment, or harassment of our people.

## **2. POLICY SCOPE**

This policy outlines our commitment and approach to diversity, equity, and inclusion, including workplace harassment, sexual harassment, and violence. It applies to all aspects of employment and operations of our organization, including conduct and behaviour, terms and conditions of employment, and recruitment, selection, and promotion processes. This policy is supported by the New Level Brewing Code of Conduct.

Our expectations of behaviour apply to all employees, contractors, brand ambassadors, suppliers or other individuals or groups associated with New Level, while engaged in activities relating to the workplace, or in situations where conduct has the potential to negatively impact New Level's brand and people.

This includes, but is not limited to, the actual work sites (i.e. New Level premises), off-site events such as industry events, beer festivals, attending other brewery premises, social functions, training sessions, travel, and other work-related events.

In the small and close knit community in which we operate, we recognise that our employees are often friends and customers of other local breweries and businesses. While we absolutely respect your right to privacy (and to have a beer in another taproom!), be mindful that others might view you as an ambassador or representative for New Level in these situations, even when you are "off the clock". Our expectation of you is that your conduct, even outside of working hours, does not negatively impact the New Level brand; this includes conduct on social media. We have outlined some specific social media guidelines in *Section 2.1*.

New Level Brewing Company operates in the Province of Alberta, Canada. This policy is therefore developed and implemented in accordance with the provincial statutory

requirements relating to equity, diversity and inclusion, and workplace harassment; specifically, the Alberta Occupational Health and Safety Act, and the Alberta Human Rights Act. While fully compliant with this legislation, we view this as a minimum standard for how we interact with each other.

## 2.1 Conduct on Social Media

New Level Brewing recognizes that all Canadians have the right to free speech and that social media channels are equally accessible to all. This policy does not seek to restrict NLB employees' use of personal social media channels, but instead to provide guidelines intended to protect the New Level Brewing brand.

- Do not speak on behalf of New Level Brewing unless you are authorized to do so. All content shared on official NLB social media channels must fully abide by this policy.
- If you identify yourself as NLB staff, make sure your content is consistent with how you wish to present yourself with colleagues and clients. Take responsibility for your personal opinions. Consider using a disclaimer such as: "Opinions are my own." This is good practice, but does not exempt you from being held accountable for what you write.
- Be aware that the content you publish has potential to be shared beyond your immediate online community and may be made permanent.
- Do not disclose confidential or inaccurate information.
- Be kind, respectful and use your common sense. If you are not sure if you should post something, don't.
- You are personally responsible for the content you publish on social media. An employee's inappropriate personal social media activity that reflects negatively on New Level Brewing could result in investigation, and, in some cases, disciplinary measures.

## 3. POLICY IMPLEMENTATION

We know that it is not enough to create a policy and then file it away. Our culture *is* our people, and that's why we created this policy through a collaborative process with our team. In order for the commitments that we have made to be upheld, we will take the following steps to ensure that this policy becomes a guiding tool for how we behave in all of our interactions with each other:

- *For employees and ambassadors:* All staff and ambassadors will receive a copy of this policy alongside training on the policy . For new hires, this will be done as a part of the onboarding process.

- *For customers:* We appreciate that customers come to NLB as a place to enjoy themselves; however, our expectations to treat each other in a friendly, positive, and respectful manner go both ways. We will provide signage and notices in our taproom and at external events to make our expectations clear.
- *For suppliers and external partners:* This policy will be made publically available on our website. If we are entering into an ongoing relationship with a third party it will be made clear that the relationship is subject to abiding by the expectations laid out in this policy.

We are committed to continually learning and adapting our approach to ensure that no one feels unsafe, threatened or intimidated in their work with us. We welcome any feedback about our procedures and our handling of cases that fall within this policy.

## 4. WHAT DOES “ZERO TOLERANCE” MEAN?

We commit to taking a zero-tolerance approach to harassment (including sexual harassment), violence, and discrimination at NLB. This means that, while we cannot always control the actions of other people, what we *can* do as an employer is to be proactive in taking steps to minimise such occurrences. We do this by making our expectations of each other clear, and ensuring that we respond to breaches of these expectations in a way that prevents a recurrence and minimizes harm to the parties involved (see Section 6 for more details).

### 4.1 Defining harassment, sexual harassment, violence and discrimination

We use the definitions below to outline behaviour that is not tolerated at NLB. These definitions are guided by the wording in the Alberta Occupational Health and Safety Act and the Alberta Human Rights Act. What is acceptable to one person may not be acceptable to another, and it is therefore important to understand that these actions are viewed in terms of the distress and harm that they cause to the recipient.

- **Workplace Harassment** - *Harassment is defined as behaviour or comment that the perpetrator knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affect the worker’s health and safety. It can be a single or repeated incident, and can include:*
  - *unwelcome conduct, comments, gestures or contact that cause offence or humiliation (e.g. name-calling, harassing phone calls, spreading rumours)*
  - *deliberate misgendering (i.e. referring to a person using terms or pronouns that do not align with the person’s affirmed gender)*
  - *physical or psychological bullying that creates fear or mistrust or that ridicules or devalues the individual (e.g. fist shaking, yelling)*

- *exclusion or isolation of individuals*
- *intimidation (e.g. standing too close or making inappropriate gestures/comments)*
- *cyberbullying (e.g. posting or sending offensive or intimidating messages through social media or email)*
- *deliberately setting the individual up to fail (e.g. making unreasonable demands, setting impossible deadlines, interfering with work, intentionally withholding information or giving the wrong information taking away work or responsibility without cause)*
- *circulating offensive pictures or materials in print or electronic form*

*Workplace harassment does **not** include any reasonable conduct of an employer or supervisor related to the normal management of workers or a work site. Differences of opinion or minor disagreements between coworkers are also not generally considered to be workplace harassment if steps are taken to resolve the conflict.*

- **Sexual Harassment** - *Sexual harassment can be expressed in many ways, from very subtle to very obvious, through any of the following:*
  - *suggestive remarks, sexual jokes or compromising invitations;*
  - *verbal abuse;*
  - *visual display of suggestive sexual images;*
  - *leering or whistling;*
  - *patting, rubbing or other unwanted physical contact;*
  - *outright demands for sexual favours; and*
  - *physical assault.*
- **Workplace Violence** - *Violence is defined as the threatened, attempted, or actual conduct of a person that causes or is likely to cause physical or psychological harm. It can include physical attack or aggression, threatening behaviour, verbal or written threats, domestic violence, or sexual violence.*
- **Sexual Violence** - *Sexual violence exists on a continuum from obscene name-calling to sexual assault and/or homicide. It includes online form of sexual violence, such as internet threats and harassment, and sexual exploitation.*
- **Domestic Violence** - *Domestic violence becomes a workplace hazard when it occurs or spills over into the workplace. It may put the targeted worker at risk and may pose a threat to co-workers. Employers must take reasonable precautions to protect affected workers if they are likely to be exposed to domestic violence at a work site.*
- **Discrimination** - *Discrimination refers to any form of behaviour based on a protected ground (as outlined in the Alberta Human Rights Act) which results in unfavourable treatment, additional burden, or denying of benefits. It may be intentional or unintentional. It may involve actions that are directly discriminatory, or it may involve actions that appear neutral, but which disproportionately disadvantage a group of people.*

## 4.2 Interactions with customers and external parties

“Zero tolerance” does not just apply to interactions with each other; it also goes for potential customers, vendors, and the competition. While we recognise that we are in a service oriented industry, and that may involve having interactions that are irritating or slightly rude, no one should be expected to tolerate bullying or harassing behaviour in their place of work.

The following guidelines are therefore intended to be a tool to assist our staff in dealing with harassment or sexual harassment from customers and external parties. *The safety and wellbeing of our staff is our primary concern. We therefore fully empower our people to use their own judgement and discretion in determining when to remove themselves from a situation that feels disrespectful or unsafe.*

### In the Taproom:

- The Taproom Manager is responsible for day-to-day oversight of the taproom, and for ensuring a safe and respectful environment for all staff and customers. When the Taproom Manager is onsite and available, they should be notified immediately of any situation where a customer is failing to engage with staff or other customers respectfully, so that they can take appropriate action.
- In these situations, taproom staff are also empowered to ask customers to i) modify their behavior, and ii) leave the premises. To do so, you should speak to the person directly and firmly explain that what they are doing is unacceptable. At no point during this interaction should you put yourself at risk - only engage in this conversation if you feel comfortable in doing so.
- Where there is a risk of physical violence, or where a situation cannot be managed verbally, we support our people in escalating the matter to the Police.
- All incidents where a customer is asked to leave the premises or where the Police are contacted, should be recorded. This record should include the date and time of the incident, names and contact information of involved parties where known (including staff members) and details of the incident itself and any action taken.
- A debrief should take place as soon as is practical with those involved in any such incident to review the incident, check on the well-being of all concerned, and explore opportunities for improvements to processes.

### At external events:

- Before participating in any external event or beer festival, New Level will ask for a copy of the security and harassment policies and processes that will be put in place by the event

host. We will only participate in events where we feel confident that adequate security will be in place to protect our team members.

- All staff and ambassadors will be made aware of the event host's policies *before* attending the event, and will also be reminded of New Level's guidelines for dealing with external harassment.
- Where possible, staff and ambassadors will work external events in groups of at least 2 people.
- Where possible we will communicate our expectations of behaviour directly to our customers, through channels including social media, email and physical signage, making it clear that New Level takes a zero-tolerance stance towards harassment of our staff.
- A member of New Level management will check in with staff and ambassadors after every event. Any incidences of unwelcome conduct or comments will be reported back to the event host.

**Working with other vendors or partners:**

- New Level will not accept harassment of our staff or ambassadors by representatives of any other company that we work with. If we become aware of such an incident we will make it clear to the company concerned that we expect the matter to be handled via their internal channels, and will also conduct our own investigation if appropriate. We will not put our staff or ambassador in a position where they would be required to work with this representative again, until a resolution has been reached.

## **5. DIVERSITY, EQUITY AND INCLUSION COMMITMENT**

We strive to create an inclusive community that is free of discrimination; where everyone is recognised for the unique contributions and perspectives that they bring; and where everyone is supported to reach their full potential in the work that they do here.

### **5.1 Human Resources and Recruitment**

Our approach to HR and recruitment is to utilise fair and equitable processes in order to recruit, retain and reward our people, and to seek to remove the barriers to employment that are faced by members of marginalised groups.

- **Recruitment** - we recruit based on merit; factoring in relevant experience, education, competencies, and alignments with the New Level values.
  - While we value job seekers who come from within our community, and who are aligned with our brand, we also advertise roles externally when they become

available to ensure that we are reaching a diverse pool of people from outside of our immediate circle.

- We anonymise applications once we receive them, in order to reduce bias in our shortlisting process. Final decisions are made by more than 1 person.
- We are clear about the skills, competencies and requirements of each role, and ensure that our interview questions and selection decisions are based on these criteria.

- **Training and Learning**

- New Level will arrange orientation and training for all new employees to ensure that they are fully integrated into the New Level environment, and clear about their duties and responsibilities. This orientation will be appropriate to the position and will include training on this policy.
- We recognize the value of continual learning in order to ensure that we are educated and informed about the world around us, and that we are able to apply that knowledge to our operations and practices. We encourage a culture where we can all learn from each other, and share our own experiences of the world.
- We are committed to implementing team training if we identify particular areas where there is a specific need for increased learning or awareness. We encourage all our staff to talk to the Owners if they have suggestions or requirements in this area.

- **Pay and Performance**

- All employees at New Level will receive feedback on their performance via an annual performance review process. These reviews are also an opportunity for employees to identify areas where they would like to gain additional experience, or where they feel they can make a positive contribution.
- We support equal pay. Job roles are paid according to the training, education, experience and scope of responsibility required by each role. Changes to compensation or job responsibilities are made on the basis of these factors, and are usually as a result of the annual performance review process.

## **5.2 Community Engagement**

At New Level we aim to create a community that is welcoming to all, and to be an ally to groups and organizations in our wider community. We do not believe in a performative approach and we are therefore thoughtful and intentional about these collaborations, and the value that we can bring to the organizations and groups that we align with. When we engage with other

organizations to help uplift their voices, we are sure to do so with consent from that group. We seek to make a meaningful contribution both in terms of raising awareness and financial contribution.

### **5.3 Workplace Accommodations**

As per the Alberta Human Rights Act, New Level Brewing commits to providing workplace accommodations (i.e. workplace or job modifications) for needs that are related to the protected grounds outlined in this act. These protected grounds are race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status and sexual orientation.

Accommodation may take many forms, and what works for one person may not work for another. Each situation will be individually assessed and, if requesting an accommodation, you should be prepared to discuss your specific requirements with **Drew Ross**. Further information that may be required as part of this process includes the protected ground with respect to which accommodation is being requested ii) the reason why accommodation is required, including enough information to confirm the existence of a need for accommodation and iii) the specific needs related to the protected ground.

Every effort will be made to make reasonable accommodations for prospective and current staff, workers, contractors, and volunteers; unless to do so would cause undue hardship to New Level.

## **6. COMPLAINTS - REPORTING AND INVESTIGATION PROCEDURE**

We recognize that when someone has experienced inappropriate conduct or comments that it can be difficult to speak up for fear of not being heard or believed, or for fear of retaliation. We therefore work on the following guiding principles, which underpin our approach to handling sensitive complaints:

- **We recognise the impact of harassment on the victim** - we encourage everyone to view their behaviour from the perspective of the recipient, and we support any employee in addressing behaviour or comments that reasonably make them feel uncomfortable or unsafe.

- **We take a consistent approach** - we take complaints seriously and in good faith, and follow a clear, fair and consistent process whenever complaints are brought to our attention. If you make a complaint you will be heard and listened to. If a complaint is brought against you, you will be given full opportunity to respond to the allegations before any decision or action is taken.
- **We have your back** - we will not allow any further victimization or adverse action towards employees involved in a complaints process, and will endeavour to provide any specific support that is requested.
- **We take action** - where misconduct is found to have occurred, we will take appropriate steps to ensure that the misconduct stops, and that appropriate sanctions are issued.

## 6.1 Informal Complaints Process

There may be times when a situation is the result of a genuine miscommunication, and can be resolved via open communication between the parties concerned. The informal process therefore provides a route for an employee to discuss the situation with the perpetrator, if they feel able to do so. This informal route should only be used in situations that are straightforward to resolve, and where you feel comfortable taking this approach.

- 6.1.1. Should the situation relate to an unwelcome comment or action that you have been the recipient of, you should make it known - in clear terms - that the conduct is unwelcome, and ask the perpetrator to stop. This can be done verbally or in writing. You should only do so if you feel able to take this action without putting yourself in an unsafe or distressing situation. If an outcome is reached that is accepted by all parties, the matter will be considered resolved.
- 6.1.2. Should the situation relate to a discriminatory practice or action that you believe you have identified at New Level, this should be brought to the attention of **Drew Ross**, who will review the concern, and consult with the management team where appropriate, in order to come to a resolution. Examples of this include written policies, processes, rules or expectations that may directly or indirectly disadvantage certain groups of people (e.g. HR and recruitment processes related to working hours/days, time off, promotion and training, hiring, salary etc.)

## 6.2 Formal Complaints Process

New Level commits to following a formal process for reporting, investigating and resolving complaints relating to discrimination, harassment, sexual harassment or violence, in any of the

following situations:

- Where a serious or deliberate breach of this policy has occurred (e.g. any behaviour that goes beyond the boundaries of off-hand comments/jokes)
- Where previous attempts to resolve a situation informally have been unsuccessful
- Where the perpetrator is someone senior to you
- At any time where you do not feel comfortable raising your concerns via the informal route, for whatever reason

#### 6.2.1 REPORTING PROCEDURES

- To make a formal complaint, the incident should be reported to our external complaints team, Libra Consulting Ltd., as soon as possible after the incident has occurred
- The report should be made via email to [jillian@inclusionbylibra.com](mailto:jillian@inclusionbylibra.com)
- The report should provide as much information as possible, such as:
  - *The names of the party or parties that have engaged in this conduct.*
  - *The names of any witnesses.*
  - *Details of where and when the events occurred.*
  - *Description of the behaviour or comments that led to the complaint.*
  - *The report should also include any supporting documents, such as emails, handwritten notes, social media, texts, photographs or other physical evidence.*

#### 6.2.2 FORMAL INVESTIGATION PROCEDURES

An investigation appropriate in the circumstances is conducted when any incident or complaint has been reported under this policy. At a minimum, this investigation will include:

- An interview with the employee who experienced the alleged conduct.
- An interview with the individual(s) who engaged in the alleged conduct, where this person(s) is also an employee. This interview will give the individual(s) an opportunity to respond to the allegation. Where the alleged perpetrator is not an employee of New Level, reasonable efforts will be made to interview that individual(s).
- An interview with any witnesses, where this person(s) is also an employee. Where the witness is not an employee of New Level, reasonable efforts will be made to interview that individual(s).
- Review of any supporting documents provided (e.g. emails, handwritten notes, social media, texts, photographs or other physical evidence).

This investigation will be completed in a timely manner (within 60 days, barring any extenuating circumstances).

Where required, the investigation will be conducted by Libra Consulting Ltd. to ensure an impartial process.

### *6.2.3 FORMAL RESOLUTION AND RECORD KEEPING PROCESS*

- The investigation will conclude with the production of a written report which will clearly outline the process followed throughout the investigation and will include details of the allegations, details of the responses, and the evidence provided by witnesses or other means.
- This report will clearly identify the facts as determined by the investigation, and will come to a decision as to whether inappropriate conduct or behaviour was found.
- Should it be determined that a breach of this policy has taken place, New Level will act immediately to ensure that any improper conduct ceases immediately, and that corrective action is taken to prevent a recurrence. Serious cases of deliberate harassment or discrimination may amount to gross misconduct resulting in dismissal without notice.
- The employee or worker who raised the complaint will be informed in writing of the outcome of the investigation and any corrective action that has been taken, or will be taken, following these findings.
- Staff affected by an incident of harassment or violence in the workplace will be supported to consult a health professional for treatment or referral. Any time off for this treatment will be paid by New Level should this occur during regular work hours.
- The investigator, or another assigned person, will take notes throughout the interviews. These notes, alongside the final report, will be kept by New Level for a minimum period of 2 years.

### **6.3 Confidentiality**

The investigation of each complaint will be handled in a confidential manner as best as possible. Both parties will be instructed to not discuss the investigation with other employees, while the investigation is ongoing.

## **7. ROLES AND RESPONSIBILITIES**

Everyone at New Level has a part to play in fostering a work culture and company that we can all be proud of. That means understanding both our legal and our ethical responsibilities to each other, and owning our personal role in creating a safe and inclusive workplace.

### **7.1 New Level's Owners' responsibility is to:**

- Own and monitor the implementation of this policy, by creating and delivering initiatives that translate this policy into positive action.
- Provide leadership on inclusion, diversity, and equity, including being a role model and advocates for inclusive behaviours.
- Respond immediately to stop any activity in the workplace which undermines this policy, and to follow the investigation and reporting processes outlined in *Section 6* of this policy when a complaint is raised.
- Provide staff training and development opportunities relating to equity, diversity, and inclusion.

### **7.2 New Level's managers' and supervisors' responsibility is to:**

- Act as role models and lead by example.
- To build awareness of and ensure compliance with this policy, particularly within their own teams.
- Take steps to prevent harassment by complying with any reporting, investigation and documenting procedures under this policy, and proactively intervening if they witness such conduct.

### **7.3 New Level's staff and workers responsibility is to:**

- Work in compliance with this policy, and not engage in any conduct that is in breach of the policy or the Code of Conduct.
- Contribute to creating a respectful, inclusive, and open environment that values difference, by treating others with dignity and respect. Opinions should be expressed constructively with sensitivity and respect.
- Be an ally! Call out and challenge discrimination or harassment where you see it, or report it after the fact in those situations where it is not safe or comfortable for you to intervene.
- Comply with any reporting, investigation and documenting procedures under this policy.
- Help identify discriminatory practices or procedures and bring these to the attention of the Owners.
- Attend staff training and development events where requested.

### **7.4 New Level's external partners' responsibility is to:**

- Operate within the requirements of the applicable legislation, and the terms of this policy and New Level's code of conduct.