

# Policy.



## Harassment-Free Workplace in the U.S. Policy.

### Purpose and scope

This Policy affirms TC Energy's commitment to:

- prevent and protect against unlawful Harassment or any other inappropriate behavior in the Workplace;
- foster a respectful, safe and inclusive Workplace where unlawful Harassment of any kind is prohibited; and
- be an industry leader in health and safety practices while maintaining a safe and healthy Workplace.

This Policy applies to all Employees and Contractors in the U.S. and outlines processes for reporting and resolving allegations of unlawful Harassment or any other inappropriate behavior in the Workplace.

Where there is a conflict between this Policy and any applicable collective bargaining agreement (CBA), the terms and conditions of the CBA will apply.

### Policy

#### 1 Roles and responsibilities

1.1 TC Energy will:

- a) not tolerate unlawful Harassment or any other inappropriate behavior in the Workplace that is intimidating, hostile or offensive, regardless of whether it takes the form of:
  - physical, including but not limited to inappropriate physical contact, pinching, patting, rubbing or purposefully brushing up against another person;
  - verbal, including but not limited to epithets, derogatory statements, slurs, sexually-related comments or lewd jokes, unwelcome sexual advances or requests for sexual favors;
  - visual, including but not limited to displaying sexually suggestive images, videos, memes, cartoons or drawings, leering, making sexual gestures or suggestions; or

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- online, including but not limited to derogatory statements or sexually suggestive postings in any social media platform.
- b) take allegations of unlawful Harassment or any other inappropriate behavior seriously and investigate them in a respectful, confidential (to the extent reasonable and possible), fair and thorough manner by the Harassment Investigation Coordinator;
- c) respond to reports of unlawful Harassment or any other inappropriate behavior promptly and in accordance with the resolution process outlined in this Policy; and
- d) take appropriate corrective action, up to and including termination of employment or contract, against Employees and Contractors who breach this Policy.

### 1.2 All Employees and Contractors must:

- a) comply with this Policy;
  - Contractors must also comply with their employer's harassment and violence prevention policy or equivalent.
- b) promptly report any real or suspected violation of this Policy in accordance with section 2;
- c) complete mandatory training (Employees and Contingent Workforce Contractors (CWCs) only);
- d) promote and support a respectful Workplace that is free from unlawful Harassment or any other inappropriate behavior;
- e) cooperate with the resolution process;
- f) maintain strict confidentiality about, and respect the privacy of, individuals involved in the resolution process;
- g) refrain from, and immediately report, retaliatory behavior against individuals involved in unlawful Harassment- or any other inappropriate behavior-related situations, as described in the [non-retaliation section](#) of this Policy; and
- h) request any personal support required through available resources.

### 1.3 The Harassment Investigation Coordinator must:

- a) review every report of unlawful Harassment or any other inappropriate behavior; and
- b) when required, oversee the resolution process in accordance with this Policy and advice of the Legal Department.

## 2 How to report Harassment

2.1 Employees and Contractors must promptly report any real or suspected unlawful Harassment or any other inappropriate behavior in the Workplace to the Harassment Investigation Coordinator via TC Energy's [Ethics Help Line](#) or any of the other available [reporting channels](#).

2.2 The report may be made anonymously, verbally or in writing, and must include:

- a) name of the individuals involved, if known;
- b) date of the occurrence; and
- c) detailed description of the occurrence.

2.3 Contractors should also report any real or suspected occurrence to their employer.

- The Harassment Investigation Coordinator will determine whether the matter is to be resolved by TC Energy or resolved by the Contractors' employer, in accordance with the applicable legislation.
- The Harassment Investigation Coordinator reserves the right to monitor any resolution conducted by the Contractors' employer.

2.4 The Harassment Investigation Coordinator will review and respond to the person who reported the complaint to collect additional information and determine the appropriate resolution.

### 3 Internal resolution process

3.1 The Harassment Investigation Coordinator will choose the appropriate process to resolve allegations of unlawful Harassment or any other inappropriate behavior.

a) Personal resolution

- Following an initial assessment, personal resolution may be used as a first step in resolving behavior that is inappropriate but does not meet the threshold of unlawful Harassment.
- The Employees and Contractors who have experienced or witnessed the inappropriate behavior should advise the Respondent(s) in a reasonable and appropriate manner, either verbally or in writing, that the behavior is inappropriate and should stop.
- Personal resolution is not a required step before advancing to facilitated resolution or formal investigation.

b) Facilitated resolution

- Following an initial assessment, facilitated resolution may be used to resolve the complaint. Both the Complainant and Respondent must agree to participate in the facilitated resolution for it to proceed.
- Facilitated resolution may include coaching, counseling, and/or conflict resolution with a neutral third party designated by the Harassment Investigation Coordinator.
- If the facilitated resolution is unsuccessful, a formal investigation may be required.
- Facilitated resolution is not a required step before advancing to formal investigation.

### c) Formal investigation

- A formal investigation is initiated when the Harassment Investigation Coordinator determines it is required.
- The Harassment Investigation Coordinator will advise the Respondent that a complaint has been made and provide details of the complaint in writing. The Respondent will be allowed reasonable time to provide a written response to the complaint and will be subsequently interviewed.
- During the formal investigation process, the Harassment Investigation Coordinator may interview witnesses, collect additional evidence and notify the applicable leader(s) and Human Resources Business Partner.
- The Harassment Investigation Coordinator will consider all relevant evidence gathered to determine whether a breach of this or any other Company policy has occurred. A summary of findings will be shared with both the Complainant and the Respondent.
- In cases where the Harassment Investigation Coordinator finds the Respondent to be in breach of any Company policy, Human Resources leadership will determine appropriate corrective action based on the Harassment Investigation Coordinator's recommendations. Any required course of corrective action will be communicated to the Human Resources Business Partner and to the appropriate leader(s) for implementation.

## 4 Follow-up action

- 4.1 Once the resolution process is complete, the Harassment Investigation Coordinator may contact Employees and Contractors involved in an unlawful Harassment or any other inappropriate behavior complaint to:
- a) ensure the unlawful Harassment or any inappropriate behavior has stopped;
  - b) ensure there was no retaliation; and
  - c) assess if the work group is free of unlawful Harassment or any other inappropriate behavior.

## 5 External resolution

- 5.1 The Company prefers to resolve all unlawful Harassment or any other inappropriate behavior complaints internally. However, complaints related to Harassment on legally prohibited grounds can be filed directly by the Complainant with the appropriate federal or state agency without being filed internally.

## 6 Additional support

- 6.1 The Company makes medical, psychological and other support available to all Employees in the U.S. through an anonymous third-party service, the Employee and Family Assistance Program (EFAP).

### 7 Training

- 7.1 The Company establishes mandatory anti-harassment training that all Employees and CWCs are required to complete annually.

### 8 Confidentiality

- 8.1 To the extent possible, the Company will maintain confidentiality of the unlawful Harassment or any other inappropriate behavior in the Workplace, and involve as few individuals as possible. Information, such as details of the report, the name of the Complainant, Respondent, and any witnesses will be shared only with those who need to know for the purposes of the resolution, decision making and corrective action implementation, and/or as required by law.

## Your responsibility

Employees and Contractors must follow all applicable provisions and the spirit and intent of this corporate governance document and support others in doing so. Employees and Contractors must promptly report any suspected or actual violation of this corporate governance document through available [channels](#) so that TC Energy can investigate and address it appropriately. Employees and Contractors who violate this corporate governance document or knowingly permit others under their supervision to violate it, may be subject to appropriate corrective action, up to and including termination of employment or contract, as applicable, in accordance with the Company's corporate governance documents, employment practices, contracts, collective bargaining agreements and processes.

## Interpretation and administration

The Company has sole discretion to interpret, administer and apply this corporate governance document and to change it at any time to address new or changed legal requirements or business circumstances.

## Non-retaliation

TC Energy supports and encourages Employees and Contractors to report suspected violations of corporate governance documents, applicable laws, regulations, and authorizations, as well as hazards, potential hazards, incidents involving health and safety or the environment, and near hits. Such reports can be made through available [channels](#). TC Energy takes every report seriously and investigates it to identify facts and, when warranted, makes improvements to our corporate governance documents and practices. All Employees and Contractors making reports in good faith will be protected from retaliation, and all Employees and Contractors must report if they or someone they know is being or has been retaliated against for reporting. Good Faith Reporting will not protect Employees and Contractors who make intentionally false or malicious reports, or who seek to exempt their own negligence or willful misconduct by the act of making a report.

## Definitions

**Complainant** means the individual lodging a complaint under this Policy.

**Contractor** means a third party hired by TC Energy to perform services for or supply equipment, materials, or goods to the Company. Contractors include, without limitation, Contingent Worker Contractors and Excluded Contractors.

**Contingent Workforce Contractor (CWC)** means an individual who typically:

- is employed by a third party to work on behalf of TC Energy;
- uses TC Energy's assets (e.g., workstation, email, phone) and corporate services;
- is compensated on an hourly or daily rate basis; and
- works under the direction of a TC Energy leader.

**Employee** means full-time, part-time and student employees of TC Energy.

**Excluded Contractor** means a third party or individual employed by a third party who:

- delivers services, equipment, materials, or goods to the Company using their own tools and assets (e.g., work station, laptop, email, phone, PPE, vehicle);
- does not increase TC Energy corporate headcount and overhead costs;
- does not use TC Energy's assets and corporate services; and
- directs their own work or receives direction from their employer.

**Good Faith Reporting** means an open, honest, fair and reasonable report made without malice or ulterior motive.

**Harassment** means any unwelcome behavior, comment, gesture or contact, that both:

- creates an intimidating, demeaning, embarrassing, humiliating, threatening or hostile work environment; and
- relates to gender, racial, national or ethnic origin, disability, religion, age, sexual orientation and gender identity, marital status, family status, veteran status, National Guard or reserve unit obligations, or any other characteristic protected under applicable federal, state, or local law.

Harassment also includes sexual harassment. Sexual harassment means Harassment based on someone's sex or gender, including harassment that is not sexual in nature and any unwelcome sexual advances or requests for sexual favors, and any other statements or actions of a sexual or gender-based nature.

**Harassment Investigation Coordinator** means the individual in TC Energy's Human Resources Department designated to oversee the administration of this Policy. The Harassment Investigation Coordinator may delegate the responsibilities under this Policy to another trained investigator.

**Respondent** means the person alleged to have behaved in violation of this Policy.

**TC Energy** or the **Company** means TC Energy Corporation and its wholly-owned subsidiaries and operated entities.

## Harassment-Free Workplace in the U.S. Policy.

**Workplace** means any place where Employees and Contractors are employed or engaged in work for the Company. Workplace includes physical and virtual locations and activities related to work responsibilities, such as conferences, trade shows, meetings, after hour social events, business travel or temporary assignments.

### References

#### Related corporate governance and supporting documents

- Code of Business Ethics Policy
- Equal Employment Opportunity and Non-Discrimination Policy
- Our Commitment Statement

#### Other References

- Employee and Family Assistance Program (EFAP)
- Security Threats Standard

### How to contact us

- [Policy Questions and Comments](#)
- [Harassment Investigation Coordinator](#)

### TC Energy's reporting channels

- [Ethics Help Line](#)
- [Corporate Compliance](#)
- [Internal Audit](#)
- Human Resources
- Legal department
- Compliance Coordinators