

HARASSMENT POLICY

PURPOSE

The purpose of this policy is to provide a work environment free of harassment and bullying for all employees. Enerplus will strive to promote the dignity, self-esteem and contribution of all employees.

Further, this policy is designed to ensure employees are aware of the seriousness with which Enerplus views harassment. Enerplus will not tolerate harassment or bullying, regardless of severity, and confirmed incidents may result in disciplinary action, up to and including dismissal.

DEFINITIONS

"Bullying" means inappropriate behavior that a person knew or reasonably ought to have known would harm, intimidate, offend, degrade or humiliate an employee, possibly in front of other employees, clients or customers. It is a repeated, persistent, continuous behavior and is generally associated with a power imbalance between the victim and perpetrator, where the victim feels inferior.

"Harassment" means conduct in the workplace that creates an intimidating, threatening, coercive or hostile work environment such that:

- the individual's work performance is impaired;
- the individual's employment relationship is adversely affected; or
- the individual's dignity or self-respect is harmed.

BULLYING

Workplace bullying may cause the loss of trained and talented employees, affect health and safety, reduce productivity and morale, and create legal risks. Enerplus believes that all employees should be able to work in an environment free of bullying. Managers and supervisors must ensure employees are not bullied. Bullying in any form is unacceptable and will not be tolerated.

Bullying usually involves acts or verbal comments that could hurt or isolate a person, and can involve physical contact. The following are examples, without limitation, of what may constitute workplace bullying:

- deliberate social isolation;
- malicious rumors;
- personal attack on a person's private life and/or personal attributes;
- excessive, trivial or unjustified criticism;
- manipulation through verbal aggression or physical intimidation;
- intentional withholding of non-confidential information;
- over-monitoring work or replacing proper work with demeaning jobs;
- setting unrealistic goals or deadlines; or
- sabotaging a particular person's work.

However, having a strong management style, an intimidating physical presence, intense desire for results, or inferior communication skills does not constitute bullying. Effective managers offer objective comments and constructive feedback to motivate their employees. This policy is not intended to limit or constrain the reasonable exercise of management functions in the workplace. The following are examples, without limitation, of what bullying does not include:

- expressing differences of opinion;
- offering constructive feedback, guidance, or advice about work-related behavior; or
- reasonable action taken by a supervisor relating to the management and direction of a worker's

- performance, including taking reasonable disciplinary actions and assigning work.

HARRASSMENT

Workplace harassment may be a single incident or repeated incidents of unwelcome personal, sexual or hostile conduct aimed at a particular individual or group of people.

Personal harassment may include, but is not limited to, discrimination based on the following:

- age;
- criminal conviction for which a pardon has been granted;
- physical or mental disability;
- marital or family status;
- political belief or affiliation;
- race, nationality, place of origin, or colour;
- religion; or
- sexual orientation.

Sexual harassment may be any singular or repeated comment, gesture, contact, or conduct of a sexual nature, which is known or ought reasonably to be known to be unwelcome or objectionable. Sexual harassment targets gender and includes pregnancy and childbirth. Such conduct is usually one-sided and coercive and may be overt or implicit. Conduct constituting sexual harassment may include, but is not limited to, the following:

- sexual innuendo (including in the guise of humour);
- touching or patting;
- sexually suggestive remarks or other verbal abuse about gender;
- demands for sexual favours;
- leering or compromising invitations;
- physical assault;
- implied or actual threats to the victim or his/her job;
- offensive materials or language whether written or visual such as graffiti or degrading pictures; or
- placing a condition of a sexual nature on employment, rewards, avoidance of punishment, or opportunities for training, transfers or promotion.

Hostile conduct that results in a poisoned work environment may include, but is not limited to, the following:

- derogatory jokes;
- offensive literature;
- racial slurs;
- hazing or initiation activities;
- degrading comments; or
- other activities that intrude upon a person's or group's dignity or that create an intimidating, hostile or offensive atmosphere.

Conduct constituting violence includes the attempted, threatened or actual conduct of a person that causes or is likely to cause physical or psychological injury or harm.

COMPLAINT PROCEDURE

It is the responsibility of each employee to maintain a work environment free of violence, discrimination, bullying and harassment, and to report any situation that the employee believes may be workplace harassment, bullying or discrimination to his/her supervisor, department head or the People & Culture Department. All complaints will be treated seriously and investigated in a prompt, confidential and impartial manner. If the first avenue of communication is unresponsive or unfeasible, the complaint may be escalated to a Senior Management representative, including the President. The complaint will be brought to the attention of People & Culture who will take appropriate action and ensure that the complaint is resolved. When filing a complaint with People & Culture, it must be in writing, signed by the individual,

outline the frequency and duration of behavior, provide a comprehensive description of the events, and include dates and names of parties involved.

In the event that you report an injury or adverse symptoms resulting from violence, or are exposed to violence, consult a health professional of your choice for treatment or referral.

Managers and supervisors must ensure employees who make complaints, or witnesses, are not victimized. Retaliation in any form against a complainant or a witness to an incident is unacceptable and will be subject to disciplinary action.

All information concerning a complaint will be kept confidential and not placed on the complainant's file. Should the complaint be unsubstantiated it will not be placed on the alleged perpetrator's file. No information concerning the complaint will be placed on the file of any witness. Where the complaint is determined to be of a frivolous, vindictive or vexatious nature, action will be taken against the complainant and/or appropriate parties. All parties involved will comply with the Enerplus Privacy Policy concerning employee personal information throughout the complaint procedure.

Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal on a matter related to the Human Rights Act or any other legal avenues that may be available.