



WORKPLACE HARASSMENT POLICY

STATEMENT OF PRINCIPLE

As set out in our Code of Business Conduct and Ethics, Aya Gold & Silver Inc. (the "**Corporation**") is committed to maintaining a stimulating work environment where competence and performance are recognized and free from any form of discrimination and in which the dignity of each individual is fully respected. We do not tolerate any form of harassment or discrimination, whether sexual, psychological, racial, religious or otherwise.

This policy is in line with our commitment to maintain a culture of integrity, excellence, teamwork and accountability and such values must underlie all our decisions and actions, including the interpretation and enforcement of this policy.

SCOPE

This policy applies to all employees, Officers and Directors of the Company and its subsidiaries. It governs both peer-to-peer and supervisor-to-subordinate relationships. It also applies to anyone who does business with the Corporation, including our suppliers, consultants and subcontractors, who are also prohibited from discriminating or harassing in our workplace.

This policy applies at work as well as to work-related situations outside the workplace such as business travel, business meetings and work-related social events.

DEFINITIONS

Discrimination

Discrimination may be defined as harm done (injury), directly or indirectly, to an employee by reason of:

- national or ethnic origin
- race
- gender
- pregnancy
- civil status
- political convictions
- language
- sexual orientation
- religious beliefs
- any other similar characteristics.

Psychological harassment

Psychological harassment can be defined as:

« Any vexatious behavior in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. »

A single serious incidence of such behaviour may constitute psychological harassment if it harms and has a continuing harmful effect on a person.

For greater certainty, psychological harassment includes behavior in the form of verbal comments, actions or gestures of a sexual nature.

Examples of conduct that may constitute psychological harassment:

- Preventing a person from expressing themselves: constantly interrupting them, forbidding them to talk to others;
- Isolating a person: no longer speaking to them, ignoring them, distancing them, depriving them of means of communication (telephone, computer, etc.);
- Destabilising a person: making fun of their beliefs, tastes, weaknesses, making derogatory comments;
- Discrediting a person: spreading rumours about them, ridiculing them, humiliating them or insulting them;
- Disparaging a person: no longer giving them tasks to do, assigning them tasks that are less than their skills or that they are not capable of doing, setting them up to fail, faking malpractice, belittling them in front of others; or
- Threatening, assaulting, yelling, shoving, damaging property.

What does NOT constitute harassment:

Harassment should not be confused with the normal exercise by the employer of its right to direct its employees and to make decisions in the interest of the Corporation. To the extent that the Corporation acts with respect and its rights as an employer are not exercised in an abusive or discriminatory manner, this is not harassment. For example, does not constitute harassment:

1. The reasonable exercise of management rights; Appropriate disciplinary action in response to performance, conduct, absenteeism, or other problems; or
2. The respectful expression of disagreement or dissent

Examples of conduct that may constitute sexual harassment:

- Unwanted physical contact (e.g.: touching, pinching, brushing);
- Implied or explicit promise of preferential treatment and career advancement in exchange for sexual favors;
- Threats that the person's employment, salary, advancement opportunities or work assignment may be adversely affected if sexual favors are not granted; or
- Comments, jokes, gestures or physical acts of a sexual nature, whether repetitive or not, explicit or suggestive.

RESPONSIBILITY

We all share responsibility for fostering a respectful and safe workplace, free from all forms of violence. Compliance with this policy is therefore everyone's responsibility.

In particular, employees in management positions must maintain an open-door policy with respect to this policy and its implementation.

COMPLAINT

Any employee who considers himself or herself to be a victim of harassment or discrimination or who has witnessed a situation of harassment or discrimination should immediately contact one of the following persons:

- their immediate supervisor;
- if this route is not appropriate or if the situation has not been corrected by the immediate supervisor, the immediate supervisor's hierarchical superior and so on, by climbing the administrative ladder and, if necessary, to the President and Chief Executive Officer; or
- the Vice President Corporate & Legal Affairs and Corporate Secretary.

To the extent possible, the report or complaint should be in writing and should include dates, locations, names of witnesses and other relevant details.

Employees also have the right to complain directly to the *Commission des normes, de l'équité, de la santé et de la sécurité du travail* (CNESST – Commission on workplace standards, fairness, health and safety).

INVESTIGATION

Following receipt of a complaint, any serious allegations of harassment or discrimination will be investigated. Depending on the circumstances, the investigation may be conducted by an internal person, an internal investigation committee or an external person or committee.

Each party to the complaint shall have the right to be heard. All witnesses or individuals who may have relevant information will be met and all documentation necessary to resolve the issue will be analyzed. The purpose of the investigation is to determine the nature of the allegations, the name of the person alleged to be the source of the problem, the relationship between the complainant and that person, the date(s) of the incident(s), their description and the names of witnesses, if any. Where possible, written statements will be made by the person(s) interviewed.

Upon completion of the investigation, the person who has filed a complaint will be notified that the investigation process has been completed and will be provided with all necessary and appropriate information in the circumstances. Company management will also determine appropriate corrective or disciplinary action, if any. These measures may include dismissal.

CONFIDENTIALITY

To the extent possible, we will maintain the confidentiality of information gathered during the course of an investigation, including the names of those involved. However, it may be necessary to disclose all or part of the information if it is necessary for the conduct of the investigation or for the imposition of corrective or disciplinary action, or if an alleged criminal offence is involved.

All employees involved or encountered in the course of the investigation shall maintain the confidentiality of information related to the complaint. Any breach of this obligation is subject to disciplinary action, including dismissal.

RETALIATIONS

The Corporation prohibits any form of retaliation against an employee who, in good faith, reports or provides information concerning harassment or discrimination, or who participates in the investigation of a complaint.

However, any frivolous complaint, made in bad faith or made with the intent of harming others, may be subject to disciplinary action, which may include dismissal.

INTERPRETATION AND APPLICATION

Any questions regarding this policy may be directed to your immediate supervisor, the Vice-President Corporate & Legal Affairs and Corporate Secretary.