



## EMPLOYMENT CONDUCT, NON-DISCRIMINATORY TREATMENT AND EQUAL OPPORTUNITY POLICY

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### PURPOSE

This policy aims to establish standards of non-discriminatory treatment, equal opportunity, and professional conduct in the workplace for Aya Gold & Silver Inc. and its subsidiaries (hereinafter referred to as "**Aya**" or the "**Company**") throughout the employment process.

### SCOPE

This policy applies to all directors, officers, employees, and collaborators of the Company, as well as any entity controlled or managed by the Company. It also includes casual workers, suppliers, contractors, and other partners of the Company. It applies to all sites and all stages of the mine lifecycle, including exploration, design, construction, operation, and closure.

### CONTENT

#### 1. Non-Discriminatory Treatment

The Company is committed to making employment decisions based on job-related qualifications and not on personal characteristics unrelated to the requirements of the position, such as gender, gender identity, race, nationality, ethnic origin, religion, disability, age, or sexual orientation. Exceptions may be made to comply with legally mandated goals or local objectives for the employment of local residents, if publicly justified.

The Company will provide reasonable accommodations for an employee's disability or any other protected category, in accordance with applicable laws.

#### 2. Equal Opportunity

At Aya, we are unwavering in our dedication to fostering a workplace that champions equal opportunity for all. We firmly believe that diversity is our greatest strength, and we are committed to creating an inclusive environment where every individual, regardless of their background, can thrive. Our commitment extends beyond mere words: it is deeply ingrained in our corporate culture and practices. We actively promote diversity and inclusion at every level of our organization, ensuring that our workforce represents a broad spectrum of perspectives, experiences, and talents. Through ongoing training, mentorship programs, and equitable hiring practices, we strive to break down barriers and empower our employees to reach their fullest potential. We understand that our collective success depends on embracing diversity, and we will continue to work tirelessly to provide equal opportunities for all our valued team members.

#### 3. Professional Expectations of Workplace Behavior

Employees, contractors, suppliers, and other stakeholders engaged by the Company must comply with the Code of Ethics and Business Conduct, as well as applicable policies, standards, procedures, and relevant laws and regulations, including internal employment regulations. They must demonstrate

respectful, appropriate, and professional behavior in the workplace. Violations of these expectations may result in corrective measures, including termination, in accordance with applicable law and employment agreements.

The Company will take appropriate action, including termination, in cases of workplace harassment, discrimination, violence, or intimidation.

### **3.1. Harassment and Discrimination**

The Company is committed to providing a workplace free from sexual harassment, harassment, and discrimination based on gender, gender identity, race, nationality, ethnic origin, religion, disability, age, sexual orientation, and other categories protected by law. Even behaviors of harassment or discrimination that are not illegal may violate the Company's standards and result in corrective measures, including termination. The Company will not tolerate any form of harassment based on the aforementioned categories, whether in the form of behaviors, speech, writings, photographs, cartoons, or electronic messages (including on social media).

### **3.2. Workplace Violence**

The safety and well-being of all employees, contractors, suppliers, and partners of the Company are of utmost priority. Therefore, the Company is committed to creating a workplace free from violence. Any form of violent acts or physical threats is strictly prohibited during Company activities, on its premises, or during interactions with employees, suppliers, contractors, or other partners.

Here are some examples of behaviors that may constitute threats or acts of violence, without limitation:

- Threats or physical aggression directed towards a person, their family, friends, associates, or property.
- Intentional destruction, degradation, or threat of degradation of the Company's property or the property of others.
- Harassment or threats through phone calls or electronic messages.
- Stalking or harassment.
- Veiled threats of physical harm or intimidation.
- Any behavior resulting in arrest or conviction under any criminal law related to violence or threats of violence.

### **3.3. Intimidation**

The Company is fully committed to creating a workplace free from intimidation for all employees, contractors, suppliers, and other partners. We strictly prohibit all acts or threats of intimidation, including those that occur online, during Company business activities, on our premises, or during interactions with employees, suppliers, contractors, and other partners.

Here are some examples of behaviors that may constitute intimidation:

- Acts of aggression or intimidation that are generally non-physical but cause significant psychological or physical harm, such as psychological harassment or verbal violence.

- Verbal or spoken words aimed at threatening, humiliating, or intimidating.
- Interference or sabotage at work that prevents the completion of tasks.

**3.4. Are not considered as harassment, discrimination, or intimidation** the actions of supervisors and members of management when they establish performance requirements, conduct standards, or communicate performance expectations, as long as it is done in a fair, transparent, and non-discriminatory manner towards employees.

#### **4. Legal Compliance**

The Company is committed to complying with all applicable laws in the regions where it operates. It may even establish standards that exceed legal requirements in countries where national and/or local laws already provide for non-discrimination in employment, combating harassment, and the absence of intimidation and workplace violence. If national or local laws do not explicitly address non-discrimination, combating harassment, intimidation, and workplace violence, the Company will apply its own more stringent directive. In cases where national or local legislation is not in line with this directive, the Company will strive to implement it to the fullest extent possible, without violating existing laws.

#### **5. Complaints, Investigation, and Non-Retaliation**

The Company provides multiple avenues for employees, contractors, suppliers, and third parties engaged on its behalf to submit complaints regarding non-compliance with this directive, the Code of Ethics and Business Conduct, and other Company policies, standards, or procedures. These avenues include, but are not limited to, communication with managers, supervisors, human resources, employee representatives, and specific tools established for this purpose. All complaints of this nature will be promptly and appropriately investigated, and no individual will face retaliation for reporting a complaint in good faith.

It is the responsibility of each individual to immediately report any conduct that may violate this standard, even if the conduct is not directed at the person who becomes aware of it or witnesses it.

#### **DEFINITIONS**

**Workplace bullying** is defined as severe or repeated psychological or physical mistreatment, constituting abusive mistreatment of an individual by one or more aggressors acting maliciously. Malice refers to the desire to intentionally cause pain, injury, or distress to others, or the deliberate indifference to the pain, injury, or distress inflicted upon others. Psychological harm refers to a significant deterioration in a person's mental health, while physical harm refers to substantial physical deterioration of health or harm to bodily integrity.

**Disability:** A physical or mental impairment (or a person recognized as having a physical or mental impairment) that substantially limits one or more major life activities of that person. However, this limitation must be interpreted in a manner that respects applicable national regulations and local laws. A person with a disability must be able to perform the essential functions of the position, without which they would not be qualified for the position, and it would not be considered a violation of this policy to make employment decisions based on lack of qualifications.

**Employee:** An individual who is directly part of the Company's workforce or one of its subsidiaries.

**Employment decisions:** Actions taken by the employer that have a significant impact on the employment relationship, such as hiring, termination, promotions, reassignments with substantially different responsibilities, disciplinary measures, compensation, benefits, and training opportunities.

**Gender expression:** Gender expression refers to the outward expression of a person's sex, which may be determined by a combination of clothing, physical appearance, social behavior, and other factors.

**Gender identity:** Gender identity refers to an individual's innate sense of their own gender as being male, female, a combination of both, or neither, which may be the same or different from the sex assigned at birth.

**Good faith:** An honest belief, even if ultimately incorrect, that is free from any malicious intent.

**Harassment behavior:** Harassment refers to offensive and unwelcome behavior based on one or more protected categories, creating an intimidating, hostile, or abusive work environment.

**Subsidiary:** An entity majority-owned, directly or indirectly controlled by the Company, or actively managed by such an entity belonging to the majority of the Company.

**Retaliation:** Retaliation involves punishing or making employment decisions against an individual because of their submission of a good faith complaint or participation in an investigation.

**Sexual harassment:** Sexual harassment refers to harassment based on sex, gender identity, gender expression, or sexual orientation and may include unwelcome sexual advances, requests for sexual favors, unwanted physical contact, unwelcome advances, offensive verbal, visual, or physical conduct of a sexual nature, suggestive or obscene remarks, unwanted physical contact such as hugging or touching, offensive jokes or visuals, pornography, or sexually explicit material. Sexual harassment can involve a person of any sex, gender identity, or gender expression towards another person of any gender, gender identity, or gender expression. Sexual harassment is not limited to interactions between men and women and is not limited to behavior of a sexual nature but includes any harassment based on sex, gender identity, gender expression, or sexual orientation.

## REFERENCES

- People Policy
- Code of Business Conduct and Ethics
- Employment Directive
- Diversity, Equity and Inclusion Directive
- Local Directive on Procurement and Employment