

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

## Policy statement

This Policy affirms South Bow's commitment to creating a respectful and safe Workplace, which is any place where Employees and Contractors are employed or engaged in work for the Company, including all 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.

This Policy establishes processes for reporting and responding to allegations of Harassment and other inappropriate behaviors in the Workplace.

## Scope

This Policy applies to all Employees and Contractors in the U.S.

## Principles

### 1 Safety and accountability

- 1.1 South Bow is committed to being an industry leader in health and safety practices and maintaining a safe and healthy Workplace.
- 1.2 South Bow fosters a respectful, safe and inclusive Workplace where Harassment of any kind is prohibited. In addition, the Company makes medical, psychological and other supports available to all Employees and their families in the U.S. through an anonymous third-party service, the Employee Family Assistance Program (EFAP).
- 1.3 South Bow will:
  - a) not tolerate inappropriate behaviors in the Workplace that are intimidating, hostile or offensive, regardless of whether they are:
    - 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

- online, including but not limited to derogatory statements or sexually suggestive postings in any social media platform.
- b) take allegations of Harassment and other inappropriate behaviors seriously and resolve them in a respectful, confidential (to the extent that is reasonable and possible), fair and thorough manner by the Harassment Investigation Coordinator;
- c) resolve allegations of Harassment and other inappropriate behaviors as soon as possible (the timeline for resolution is dependent on the complexity of the complaint);
- d) take appropriate corrective action, up to and including termination of employment or contract, against:
  - Employees and Contractors who breach this Policy or who behave contrary to the Company's values and commitment to creating a respectful and safe Workplace;
  - Employees and Contractors who do not engaged in Good Faith Reporting;
  - Employees and Contractors who interfere or fail to cooperate with the investigation or resolution of a complaint, including but not limited to:
    - intentionally destroying or concealing relevant information; or
    - knowingly providing false information; and
  - a leader who is aware of Harassment or other potential violation of this Policy and who fails to take appropriate action.

## Implementation

### 1 Responsibilities

#### 1.1 All Employees and Contractors must:

- a) comply with this Policy;
  - Contractors must also comply with their employer's equivalent policy.
- b) promptly report any real or suspected violation of this Policy (refer to section 2 of this Policy);
- c) complete mandatory training (Employees and CWCs only);
- d) promote and support a respectful and Harassment-free Workplace;
- e) cooperate with any applicable resolution process;
- f) respect the privacy of individuals involved in the resolution process and maintain confidentiality;
- g) not retaliate against individuals involved in the resolution process;
- h) report any retaliatory actions immediately; and
- i) solicit any personal support required through the resources referenced within this Policy or otherwise.

#### 1.2 Complainants must:

- a) engage in Good Faith Reporting;
- b) file complaints in a timely manner;
- c) provide full details of the alleged Harassment or other inappropriate behavior;
  - Employees and Contractors making complaints anonymously must provide sufficient details to allow the Company to conduct a thorough investigation; and
- d) fully cooperate in the resolution process.

### 1.3 Respondents must:

- a) familiarize themselves with the details of the complaint and timely and truthfully respond to the allegations; and
- b) fully cooperate with the resolution process.

### 1.4 Leaders must:

- a) promptly report any suspected violation of this Policy as described in section 2 of this Policy;
- b) actively communicate to Employees and Contractors the Company's expectations regarding this Policy, including ensuring that Employees and Contingent Workforce Contractors who report to them complete the required training in a timely manner;
- c) foster an inclusive, safe and respectful culture and environment that is free from Harassment and other inappropriate behaviors;
- d) assist Human Resources in the resolution of a complaint as required by the Company; and
- e) maintain privacy and confidentiality in all matters related to this Policy and provide support to all parties involved.

### 1.5 Human Resources Business Partners must:

- a) notify the Harassment Investigation Coordinator of any allegations of Harassment or other inappropriate behaviors;
- b) assist in the resolution process as required; and
- c) provide coaching to leaders on the resolution process and potential impact on Employee's performance plans.

### 1.6 The Harassment Investigation Coordinator must:

- a) address all allegations and, when required, oversee the resolution process under the direction of the Law Department and in accordance with the resolution process; and
- b) submit a report of formal investigation results and subsequent recommendations to the Law Department.

### 2 Filing a complaint

- 2.1 Allegations of Harassment and other inappropriate behavior should be reported promptly to the Harassment Investigation Coordinator or anonymously via South Bow's Ethics Help Line:
- a) Employees may also file a complaint with their leader or Human Resources Business Partner.
  - b) Contractors must also notify their employer.
    - South Bow will determine whether the resolution will be conducted by the Company or by the Contractors' employer.
    - South Bow reserves the right to monitor any resolution conducted by the Contractors' employer.
- 2.2 The Harassment Investigation Coordinator may contact the person who reported the complaint to collect additional information or set up a confidential interview.

### 3 Internal resolution process

- 3.1 South Bow has established the following three different processes to resolve Harassment or other inappropriate behavior allegations.
- a) Personal resolution.
    - Following an initial Company assessment, personal resolution may be recommended as a first step in resolving behavior that is inappropriate, but does not meet the threshold of Harassment.
    - The Employee or Contractor who have experienced or witnessed 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 to advance to facilitated resolution or formal investigation.
  - b) Facilitated resolution.
    - Following an initial Company assessment, facilitated resolution may be recommended 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, such as a Human Resources Business Partner. Other parties, such as leaders, may be engaged as required.
    - If the facilitated resolution is unsuccessful or the inappropriate behavior is repeated, the Company will determine if any additional steps are required.

### c) Formal investigation

- A formal investigation may be 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. Any required course of corrective action will be communicated to the Human Resources Consultant 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 Employee or Contractor involved in a Harassment or inappropriate behavior complaint to:

- a) ensure the Harassment has stopped;
- b) ensure there was no retaliation; and
- c) assess if the work group is free of Harassment and other inappropriate behaviors.

## 5 External resolution

5.1 The Company prefers to resolve all Workplace Harassment and other inappropriate behavior complaints internally. However, complaints related to Harassment can be filed directly with the appropriate federal, state, or local agency without being filed internally.

## Your responsibility

Employees and Contractors must follow all applicable provisions and the spirit and intent of this Policy and support others in doing so. You must promptly report any suspected or actual violation of this Policy through available [channels](#) so that South Bow can investigate and address it appropriately. Those who violate this Policy 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, and agreements.

## Interpretation and administration

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

## Non-retaliation

We support and encourage Employees and Contractors to report suspected incidents of non-compliance with applicable laws, regulations, and authorizations, as well as hazards, potential hazards, incidents involving health and safety or the environment, and near hits. We take every report seriously, investigate each report to identify facts, and effect improvements to our practices and procedures when warranted. All Employees and Contractors making reports in good faith will be protected. Good Faith Reporting is intended to remove protection for Employees and Contractors making intentionally false or malicious reports, or who seek to exempt their own negligence or willful misconduct by the act of making a report. We ensure immunity from disciplinary action or retaliation for Employees and Contractors for the Good Faith Reporting of such concerns. Reports can be made to management, a compliance coordinator, or anonymously to the ethics helpline.

## Definitions

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

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

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

- is employed by a third party (preferred Contingent Workforce supplier) to work on behalf of South Bow at a South Bow Office or work site;
- uses South Bow's assets (e.g., workstation, email, phone) and corporate services;
- is compensated on an hourly basis for a defined timeline;
- enters timesheets in Workday following South Bow Guidelines; and
- works under the direction of a South Bow leader.

**Employee** means full-time, part-time, temporary and student employees of South Bow.

**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., workstation, laptop, email, phone, PPE, vehicle);

- does not increase South Bow corporate headcount and overhead costs;
- works remotely (offsite);
- does not enter timesheets in South Bow Workday; and
- directs their own work or receives direction from their employer.

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

**Harassment** means any unwelcome behavior, comment, gesture or contact, including of a sexual nature, 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 legally protected grounds.

Harassment also includes unwelcome sexual advances, requests for sexual favors, and other statements or actions of a sexual or gender-based nature when the harasser states or implies that giving in to or rejecting such conduct will affect an individual's employment or contract.

**Harassment Investigation Coordinator** means the individual in South Bow'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.

**South Bow** or the **Company** means South Bow Corporation and its wholly-owned subsidiaries and/or operated entities.

**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 and links

### Supporting or related governance documents

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

### References

- Employee Family Assistance Program (EFAP)

## How to contact us

- [Policy Questions and Comments](#)

## South Bow's reporting channels

- [Ethics Helpline](#)
- [Corporate Compliance](#)
- [Human Resources](#)
- Legal department
- Compliance Coordinators