

# Policy.



## Reasonable Workplace Accommodation Policy.

### Purpose and scope

The purpose of this Policy is to ensure TC Energy's work environment, including the recruitment and selection process, is inclusive and non-discriminatory by establishing effective mechanisms and responsibilities for responding to individual Reasonable Accommodation requests of existing Employees and job candidates. TC Energy is committed to creating a psychologically safe environment where individuals have the confidence to self-advocate for a Reasonable Accommodation without fear of retaliation.

This Policy applies to all TC Energy Employees and job applicants in Canada, the U.S. and Mexico.

### Policy

#### 1 General provisions

- 1.1 TC Energy provides Reasonable Accommodation in the workplace to ensure that individuals who are otherwise able to perform the duties of their job effectively are not unfairly excluded from doing so.
- 1.2 Reasonable Accommodation may be either medical or non-medical in nature. The Reasonable Accommodation process will be managed by a Health Services Advisor for medical requests or a Respectful Workplace Advisor for non-medical requests (collectively known as the Responsible Advisor).
- 1.3 Reasonable Accommodation will be provided when working conditions can be adjusted without causing undue hardship to the Company.
- 1.4 The Company treats all Employees and job applicants who request Reasonable Accommodation with respect and dignity.
- 1.5 All Reasonable Accommodation requests will be dealt with in a timely, confidential, and sensitive manner.
- 1.6 The Reasonable Accommodation process is a shared responsibility between the Company, its Personnel and job applicants. To the extent that they are able,

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Employees and job applicants are responsible for requesting Reasonable Accommodation through available channels.

### **2 Process for job applicants**

- 2.1 When contacting job applicants for an interview, the Recruitment Consultant or the hiring leader must:
  - a) advise them that TC Energy has a Reasonable Workplace Accommodation Policy; and
  - b) ask whether they require Reasonable Accommodation to participate in the hiring and selection processes.
- 2.2 The Recruitment Consultant or hiring leader should decide immediately whether or not the job applicant's request for Reasonable Accommodation for the interview can be approved and will inform the job applicant of their decision. In these cases, the Recruitment Consultant or hiring leader will inform the Responsible Advisor that a request for Reasonable Accommodation was received and resolved.
- 2.3 If the Recruitment Consultant or hiring leader cannot resolve the Reasonable Accommodation request, they must defer the request to the Responsible Advisor who will then evaluate, obtain additional information if needed, and decide whether or not the Reasonable Accommodation request is approved or denied. The Responsible Advisor must respond to the job applicant within 2 business days so that the job applicant can fully participate in the selection process without being at a disadvantage relative to other job candidates.
- 2.4 If the job applicant's Reasonable Accommodation request is approved, the Responsible Advisor will work with the Recruitment Consultant or hiring leader to ensure the Reasonable Accommodation is provided. If the job applicant's request is denied, the Responsible Advisor will clearly explain and communicate the rationale to the job applicant.
- 2.5 Job applicants can appeal the decision in accordance with section 7 of this Policy.

### **3 Process for Employees – request and assessment**

- 3.1 An Employee can request Reasonable Accommodation by emailing the Health Services Advisor for medical requests or the Office of the Respectful Workplace Advisor for non-medical requests.
- 3.2 If leaders or Human Resources Consultants receive a request for Reasonable Accommodation or become aware of an Employee who needs Reasonable Accommodation, they must immediately notify the Responsible Advisor in accordance with section 1.2.
- 3.3 Upon receiving a Reasonable Accommodation request, the Responsible Advisor will conduct an initial assessment and decide if the process outlined in this Policy is

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applicable or if the request is covered under a different policy, program, or employment practice.

- a) If a different process applies, it will be forwarded to the appropriate department for resolution and the Employee, their leader and Human Resources Consultant will be informed of the decision and available resources. The Responsible Advisor will keep a record of these cases.
- b) If the Responsible Advisor determines that the request should be processed under this Policy, the request, decision, and agreement will be documented, with input from the Employee, leader and Human Resources Consultant, and experts as applicable, through the Reasonable Accommodation Request Form.

3.4 To come to an informed decision, the Responsible Advisor may, at any point, request additional supporting information or documentation from the Employee, the relevant leader, Human Resources Consultant, other departments, or experts, as required.

### 4 Process for Employees – decision

4.1 If the Responsible Advisor approves the Reasonable Accommodation request, based on input from the Employee, leader and Human Resources Consultant, and experts as applicable, they will facilitate implementation of the Reasonable Accommodation.

4.2 If the Reasonable Accommodation request is denied, the Responsible Advisor will clearly explain and communicate the rationale to the Employee in writing.

- a) A denial of a Reasonable Accommodation does not prevent the Employee from appealing the decision or making another request at a later time if circumstances change.
- b) Employee can appeal the decision in accordance with section 7 of this Policy.

### 5 Process for Employees – timing

5.1 The timelines, expertise required, and outcomes may vary significantly for Reasonable Accommodation requests. The Company is committed to achieving timely resolution. Estimated timelines will be provided to the Employee once the situation is better evaluated and the Employee will be kept apprised of the progress and any decisions.

### 6 Process for Employees – modification and conclusion

6.1 When modifications for an existing Reasonable Accommodation Agreement are proposed, the Responsible Advisor will work with the Employee, their leader and the Human Resources Consultant, and experts as applicable, to determine whether the proposed revisions to the agreement are possible. Any modifications to Reasonable Accommodation Agreements will be prepared by the Responsible Advisor.

6.2 The Employee is responsible for notifying the Responsible Advisor when the need for Reasonable Accommodation ends. The Responsible Advisor will document,

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communicate, and file changes to the Reasonable Accommodation Agreement or termination of Reasonable Accommodation as appropriate.

### 7 Appeal process

- 7.1 Employees and job applicants can appeal a denial for Reasonable Accommodation request through the Responsible Advisor. The Responsible Advisor will send the file, and any additional appeal information, to the Vice President, Total Rewards and Shared Services for final review of the initial decision regarding the accommodation request.
- 7.2 The Employee or job applicant will be informed of the appeal decision and provided with a written response that will include next steps.

### 8 Record keeping

- 8.1 The Responsible Advisor is responsible for tracking accommodation efforts across the Company and retaining and filing all received and executed Reasonable Accommodation Request Forms.

### 9 Privacy and confidentiality

- 9.1 All information relating to requests for Reasonable Accommodation will be kept confidential and will only be shared with those directly involved in decision making process on a need-to-know basis.

## Your responsibility

Personnel must follow all applicable provisions and the spirit and intent of this corporate governance document and support others in doing so. Personnel 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. Personnel 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

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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

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

- 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 (Canada and the U.S.) and monthly (Mexico); and
- works under the direction of a TC Energy leader.

**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 Workforce Contractors, and Excluded Contractors.

**Employee** means full-time, part-time, temporary 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., workstation, 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 without malice or ulterior motive.

**Health Services Advisor** means a team within the HR department, responsible for managing or overseeing the Reasonable Accommodation process for medical requests from Employees and job applicants on behalf of the Company and ensuring TC Energy is compliant with applicable law and related internal policies, programs, and practices.

**Office of the Respectful Workplace Advisor** means a team within the HR department, responsible for managing or overseeing the Reasonable Accommodation process for non-medical requests from of Employees and job applicants on behalf of the Company and

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ensuring TC Energy is compliant with applicable law and related internal policies, programs, and practices.

**Personnel** means Employees and Contingent Workforce Contractors of TC Energy.

**Reasonable Accommodation** means modifying the work environment or processes, including the recruitment and selection process, to eliminate barriers in the workplace for individuals or groups that are qualified to safely, and efficiently perform the essential duties of the job. Essential job duties of a role cannot be eliminated as a form of Reasonable Accommodation. Reasonable Accommodations can be either:

- medical: based on an Employee's own medically supported condition, disability, or impairment; or
- non-medical: which may be based on, but not limited to, an employee's religion, sexual orientation and identity, family and marital status, or other protected grounds.

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

## References

### Related corporate governance and supporting documents

- Code of Business Ethics Policy
- Equal Employment Opportunity and Non-Discrimination Policy
- Harassment-free Workplace in Canada Policy
- Harassment-free Workplace in the U.S. Policy
- Harassment-free Workplace in Mexico Policy

### Other references

- Request for Accommodation Form – Medical
- Request for Accommodation Form – Non-Medical

## How to contact us

- [Health Services](#)
- [Office of the Respectful Workplace Advisor](#)
- [Policy Questions and Comments](#)

## TC Energy's reporting channels

- [Ethics Helpline](#)
- [Corporate Compliance](#)
- [Internal Audit](#)
- Human Resources

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- Legal department
- Compliance Coordinators