



SHERRITT INTERNATIONAL CORPORATION ENTERPRISE POLICY MANUAL	SECTION: ADMINISTRATION
	SUBJECT: EMPLOYEE PRIVACY POLICY

1.0 PURPOSE

This policy (“**Policy**”) governs how Sherritt International Corporation (“**SIC**”) and its affiliates and subsidiaries, together with such joint venture entities, as may be applicable from time to time (collectively, the “**Company**” or “**Sherritt**”), may collect, use and disclose certain personal employee information relating to its employees, candidates for employment and its employees’ dependants.

The Company must only collect, use, maintain and disclose personal information may for a reasonable purpose and in accordance with applicable laws. This Policy describes Sherritt’s approach to balancing the rights of job candidates, its employees and its employees’ dependants to privacy with the Company’s need to utilise personal employee information (and personal information, in certain cases) to manage the its relationships with such individuals and conduct its business.

Details regarding the application of this Policy and the specific obligations that the Company has to individuals regarding the collection, use, maintenance and disclosure of personal employee information and personal information are contained in *SPM-522P – Employee Privacy Procedure*

2.0 SCOPE

This Policy applies to all directors, officers, and employees of Sherritt worldwide, including the officers, directors and employees of Sherritt’s subsidiaries, affiliated companies and the Ambatovy Joint Venture,, as well as candidates for employments (collectively, the “**Employees**”¹). In the case of Cuban joint ventures’ Employees, the application of certain elements of this Policy and the underlying procedures may require the agreement of Sherritt’s Cuban joint venture partners.

Sherritt complies with applicable laws. Sometimes the applicable laws and/or an individual's right to privacy are different from one jurisdiction to another. Not all jurisdictions require or permit the Company to treat personal information as described under this Policy.

Aside from section 3.3, this Policy is not intended to cover independent contractors and other persons who may, directly or indirectly, perform work for the Company.

3.0 GUIDING PRINCIPLES

The Policy requires that Company follow the guiding principles set out in this section in its collection, maintenance and disclosure personal employee

¹ In the case of Employees who are European residents, the Company will comply with the requirements of the *General Data Protection Regulation 2016/679*.

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information (or personal information, in certain cases) for the purposes permitted under this Policy. Further information regarding permitted purposes and examples of personal information and employee personal information are included in *SPM-522P – Employee Privacy Procedure*.

3.1 DEFINITIONS

This Policy covers:

- all written, visual or oral information about an identifiable individual (“**personal information**”); and
- in the case of an employee or candidate, is reasonably required to manage or terminate an employment relationship or manage a post-employment relationship between the Company and the employee (and does not include an employee’s name, title or position, business address, business telephone number or business email address) (“**employee personal information**”)
- which is collected, used, maintained or disclosed by Sherritt, where;
- “**employee**” means an individual who is, was or will be employed by the Company (including, but not limited to, directors, officers and co-op/summer students). This definition includes potential, current and former employees; and
- “**dependant**” means the spouse and/or child of an employee who is eligible to participate in certain benefits and/or policies available to eligible family members of employees; and
- “**candidate**” means an individual who is being considered for employment.

3.2 CONSENT

Sherritt can COLLECT, USE and DISCLOSE personal employee information about a candidate or employee WITHOUT his or her CONSENT if:

- It is reasonable; AND
- It is collected solely for the purposes of establishing, managing or terminating an employment relationship; OR
- It is collected for managing a post-employment relationship.

Sherritt must give an employee reasonable notice that their personal employee information is going to be collected, used or disclosed and the purposes for which the information is going to be collected, used or disclosed.

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Sherritt may also disclose personal employee information of a current or former employee WITHOUT CONSENT if:

- The disclosure is to a potential or current employer of the person;
- The personal information that is being disclosed was collected by Sherritt as personal employee information; AND
- The disclosure is reasonable for the purposes of assisting that employer to determine the individual's eligibility or suitability for a position with that employer.

There are also some limited circumstances where the Company can collect, use or disclose the personal information (that is not personal employee information) of employees, candidates and dependants WITHOUT CONSENT. These circumstances are listed in Section 4.1 of *SPM-522P – Employee Privacy Procedure*.

If consent for the collection, use or disclosure of personal employee information (or personal information) is required, the Company will obtain express written consent, where appropriate. There are some cases where Sherritt may rely on implied consent. Further information regarding consent requirements is set out in Section 4.2 of *SPM-522P – Employee Privacy Procedure*.

Where consent is legally required, employees, candidates and/or dependants may withdraw their consent at any time, subject to legal or contractual restrictions and reasonable notice. The procedure for withdrawing consent is discussed in Further information regarding consent requirements is set out in Section 4.6 of *SPM-522P – Employee Privacy Procedure*.

3.3 NON-EMPLOYEE AND DEPENDANT INFORMATION

In certain limited cases, the Company may collect, use and disclose the personal information of individuals who are neither employees nor dependents. In these cases, the Company will comply with the requirements of the *Personal Information Protection and Electronic Documents Act* (Canada).

3.4 RECORD RETENTION

The Company will keep personal employee information (and personal information, if applicable) so long as it is reasonably required for business or legal purposes. Personal employee information that is no longer necessary or relevant for the identified purposes, or required by law to be retained, will

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be destroyed after allowing a reasonable amount of time for an employee to access the information prior to its destruction.

3.5 ACCURACY

Sherritt will periodically verify the personal employee information (and the personal information relating to such employee’s dependants) for current employees that it collects, uses or discloses with the relevant individual.

Employees are responsible for notifying the Company when a change in personal employee information occurs.

3.6 SAFEGUARDS

The Company will ensure that reasonable security safeguards are in place to protect personal employee information (and personal information in the case of dependants) against loss or theft, as well as unauthorized access, disclosure, copying, use, modification, disposal or destruction.

3.7 RESOLVING CONCERNS

For more information on Sherritt’s privacy practices or to elevate any unresolved privacy issues or concerns, please contact:

Andrée-Claude Bérubé
 Associate General Counsel, Assistant Corporate Secretary and
 Chief Privacy Officer
 (416) 935-2429
privacyofficer@sherritt.com

3.8 FURTHER INFORMATION

Information regarding:

- How an employee or candidate can access his or her personal employee information (or the personal information of a dependant)
- How an employee can authorize the release of personal employee information, for purposes of loans and mortgage requirements, medical and/or accident claims, etc.
- Disclosure of personal employee information within the organization

As well as further information on the topics discussed in 3.0 of the Policy, please refer to *SPM-522P – Employee Privacy Procedure*.

4.0 LINKAGES

This Policy is linked to *SPM-522P – Employee Privacy Procedure*.

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5.0 ACCOUNTABILITIES AND AUTHORITIES

Responsibility for ensuring compliance with the provisions of this Policy rests with senior management of the Company even though other individuals within the Company may be responsible for the day-to-day collection and processing of personal information. Senior management shall designate at least one person to act as Chief Privacy Officer and the Chief Privacy Officer may, from time to time, designate one or more individuals within the Company to act on his or her behalf.

If you are unsure if or how this Policy applies to you, or, for more information on the Company’s privacy practices, please contact:

Andrée-Claude Bérubé
Associate General Counsel, Assistant Corporate Secretary and
Chief Privacy Officer
(416) 935-2429
privacyofficer@sherritt.com

6.0 REVIEW AND APPROVAL

Subject to SPM 101P *Developing and Updating Corporate and Enterprise-Wide Policies*, this Policy shall be reviewed by the Policy Administrator at least every two years or sooner, should revisions to applicable laws require changes to the Policy. All changes to the Policy shall be approved by the Policy Committee.

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