

# Respectful Workplace Policy

October 2023

## I. Objective

Lithium Americas Corp. (“**LAC**” or the “**Company**”) is committed to providing a positive and safe work environment that is free of bullying, harassment and discrimination. The Company will not tolerate any conduct that:

- A. Is violent, discriminatory, disrupts or interferes with work performance;
- B. Creates an intimidating, offensive, hostile or violent environment; or
- C. Constitutes bullying or harassment.

## II. Scope

This Respectful Workplace Policy (the “**Policy**”) extends to the Company’s Workforce, including those working on a permanent or temporary basis, and to all aspects of employment relationship and activities related to work, on and outside of Company office premises, during and outside of working hours.

## III. Definitions

“**Board**” means the Company’s Board of Directors.

“**Company**” means the Company and all of its subsidiaries, wholly and partially owned.

“**Consultant**” means any person retained to provide professional consulting services to the Company and/or regularly works from the Company’s offices.

“**Contractors**” means any person working on a temporary or short-term basis for the Company.

“**Director**” means a member of the Board.

“**Employees**” means any individual hired directly by LAC or one of its subsidiaries.

“**Management**” means LAC employees who directly report to the Chief Executive Officer (“**CEO**”) or Chief Financial Officer (“**CFO**”), have an Executive Vice President or Senior Vice President title, or other Officers of the Company.

“**Officer**” means a LAC employee appointed by the Board or CEO in accordance with the Company’s Articles.

“**Workforce**” means all LAC Management, Officers, Employees, Consultants, Contractors and anyone working at a LAC project, operation or office.

## IV. Positive Duty

We all have a responsibility to act professionally and exercise sound judgement in our day-to-day workplace behaviour. This means we should:

- A. Perform work in an efficient, collaborative way, while always behaving respectfully towards others.
- B. Follow the written rules and policies of the workplace and honour their spirit and intent.
- C. Support the positive, safe and inclusive work environment that the Company aims to provide to its workforce.

Preventing workplace harassment, bullying, violence and discrimination is everyone's responsibility. We expect our Workforce to conduct themselves in a manner that is consistent with the Company's policies, including the Code of Conduct, and contribute to promoting a positive, safe and inclusive working environment for everyone. This extends to complying with this Policy and reporting any violations of it to allow appropriate corrective action to be taken as needed.

## V. Discrimination

Discrimination is defined as the differential treatment of an individual or group based on one or more protected grounds, including age, gender, gender identify or expression, race, national or ethnic origin, skin colour, religion, mental or physical disability, political belief, marital or family status, sexual orientation, and criminal convictions for which a pardon has been granted. Discrimination can be intentional or unintentional and occur even where there is no intention to offend.

Examples of discrimination include denying advancement to individuals based on any protected grounds set out in human rights legislation, or failing to accommodate an employee where applicable, as required by human rights legislation.

## VI. Bullying and Harassment

Bullying and harassment include inappropriate conduct or communication (including written communication and cyber communication of any form) by one person to another that the person knew or reasonably ought to have known would cause the person to be humiliated or intimidated. It excludes any reasonable action taken by an employer or manager related to the management and direction of employees or the place of employment.

Bullying and harassment are often characterized by insulting, hurtful, hostile, vindictive, cruel or malicious behaviours (implicit or explicit) that undermine, disrupt or negatively impact another person's ability to do their job or results in a harmful work environment for one or more other persons. The important factor to recognize is the impact of the behaviour on others, which is determinative of whether or not bullying has occurred. Depending on the severity and impact of the behaviour, a single significant incident may constitute bullying, as can a multitude of incidents over time. Each situation is unique and must be evaluated reasonably and objectively, based on the facts.

Examples of conduct or comments that could constitute bullying and harassment include:

- A. Shouting or yelling;
- B. Social isolation or public ridicule, which can take the form of practical jokes or mockery;
- C. Swearing or calling someone derogatory names;
- D. Insulting or derogatory remarks, gestures or actions;

- E. Spreading malicious rumours, gossip or negative innuendo;
- F. Targeting an individual through persistent, unwarranted criticism or insults;
- G. Verbal, written or physical threats and intimidation;
- H. Tampering with personal belongings, work or work equipment, or vandalizing personal belongings; or
- I. Making malicious or false complaints of misconduct against other employees.

The above forms of harassment must be distinguished from a legitimate exercise of authority in relation to a *bona fide* concern about an individual's performance or other aspect of their work. The main differentiating factors are whether the performance feedback, or corrective action taken by an employer or supervisor is proportionate to the issue at hand and reasonable in the circumstances. Employers or supervisors should ensure that employment related communications are conveyed in a way that is reasonable in the circumstances, respectful of the individual and does not constitute bullying or harassment.

## VII. Sexual Harassment

Sexual harassment is any unwelcome or inappropriate conduct or communication that is sexual in nature. It can take many different forms and can occur regardless of gender or sexual orientation of the perpetrator. Some examples include:

- A. Suggestive comments or jokes;
- B. Insults or taunts of a sexual nature;
- C. Communication that stereotypes gender roles;
- D. Inappropriate advances or invitations made in person or electronically (e.g. by email or on social networking sites);
- E. Sexually suggestive behavior involving inappropriate and unwelcome touching, hugging, kissing, other forms of contact or gestures;
- F. Unwelcome staring or leering;
- G. Intrusive questions about another person's private life or body;
- H. Intimidating behaviour with a sexual overtone by a person in a position of direct or indirect authority over another;
- I. Coercing a person into sexual actions by any means;
- J. Repeated sexual advances after the receiving party has declined; or
- K. Behaviour that is also a criminal offence under the law, including physical assault, sexual assault, stalking, or obscene communication.

## VIII. Recognizing Bullying and Harassment

Anyone who is unsure of whether their conduct is acceptable should ask themselves the following simple questions that could help assess the situation:

- A. Are my actions in line with our corporate values and policies?
- B. Am I being fair and honest?
- C. Would I feel okay if my actions appeared on the front page of my local newspaper?
- D. Am I certain my actions won't embarrass or damage the individual to whom they are directed, the Company or others?
- E. Will I regret my actions afterwards?

## IX. Roles and Responsibilities

### Of The Workforce:

The Workforce has the responsibility of contributing to the creation and preservation of a respectful workplace under this Policy. This means that you will:

- A. Conduct yourself in a manner that is professional, courteous and respectful of others, and that honours workplace diversity;
- B. Not engage in discrimination, bullying, harassment or conduct that is disrespectful of others;
- C. Participate in good faith and fully in any investigation or resolution process where you have been identified as having potentially relevant information;
- D. Report incidents of discrimination, harassment, bullying or disrespectful conduct that you observe or experience in the workplace, which may be in violation of this Policy; and
- E. Respect the confidentiality of any investigation or review process under this Policy that you participate in, and the rights of all other individuals involved in the process to privacy, confidentiality and personal dignity.

### Of Management:

Management and others in a position of authority over the Workforce have additional responsibilities under this Policy, that goes above and beyond those of the Workforce generally. This includes an obligation to make reasonable efforts to establish and preserve a workplace that is respectful and free of discrimination, harassment and bullying. Management's additional responsibilities under this Policy include but are not limited to:

- A. Providing employees with access to information about the Company's policies and standards;
- B. Responding to complaints through an equitable, fair and confidential process that respects the rights of all parties involved;
- C. Providing support to anyone who participates in the resolution process; and
- D. Taking corrective action or disciplinary measures, where applicable.

## X. Reporting Alleged Misconduct Under This Policy

The Company encourages reports to be made of all potential incidents of discrimination, harassment or bullying in the workplace, regardless of who the alleged wrongdoer may be. Anyone wishing to report a potential incident should contact Human Resources or Management of the Company at first instance.

If you wish to remain anonymous for any reason, including because your manager is the alleged wrongdoer, you are encouraged to report the incident to the Company's external whistleblower hotline, established to allow issues such as this to be confidentially reported, on the website, <https://report.syntrio.com/lithiumamericas> or by telephone at 1-833-591-7561 (toll-free for calls within Canada and the USA).

## **No Adverse Consequences of Reporting**

Reporting an alleged incident under this Policy will not result in any adverse consequences to you, meaning there will be no impact on your current position or future promotions with the Company. You will also be protected against retaliation by the alleged wrongdoer or any other Company representative.

The Company will take appropriate action to minimize the risk of victimization or reprisals against anyone who reports under this Policy. Disciplinary action will also be taken, up to and including dismissal. The outcome of any allegation of discrimination, harassment, sexual harassment or workplace bullying may also be determined under applicable laws.

## **False Accusations**

False accusations can have serious effects on persons who are innocent. If an investigation results in a determination that a person made a false accusation, either maliciously, recklessly or for another improper purpose, the person who made the false report will be subject to disciplinary action, up to and including termination.

## **XI. Communication**

Please direct your questions about this Policy to a member of the Company's Human Resources Department. This Policy will be reviewed as necessary, and any updates will be communicated to the workforce.

The Workforce will be provided with a copy of this Policy and must acknowledge that they have read the Policy when they are engaged, or any time the Policy is introduced or substantially revised.