

## SUPERIOR PLUS CORP.

### PRIVACY POLICY

#### **I. Purpose and Scope**

Superior is committed to maintaining the confidentiality, security and accuracy of the Personal Information of Superior's Representatives and other third parties that is in its possession as a result of normal business operations.

Superior collects, uses and discloses Personal Information about its Representatives, customers, suppliers, and others with whom it has contact in the course of conducting its normal business operations, including for purposes of establishing, managing or terminating employment and contractual relationships between Representatives and Superior. This Policy describes and governs the collection, use and disclosure of Personal Information by Superior.

This Policy applies to Superior, and to each individual as a Representative or prospective Representative, as a condition of their employment with Superior, as well as any other individuals, including third parties, that may have access to Personal Information in our possession. When a Representative, customer or supplier provides Superior with Personal Information, that individual consents to Superior's collection, use and possible disclosure of their Personal Information and agrees to the terms for accessing and correcting data as described below.

The Policy governs Superior's activities that are subject to the provisions of applicable privacy legislation, including the *Personal Information Protection and Electronic Documents Act* (Canada) and, where applicable, its equivalent in each province and in the United States of America.

#### *Definitions*

“Business Contact Information” means information that is used for the purpose of communicating or facilitating communication with an individual in relation to their employment, business or profession such as the individual’s name, position name or title, work address, work telephone number, work fax number or work electronic address.

“Personal Information” means information about an identifiable individual, excluding Business Contact Information.

“Policy” means this privacy policy, as may be amended from time to time.

“Representative” means a director, officer, employee or independent contractor of Superior.

"Superior" means Superior Plus Corp., Superior Plus LP, Superior General Partner Inc., and each of their divisions, partnerships, affiliates and subsidiaries, including any and all internal governance bodies.

## *Collection, Use and Disclosure of Personal Information*

### Personal Information

Superior collects and maintains different types of Personal Information about individuals with whom it interacts (such as those who seek to be, are, or were employed by Superior, or customers or suppliers), including:

- a) identification and contact information: including, but not limited to, a Representative's name, home address, telephone number, personal email address, date of birth, social insurance number, marital and dependent status, videos, photographs, and beneficiary and emergency contact information;
- b) employment information: including, but not limited to, a Representative's job title, resumes and/or applications, interview notes, letters of offer and acceptance of employment, compensation and benefit information, background verification information, drivers' abstracts, employment references, mandatory policy acknowledgement sign-off sheets and evaluations;
- c) benefit information: including, but not limited to, forms relating to the application or change of employee health and welfare benefits, including but not limited to health care, life insurance, short and long term disability, medical and dental care;
- d) payroll and financial information: including, but not limited to, social insurance number, wages, pay cheque deposit information, pension information, group savings plans, information and tax related information;
- e) business relationship and operations information: including, but not limited to, customer and supplier service requests, customer addresses and personal contacts, credit information, billing records, service and equipment records, any recorded customer complaints, investor contact information and requests, agreement terms and preferences, property holder information necessary for administration of our leases and operations, and information necessary to effect emergency response plans; and
- f) other information necessary for Superior's business purposes, which may be voluntarily disclosed or collected in the course of a Representative's application to and employment with Superior.

Superior seeks to limit the collection of Personal Information to items that are necessary. As a general rule, Superior collects Personal Information directly from the individual it pertains to. If third parties hold information Superior requires, Superior will endeavour to ensure the information has been collected with the appropriate consent.

Where permitted or required by applicable law or regulatory requirements, Superior may collect Personal Information about an individual without their knowledge or consent.

### **II. Why We Collect Personal Information**

Superior collects Personal Information to manage and develop its business and operations, including:

- a) determining eligibility for initial employment, including the verification of references and qualifications;
- b) administration of pay and benefits;
- c) establishing training and/or development requirements and assessing qualifications for a particular job or task;
- d) performance reviews and determining performance requirements;
- e) processing employee work-related claims (e.g. worker compensation, insurance claims, etc.);
- f) evidencing for disciplinary action, or employment termination;
- g) establishing, managing and terminating business relations with customers and suppliers;
- h) informing investors of, and supplying investors with, investor relations information, other than that which an individual specifically requested;
- i) protection against error, fraud, theft damage or nuisance relating to Superior's assets, operations or reputation and securing company-held information;
- j) undertaking our environmental, health and safety activities, including incident planning, emergency response and investigation;
- k) compliance with individual requests;
- l) compliance with applicable law or regulatory requirements; and
- m) any other reasonable purpose required by Superior and to which an individual consents.

### **III. Use and Disclosure of Personal Information**

Superior may use and disclose Personal Information provided it is reasonably required in the following circumstances:

- a) for purposes described in this Policy;
- b) where the information is publicly available;
- c) where necessary to protect the rights and property of Superior;
- d) when emergencies occur or where it is necessary to protect the safety of a person or group of persons;
- e) where required by Representatives and other parties (including its related business entities or affiliates) who require Personal Information to assist in establishing, maintaining and managing Superior's relationship with an individual, including third parties that provide services to Superior or on Superior's behalf or third parties that collaborate with Superior in the provision of services to an individual;
- f) where required by a third party, in the event of a change in ownership of or granting of security interests in all or a part of Superior through, for example, some form of merger, purchase, sale, lease, amalgamation or other form of business combination, provided that the parties are bound by appropriate agreements or obligations which require them to collect, use or disclose Personal Information in a manner consistent with the use and disclosure provisions of this Policy, unless an individual otherwise objects; or
- g) Superior has otherwise obtained an individual's consent.

Superior will not disclose your Personal Information to third parties without consent to do so. Superior reserves the right to disclose Personal Information if required to do so by law or in good faith that such action is reasonably necessary to comply with legal process, respond to claims or to protect the rights, property or safety of Superior, its customers, service providers or the public. Superior may also use or disclose Personal information to third parties without an individual's knowledge or consent where it is permitted to do so by law.

Superior does not sell customer information to third parties.
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#### **IV. Protection of Personal Information**

Superior endeavours to maintain physical, technical and procedural safeguards that are appropriate to the sensitivity of the Personal Information in question. These safeguards are designed to prevent Personal Information from loss and unauthorized access, copying, use, modification or disclosure. These safeguards include: password, encryption and other electronic security means; locked or limited access premises and file cabinets; and the security monitoring methods referred to earlier in this Policy.

##### *Retention of Personal Information*

Except as otherwise permitted or required by applicable law or regulatory requirements, Superior retains Personal Information only for as long as it believes is necessary to fulfill the purposes for which the Personal Information was collected (including, for the purpose of meeting any legal, accounting or other reporting requirements or obligations). Superior may, instead of destroying or erasing Personal Information, make it anonymous such that it cannot be associated with or tracked back to a specific individual.

##### *Updating Personal Information*

It is important that Personal Information contained in Superior's records is both accurate and current. Superior asks that Representatives, customers and suppliers keep it informed of changes to Personal Information during the course of the individual's employment or business relationship.

If an individual believes the Personal Information about them held by Superior is not correct, the individual may request an update of that information by making a request to our Privacy Officer using the contact information set out below. In some circumstances Superior may not agree with the request to change an individual's Personal Information and will instead append an alternativetext to the record in question.

##### *Accessing Personal Information*

An individual may ask to see the Personal Information that Superior holds about them. If someone wants to review, verify or correct their Personal Information, they may contact our Privacy Officer. Please note that any such communications must be in writing.

When making an access request, Superior may require specific information from an individual to confirm their identity and their right to access the Personal Information. Superior may charge a fee to access Personal Information; but it will advise of any fee in advance. If help is needed in preparing a request, please contact the office of our Privacy Officer. Where Personal Information

will be disclosed to an individual, Superior will endeavour to provide the information in question within a reasonable time and no later than 30 days following the request.

An individual's right to access the Personal Information is not absolute. There are instances where applicable law or regulatory requirements permit or require Superior to refuse a Personal Information access request, such as when

- a) information is prohibitively costly to provide;
- b) information contains references to other individuals;
- c) information cannot be disclosed for legal, security or commercial proprietary reasons; and
- d) information is subject to solicitor-client or litigation privilege.

In addition, the Personal Information may no longer exist, may have been destroyed, erased or made anonymous in accordance with Superior's record retention obligations and practices. Superior's *Records Management Policy and Records Retention Schedule* outlines procedures for the retention and subsequent disposition of Superior records including those that contain Personal Information.

In the event that Superior cannot provide an individual with access to their Personal Information, it will endeavour to inform that individual of the reasons why access has been denied, subject to any legal or regulatory restrictions.

## **V. Consent**

Superior may collect, use or disclose Personal Information without an individual's knowledge or consent where it is permitted or required to do so by applicable law or regulatory requirements.

By submitting Personal Information to Superior, you acknowledge and agree that you have consented to the collection, use and disclosure practices set out in this Policy as they relate to your Personal Information.

An individual is entitled to change or withdraw their consent at any time, subject to legal or contractual restrictions (and reasonable notice), by contacting our Privacy Officer using the contact information set out below. In some circumstances, a change in or withdrawal of consent may limit Superior's ability to provide products or services to, or acquire products or services from, that individual.

## **VI. Monitoring**

The work output of Representatives and the tools used to generate that work product are always subject to review and monitoring by Superior. In the course of conducting business, Superior may monitor Representatives' activities and its property. Pursuant to the *Computer & Network Usage Agreement*, e-mail and Internet use policies, Superior has the capability to monitor all Representatives' computer and e-mail use.

Representatives should not have any expectation of privacy with respect to their use of Superior's equipment or resources. This section is not meant to suggest that all Representatives will be monitored or their actions subject to constant surveillance, as Superior has no duty to monitor, it is

meant to bring to each Representative's attention the fact that such monitoring may occur and may result in the collection of Personal Information from Representatives (e.g. through their use of Superior's resources).

Any collection of Personal Information held or used in the course of monitoring will not be more than is necessary for the purpose of the monitoring; monitoring is done on an "as required" basis and will be in proportion to the risks that Superior faces. Superior will conduct monitoring in the least intrusive way possible. In some instances, when reasonably necessary, Superior may supplement this monitoring notice with more specific policies or statements as appropriate (e.g. video surveillance).

#### *Responsibility & Interpretation*

It is essential that all Representatives understand and be responsible for abiding by and implementing this Policy.

Any violation of this Policy will result in discipline by Superior. If any Representative misuses the Personal Information of another Representative, it will be considered a serious offence for which appropriate disciplinary action may be taken, up to and including termination of employment. If any individual or organization misuses the Personal Information of a Representative, provided for the purpose of providing services to Superior – it will be considered a serious issue for which appropriate action may be taken, up to and including termination of the service agreement or court action.

Any interpretation associated with this Policy will be made by the Privacy Officer, in conjunction with Superior's Senior Vice-President and Chief Legal Officer. This Policy includes examples but is not intended to be restricted in its application to such examples, therefore where the word 'including' is used, it shall mean 'including without limitation'.

If a Representative has a question about: (a) access to Personal Information, (b) the collection, use, management or disclosure of Personal Information, (c) changing or withdrawing consent with respect to Personal Information, or (d) obtaining more information about this Policy or relevant legislation, please contact the office of our Privacy Officer by telephone or in writing or by e-mail at:

200 Wellington St. West, Suite 401  
Toronto, Ontario M5V 3C7  
Attention: Privacy Officer  
(416) 340-6027

Superior endeavours to answer all questions raised in a timely manner, and advise Representatives in writing of any steps taken to address an issue brought forward. If a Representative is not satisfied with Superior's response, that Representative may be entitled to make a written submission to the privacy authority applicable for their jurisdiction.

#### *Policy Revision*

Superior will review and revise this Policy from time to time to reflect changes in legal or regulatory obligations or changes in the manner in which it deals with Personal Information. Any revised version of this Policy will be posted, and each Representative is encouraged to refer back to it on a regular basis. Any changes to this Policy will be effective from the time they are posted, provided

that any change that relates to why Superior collects, uses or discloses Personal Information will not apply to a particular Representative, where their consent is required to such collection, use or disclosure, until Superior has obtained that Representative's consent to such change.

This Policy does not create or confer upon any individual any rights, or impose upon Superior any rights or obligations outside of, or in addition to, any rights or obligations imposed by Canada's and the United States' federal, provincial and state privacy legislation, as applicable. Should there be, in a specific case, any inconsistency between this Policy and relevant legislation in that jurisdiction, this Policy shall be interpreted, in respect of that case, to give effect to, and comply with, that privacy legislation.

**This Policy was adopted by the board of directors of Superior on February 16, 2012, and amended and restated on August 9, 2016.**