



<b>Policy:</b>	<b>Whistleblower Policy</b>
<b>Version:</b>	<b>1.2</b>
<b>Date Approved:</b>	<b>November 9, 2020</b>
<b>Date Issued:</b>	<b>November 9, 2020</b>

## **WHISTLEBLOWER POLICY**

### **1. Introduction and Purpose of this Policy**

Bird Construction Inc., a public company, and its affiliates and subsidiaries (together “**Bird**”) adhere to certain regulatory requirements regarding accounting and business practices, securities laws, internal controls and auditing matters (the “**Requirements**”). In meeting these Requirements and in its day to day operations, Bird observes high standards of business, professional and personal ethics in the conduct of its duties and responsibilities, including those set out and reflected in Bird’s Code of Conduct (the “**Standards**”).

The purpose of this Whistleblower Policy is to ensure that Bird continues to meet or exceed these Requirements and Standards. This Whistleblower Policy applies to all employees, directors, subcontractors and consultants of Bird.

If you have reasonable grounds to believe that a violation of any Requirement or Standard has occurred, or that a potential violation may occur, we urge you to take appropriate actions as outlined in this Whistleblower Policy.

Under this Whistleblower Policy, Bird will investigate all complaints made in good faith of actual or suspected illegal, fraudulent or otherwise inappropriate or dishonest conduct, which runs contrary to or is in violation of any of the Requirements or Standards.

This Whistleblower Policy is intended to be consistent with and to supplement any provincial or federal laws in place for whistleblowing.

### **2. Protection**

Any individual who reports an actual or potential violation or suspected violation of any Requirements or Standards will be protected under this Whistleblower Policy. It is contrary to the values of Bird and prohibited by law in some jurisdictions for anyone to retaliate or discriminate against any person who makes such a report (including, for example only, complaints of discrimination or fraud).

If you have made a report under this policy and have reasonable grounds to believe that you have been retaliated or discriminated against as a result of such disclosure, you may report such retaliation or discrimination in accordance with the reporting procedure set out below, including anonymously if so desired.

A person who retaliates against someone who has made a report under this Whistleblower Policy will be subject to discipline up to and including termination of their employment in accordance with the Bird Employee Handbook.

### 3. Disclosure and Reporting Process

Bird encourages everyone to report or disclose any violations or suspected violation of any Requirements or Standards under this Whistleblower Policy. Individuals may report or disclose any such matter to their immediate supervisor. Should that not be possible or, if you do not feel comfortable in doing so, you may contact Bird's Chief People Officer or its EVP and Chief Legal Officer (see Bird's website for contact details).

If the matter being reported or disclosed relates to inappropriate or fraudulent accounting practices or financial controls or audit matters, you may report the matter in confidence to the Chair of the Audit Committee of the Board of Directors, by phone or email, at:

Phone: (514) 984-3534

Email: [karynabrooks@gmail.com](mailto:karynabrooks@gmail.com)

Further, any individual who wishes to make an anonymous report of any matter under this Whistleblower Policy may do so by contacting the following independent and unrelated third party (the "**Intake Company**") at the following number:

On Call Centre

1-866-287-4792

The Intake Company is available to intake any report of wrongdoing or related information 24 hours per day, 365 days per year. Once a reporting of an incident has occurred, the Intake Company will report the matter to Bird on an anonymous basis (i.e. without identifying you) and an investigation will be conducted in accordance with this Whistleblower Policy (see Section 6 below).

### 4. Confidentiality and Anonymity

All reporting and disclosures made under this Whistleblower Policy may be made on an anonymous basis and will be kept confidential to the extent possible. Reporting to Bird's SVP, Organizational Excellence & Community Engagement or SVP, Risk Management may be done anonymously by sending a fax or letter to them at:

5700 Explorer Drive

Suite 400

Mississauga, ON

L4W 0C6

As noted above, reports and disclosures to the Intake Company may also be made on an anonymous basis upon request of anonymity.

Reports and disclosures to the Chair of the Audit Committee may also be made anonymously by sending them to the address set out above.

## 5. Investigations and Records

All matters reported or disclosed under this Whistleblower Policy will be promptly reviewed and investigated. Bird's General Counsel will maintain a confidential log of all such matters, including a record of the receipt, investigation and disposition of each matter.

Upon the completion of each investigation, action will be taken, if and as appropriate, and findings may be communicated to the disclosing person and his or her supervisor, if appropriate.

Investigations may be conducted by independent third parties or advisers, such as auditors and/or attorneys.

Investigators will maintain confidentiality except where it is not reasonably possible to do so.

Any report or disclosure relating to inappropriate or fraudulent accounting practices, or financial controls or audit matters will be reported to the Chair of the Audit Committee of the Board of Directors.

## 6. Imminent Risk

"**Imminent Risk**" deals with situations that require immediate attention as they could pose significant risk to public health or safety, or a danger to the environment. These matters fall under Bird's Critical Incident Response Plan (the "**CIRP Policy**") and should be disclosed in accordance with that policy.

## 7. Acknowledgement

My signature below indicates my receipt and understanding of this Whistleblower Policy. I also verify that I have been provided with an opportunity to ask questions about this policy.

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**Signature**

**Employee Name:**

**Date:**