

TSM Issues Resolution Policy

1. Purpose and Scope

The Mining Association of Canada (MAC) aims to ensure that any issues, concerns, or grievances related to the *Towards Sustainable Mining* (TSM) program are resolved in a timely, consistent, and transparent manner.

The TSM Issues Resolution Mechanism (“the mechanism”) is designed to consider and respond to concerns regarding:

- The accuracy of TSM performance results reported by MAC Member facilities
- The quality, comprehensiveness, or independence of an external verification of TSM performance results
- The conduct of MAC, a MAC Member, a verifier, or a third party employed by MAC or a MAC Member, in relation to TSM activities
- The development or implementation of TSM policies or procedures (e.g., protocols and guidance, program governance, verification processes, etc.)
- The interpretation or content of TSM protocols and requirements
- Other issues related to TSM that are not listed above

Information about how to make use of this mechanism is published on the MAC website. The mechanism accepts issues, concerns, or grievances from:

- Individuals or groups representing a community near a MAC Member facility
- Civil society or non-governmental organizations
- Customers of or investors in MAC Members
- Verifiers and auditors (except in relation to interpretation disputes that arise during the verification process, in which case these should be addressed through the verification dispute resolution process outlined in the *TSM Verification Guide*)
- Other individuals or groups with an interest in TSM that are not listed above

This mechanism is not a substitute for other forms of dispute resolution, such as grievance mechanisms maintained by MAC Members (where available) or formal litigation or arbitration processes. Note that, to achieve a Level A performance rating, the *TSM Indigenous and Community Relationships Protocol* requires facilities to maintain a response mechanism for communities of interest. Where a MAC Member has a facility-level response mechanism in place, any concerns related to that facility’s TSM performance or other matters of concern should be raised and resolved through that mechanism. Where appropriate, the TSM Issues Resolution Mechanism will refer issues received to the relevant company response mechanism.

2. Issues Submission

Before an issue is submitted, complainants should make all reasonable attempts to resolve the issue with the individual or entity in question. Where these efforts do not result in mutually agreed outcomes, a complainant may submit an issue to the Mechanism for consideration.

Issues can be submitted by e-mail to tsm@mining.ca or by mail at:

TSM Issues Resolution Mechanism
Mining Association of Canada

1100-275 Slater Street
Ottawa, ON K1P 5H9

MAC can also be reached by telephone at 613-233-9392 ext. 316.

If the nature of the issue is such that the complainant does not wish to submit the concern to MAC directly, issues can be submitted by e-mail to Stratos an ERM Company, a third-party sustainability consulting firm. Stratos an ERM Company is a management consultancy specializing in environmental, social and governance issues. The company operates independently of MAC but is under contract to support MAC's implementation of *Towards Sustainable Mining* by facilitating the independent, multi-interest Community of Interest Advisory Panel and providing training and oversight to TSM verifiers. Stratos an ERM Company can be reached by e-mail at mail@stratos-sts.com or by mail at:

TSM Issues Resolution Mechanism
Stratos an ERM Company
1404-1 Nicholas Street
Ottawa, ON K1N 7B7

Stratos an ERM Company can also be reached by telephone at 613-241-1001 ext. 248.

In submitting an issue, the complainant must:

- Provide basic information about themselves and/or their organization (see note on anonymous submissions below)
- Provide details about the issue and supporting evidence
- Detail any efforts made to resolve the issue directly with the individual or entity in question
- Outline expected outcomes of the issue resolution process, including options, where possible

If the complainant prefers to maintain anonymity throughout the issue resolution process, they must declare this preference at the time of submission. Note that the ability of MAC and/or Stratos an ERM Company to resolve an issue without knowledge of the parties involved may be limited. If anonymity cannot be granted for any reason, the complainant has the right to withdraw the issue from consideration.

Receipt of any issue submitted will be acknowledged within five business days.

Issues may be deemed inadmissible by MAC and/or Stratos an ERM Company if:

- The issue does not explicitly relate to TSM policies, activities, processes, or requirements.
- The issue is not supported by objective evidence, except in exceptional circumstances.
- The issue is deemed to be motivated by personal reasons or intended to gain a competitive advantage or personal benefit.

In cases where serious or urgent issues are brought forward through the mechanism (e.g., serious physical safety risks, allegations of criminal behaviour), Stratos an ERM Company may engage immediately with the party in question or with relevant authorities.

3. Resolution Pathway

Depending on the nature of the issue raised, different steps of the resolution pathway may be used, with timelines for each step to be determined in consultation with the parties involved. In general, issues within the scope of the mechanism will follow the below resolution pathway:

Step 1: MAC and/or Stratos an ERM Company will engage with the complainant to understand the issue of concern and, where possible, to provide clarifications that address the concern raised.

Step 2: If an issue is not resolved through initial discussions with the complainant, MAC and/or Stratos will offer to facilitate dialogue between the complainant and the party in question.

Step 3: If an issue is not resolved through dialogue, MAC and/or Stratos an ERM Company will escalate it to an Ad Hoc Issues Resolution Committee. This Committee is convened by MAC and/or Stratos an ERM Company and would involve the Chair and two members of the TSM Governance Team, a representative of Stratos an ERM Company (if not the convening body), and two representatives of the Community of Interest Advisory Panel (COI Panel). These individuals must declare any actual or potential conflict of interest in relation to the issue in question and may be disqualified from the issue resolution process depending on the nature of these disclosures.

If, upon initial consideration of an issue, MAC and/or Stratos an ERM Company deems it to be sufficiently complex, sensitive, or serious in nature, they may recommend that the issue be escalated immediately to the Ad Hoc Issues Resolution Committee (i.e., Step 3) without working through the prior steps.

MAC staff will participate and provide support throughout the resolution process unless Stratos an ERM Company determines MAC staff involvement to be inappropriate given the nature of the issue.

4. Possible Outcomes

There are several possible outcomes of the issues resolution process that may be considered at any stage in the resolution pathway. Some examples are listed in the chart below, although this does not represent an exhaustive list of possible outcomes.

Issue	Possible Outcomes
The accuracy of TSM performance results reported by MAC Member facilities	<ul style="list-style-type: none"> • Engage with the MAC member in question and, where relevant, offer additional training to support TSM interpretation and implementation • Change a publicly reported TSM score • Recommend that the issue receive greater focus during the site’s next scheduled external verification
The quality, comprehensiveness, or independence of an external verification of TSM performance results	<ul style="list-style-type: none"> • Flag the issue to Stratos an ERM Company for a quality assurance review under the <i>Verification Oversight Process</i> • Engage with the verifier in question and, where relevant, offer additional training related to the TSM external verification process • Change an externally verified TSM score

	<ul style="list-style-type: none"> • Recommend that the issue receive greater focus during the site's next scheduled external verification
The conduct of MAC, a MAC Member, a verifier, or a third party employed by MAC or a MAC Member, in relation to TSM activities	<ul style="list-style-type: none"> • Engage with the individual(s) in question to ensure that expectations around their conduct in relation to TSM activities are well understood and appropriate corrective actions are taken • Engage, where appropriate, with the employer of the individual(s) in question to provide information on the issue • Issue a retraction or formal apology, where warranted
The development or implementation of TSM policies or procedures (e.g., protocols and guidance, program governance, verification processes, etc.).	<ul style="list-style-type: none"> • Clarify wording and/or develop additional guidance • Flag for consideration in regular TSM policy and protocol review processes
The interpretation or content of TSM protocols and requirements	<ul style="list-style-type: none"> • Clarify wording and/or develop additional guidance • Flag for consideration in regular reviews of these policies and protocols by the bodies involved in TSM governance • Recommend that the issue receive greater focus during a quality assurance review under the <i>Verification Oversight Process</i>
Other issues related to TSM that are not listed above	<ul style="list-style-type: none"> • Outcome dependent on the nature of the issue and the recommendations made at any stage of the resolution pathway

All issues submitted to the Mechanism are logged and, following resolution of the issue, a short summary of the process and outcomes is added to the log and maintained in MAC's records. An update on the contents of the log is reported to the TSM Governance Team and COI Panel at their regularly scheduled meetings. An annual summary report is published on the MAC website, including data on the number, type, and status of issues submitted.