

# Anti-Harassment and Bullying Policy

## 1. Policy

(the “**Company**”) is committed to providing a safe working environment that prohibits harassment and bullying in the workplace as a matter of employment obligation and legal responsibility. We oppose and have no tolerance to any all forms of harassment and bullying and encourage the employees of the Company to treat each other with dignity and respect. All allegations of harassment or bullying will be taken seriously and investigated in accordance with this Policy.

This policy applies to all employees under a permanent contract, part-time contract, interns, volunteers, consultants and casual workers. The policy aims to:

- a. Create a positive and inclusive workplace culture that maximises business performance;
- b. Create a workplace free of harassment, bullying, victimization, and discrimination and ensure all employees feel respected; and
- c. Ensure that the employees are aware that their conduct and behaviour at workplace must be in accordance with the principles set out in this policy.

This policy is endorsed and fully supported by the Company and its senior management. This policy does not form part of any employee's contract of employment and the Company reserves all rights to amend the content of the policy at any time.

## 2. Our Responsibilities and Measures

Senior management of the Company is responsible for the dissemination and implementation of this policy in the Company. The Human Resource (“**HR**”) Department is responsible for overall compliance and handling breach allegations.

The Company is responsible for providing regular training sessions for all employees on harassment and bullying issues. We aim to ensure all employees of the Company to be made aware of the provisions of the policy.

## 3. General Principles

3.1 The Company has a zero-tolerance policy for any form of harassment and bullying against employees encompassing the following characteristics:

- (a) Age;
- (b) Disability;

- (c) Gender, transsexuality, and transgender;
- (d) Marital or civil partnership status;
- (e) Pregnancy or maternity;
- (f) Race, including ethnic and national origin;
- (g) Religion or belief;
- (h) Sex;
- (i) Sexual orientation;
- (j) Disability;
- (k) HIV/AIDS vilification; and
- (l) Medical record.

The Company reserves all rights to amend and update the list from time to time.

3.2 Examples of harassment and bullying listed in this policy are not exhaustive. These examples are only indicative of the type of behaviours that may constitute bullying or harassment.

3.3 If an employee is not certain whether an incident or series of incidents amounts to bullying or harassment, contact the immediate supervisor or the HR Department for advice.

3.4 We take all breaches of this policy very seriously and we hereby promise all allegations of breach will be thoroughly investigated by the HR Department confidentially and fairly.

3.5 All matters relating to the complaint including but not limited to the investigation details, complainant's name; the name of the accused will be kept strictly confidential and will not be divulged to any parties not involved in the proceedings. Any breach of confidentiality may give rise to disciplinary action under the Company's disciplinary policy.

## **4. Harassment**

4.1 Harassment occurs when an employee with one or more of the protected characteristics receives hostile, humiliating, intimidating, or offensive treatment which deprives employee's dignity and such conduct are deemed unwelcomed by the employee. Such conduct will not be tolerated even though it is labelled as a joke and the offender has committed it unintentionally. Unacceptable conducts include, but is not limited to:

- (a) Excluding and isolating any employees;
- (b) treating someone less favourably because they have submitted or refused to submit to such behaviour in the past; and

(c) Making abusive, derogatory, unkind, hostile or otherwise unwelcoming statements regarding an employee;

4.2 Examples of workplace harassment may include:

(a) Insulting or threatening gestures, language (overt or implied) or continual and unwarranted shouting in the workplace;

(b) racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group or gender;

(c) giving nicknames or teasing anyone based on weight, race, sexual orientation or physical appearance

(d) Instructing or compelling other employees to harass

(e) Harassing anyone who associates with the third party with one or more of the protected characteristics

(f) Knowingly assist somebody else when they harass

## **5. Sexual Harassment**

5.1 Sexual Harassment means performing any forms of sexual harassment, including but not limited to making sexually offensive statements verbally, performing physical conducts bringing similar unwelcoming effects, display sexually explicit materials, sexual assault, and indecent exposure.

5.2 Examples of workplace sexual harassment may include:

(a) Offensive comments on physical appearance, dress or private life;

(b) Sending sexually explicit emails, text messages or through social media applications;

(c) hugging, cornering, kissing, fondling, and forced sexual intercourse or assault;

(d) suggestive remarks, compromising invitations, aggressively foul language

## **6. Bullying**

6.1 Bullying is defined as a deliberate, intentional and repeated aggressive, intimidating or insulting behaviour involving abuse of power directed towards another person or group of persons with the intention to cause physical or mental harm. Bullying may be verbal, physical, through gestures and other non-verbal conduct.

6.2 Some of the examples of bullying are:

(a) abuse of power to make the other person feel intimidated

(b) Socially or physically excluding or disregarding a person in work-related activities

(c) physical or psychological threats

(d) personal attacks or hostile interactions

6.3 Any reasonable and legitimate action such as performance review, disciplinary action; not promoting an employee; workplace restructuring; giving reasonable instructions during the course of employment do not constitute bullying at the workplace.

## **7. Complaint and Investigation Procedure**

7.1 In the event an employee faces harassment or bullying during the course of employment then he/she must submit a complaint in writing to the immediate supervisor or the HR representative immediately. The complaint should include the details of the misconduct, nature of the harassment or bullying, date or time it occurred, name of any witnesses and any other relevant information.

7.2 Upon receiving the complaint, the concerned supervisor or HR representative shall inform the Head of HR. The Head of HR shall appoint personnel who is impartial and with sufficient experience to investigate the complaint thoroughly.

7.3 During the course of the investigation, changes in work arrangements may be requested by the complainant to the immediate supervisor.

7.4 The investigation of the complaint may involve interviewing of the complainant, the accused and any witness named in the complaint.

7.5 The findings of the investigation will be recorded in writing and submitted to the Head of HR for decision.

7.6 Any allegations made in good faith will be fully supported by the Company with all appropriate measures and investigation being taken out, regardless of the conclusion of the allegation and the subjective view of any senior management. There will never be any reprisals against employees who raise allegations of a breach under the policy. Nevertheless, allegations or attempts to make allegations in bad faith, for whatever reasons, will be classified as misconduct and may lead to dismissal upon the discretion of the Company.

7.7 If the complainant, witness or anyone who participated in the investigation is subjected to any form of retaliation or victimisation as a result by another employee of the Company then such employee will be subjected to disciplinary action under the Company's disciplinary policy.

## **8. Decision**

8.1 Upon receiving the investigation report:

(a) if the Head of HR determines that a violation of this policy has occurred by another employee then such employee will be subject to disciplinary action, up to and including termination. The severity of each

case will determine the type of disciplinary action, which may include a verbal or written warning, suspension, and/or termination.

(b) if the Head of HR determines that a violation of this policy has occurred by someone other than an employee, such as a customer, supplier or visitor then the Head of HR will consider the necessary action to prevent the occurrence of such incidents in future.

(b) if the Head of HR determines that the investigation was inconclusive however there is a probability of a violation of this policy then the Head of HR will recommend actions to prevent the occurrence of such incidents.

## **9. Appeals**

9.1 Employee will be advised by the Head of HR about their right to appeal whenever a decision is made pursuant to the policy. The Employee may appeal in writing against a decision made pursuant to this policy within 7 working days of receiving the said decision.

9.2 The employee can appeal against the decision if the employee has reasonable grounds to believe that the decision was wrong; unfair procedures were used; and/or new evidence/information has come to light.

9.3 The appeal requests including the grounds of appeal must be made in writing to the Head of the HR department of the Company. The Head of HR shall nominate personnel not who is impartial, with sufficient experience and not involved in the complaint decision-making process to determine the appeal.

9.4 The final decision on the appeal will be provided in writing to the concerned parties. This is be the end of the procedure and there is no further appeal.

## **10. For more information**

If you have any questions or need further guidance, please contact your human resources representative at .

## **11. Revision**

This Policy was last updated on ("Revision Date"). If you were a user before the Revision Date, it replaces the existing Anti-Harassment and Bullying Policy.