

POLICY ON PROHIBITION OF SEXUAL HARASSMENT

Objective:

ASL Industries Limited (“Company”) is committed to providing a work environment free from harassment of any kind and in particular, a work environment that does not tolerate sexual harassment. We respect dignity of everyone involved in our work place, whether they are employees, suppliers or our customers. We require all employees to make sure that they maintain mutual respect and positive regard towards one another. The Company is committed to adopting procedures to receive and address any concern or complaint regarding questionable accounting or auditing matters, internal controls, disclosure matters, reporting of fraudulent practices, employee misconduct, health, safety and environmental issues which cannot be resolved through normal management channels.

Definition of sexual harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person’s employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal and other inappropriate misconduct. Some of the example of misconducts is as follows:

- Asking for sexual advances in exchange for a benefit
- Repeatedly asking for dates, and not taking “no” for an answer
- Demanding hugs
- Making unnecessary physical contact, including unwanted touching
- Using rude or insulting language or making comments toward women
- Calling people sex-specific derogatory name.
- Making sex-related comments about a person’s physical characteristics or actions
- Saying or doing something because you think a person does not conform
- Verbal abuse of a sexual nature;
- Touching or grabbing of a sexual nature;
- Repeatedly standing too close to or brushing up against a person;
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested (supervisors in particular should be careful not to pressure their employees to socialize);
- Giving gifts or leaving objects that are sexually suggestive;
- Repeatedly making sexually suggestive gestures;
- Making or posting sexually demeaning or offensive pictures, cartoons or other materials in the workplace;
- Off-duty unwelcome conducts of a sexual nature that affects the work environment
- Posting or sharing pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including online)
- Making sexual jokes
- Bragging about sexual prowess.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The Company recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

The Company recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. Anyone, including employees of the company, clients, customers, casual workers, contractors or visitors who sexually harass another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within the company premises or outside, including at social events, business trips, training sessions or conferences sponsored by the company.

Policy Details:

All employees must continue to act responsibly to help establish a comfortable working environment free from harassment for all. All employees are encouraged to raise questions they may have regarding these issues directly with their respective HODs or any member of management or with their Human Resources representative.

Complaint Procedure:

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. The Company recognizes that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser, he/she can approach one of the designated staff members responsible for receiving complaints of sexual harassment. This person could be another supervisor, a member of the human resources department, etc. When a designated person receives a complaint of sexual harassment, he/she will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome he/she wants
- ensure that the victim understands the company's procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework

Throughout the complaints procedure, a victim is entitled to be helped by a counsellor within the company. The Company will nominate a number of counsellors and provide them with special training to enable them to assist victims of sexual harassment. The Company recognizes that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. The Company understands the need to support victims in making complaints.

Informal complaints mechanism

If the victim wishes to deal with the matter informally, the designated person will:

- give an opportunity to the alleged harasser to respond to the complaint
- ensure that the alleged harasser understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the company to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped
- ensure that the above is done speedily and within 15 days of the complaint being made

Formal complaints mechanism

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to a senior human resources manager to instigate a formal investigation. The senior human resources manager may deal with the matter him/herself, refer the matter to an internal or external investigator or refer it to a committee of three others in accordance with this policy [Choose what options are most appropriate for the company.

The person carrying out the investigation will:

- interview the victim and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place
- produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e. an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
- follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome
- if it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken
- ensure that all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and in any event within 15 days of the complaint being made

Outside complaints mechanisms

A person who has been subject to sexual harassment can also make a complaint outside of the company and go to law for seeking justice.

Monetary compensation:

If the counter party is found guilty of a serious instance of sexual harassment at workplace, the management can also recommend monetary compensation in favour of the complainant by way of a deduction from the salary or wages of the counter party, In addition to all these penalties, the employee can also be required to

give a written apology to the complainant and upon failure to do so, the punishment can be enhanced. In the event the complainant decides to pursue to personal action against the counter party, the Company is obliged to provide all assistance and cooperation in any investigation by the relevant law enforcement agencies.

Sanctions and disciplinary measures

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- verbal or written warning
- adverse performance evaluation
- reduction in wages
- transfer
- demotion
- suspension
- dismissal

If the result of the investigation/enquiry holds the alleged offender guilty of an act constituting sexual harassment, the Management shall take appropriate disciplinary action against the offender. The punishment imposed shall commensurate with the gravity of the misconduct and other relevant circumstances prevailing are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

Implementation of this policy

The Company will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the company. Every year, [name of company] will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every manager to ensure that all his/her employees are aware of the policy.

Monitoring and evaluation

The Company recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the company will evaluate the effectiveness of this policy and make any changes needed.

Information

The Company will make all efforts to communicate this policy all employees at all locations in the country. This policy shall become an integral part of the Policy of the Company.
