


TOP GLOVE CORPORATION BHD


 Effective Date 1.2.2014	HUMAN RESOURCE MANUAL	Revision No. 4
	REWARDS & PERFORMANCE	No of Pages 6
	HRM: PREVENTION OF SEXUAL HARASSMENT POLICY	

Top Glove reserves the right to modify, revise, cancel or waive any policy, procedure or condition without notice and without revision.

SOP AMENDMENT RECORD

Amendment No.	Date	Type of Change
1	10.1.2020	Procedures and Disciplinary Action.
2	18.9.2020	Revision on clause 4.4.5.
3	02.10.2020	Revision of all clauses and disciplinary flow chart.
4	17.10.2020	Added 4.3.7. Revised 3.1.

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1.0 OBJECTIVE

Top Glove (hereinafter referred to as “the Company”) is fully committed to provide safe, healthy and harassment free work environment for all its employees. Social justice demands a fair treatment of all employees and due respect for their dignity. The existence of sexual harassment is a denial of a fundamental principal of social justice. We believe that every employee should be treated with utmost respect and dignity and free from all forms of humiliation and harassment particularly sexual harassment. The Policy on Prevention of Sexual Harassment (hereinafter referred to as “the Policy”) is developed with the objective to:

- (a) provide a mechanism to prevent and eradicate sexual harassment at the workplace;
- (b) educate our employees to recognize the harassment in the workplace; and
- (c) ensure adequate procedures are available to deal with the problem and prevent its occurrence and recurrence.

2.0 SCOPE

The scope of the Policy applies to all the Company’s employees, irrespective of gender, status or positions.

3.0 APPENDIX


- 3.1 Formal Complaint and Investigation Flowchart

4.0 POLICY

4.1 Definitions

- 4.1.1. ‘Sexual Harassment’ means any unwanted conduct of sexual nature having the effect of verbal, nonverbal, visual, psychological or physical harassment that might, on reasonable grounds, be perceived by the recipient as:
 - (a) placing a condition of a sexual nature of her / his employment; or
 - (b) an offence or humiliation, or a threat to her / his well-being, but no direct link to her / his employment.
- 4.1.2. ‘Company’ means Top Glove Sdn. Bhd., including any subsidiary company or associate company under the Top Glove Group of companies.
- 4.1.3. ‘Management’ means the Chairman, Managing Director, Executive Directors, Directors, Managers, Department Heads, including other Executives who are appointed to act on behalf of the Management.

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4.2 Forms of Sexual Harassment

4.2.1 Sexual Harassment encompasses various conducts of a sexual nature which can manifest itself in many different possible forms including the following:

(a) Verbal Harassment

An oral form of harassment and includes uncomfortable and offensive teasing, joking, questioning, jesting or making suggestive comments, remarks or sounds.

(b) Nonverbal / Gestural Harassment

A leer with indecent overtone, hand signal or sign language, lips licking or food eating denoting sexual activity and persistent flirting.

(c) Visual Harassment

Showing of pornographic materials, for example, calendars, drawings, photographs of naked and scantily clad women/men and writing sex-based letter. Sexual exposure also falls under this form of sexual harassment.

(d) Psychological Harassment

Harms a person's psychological wellbeing and includes oppressively constant proposals for dates, repeated undesirable physical intimacy or social invitations.

(e) Physical Harassment

Includes distasteful action such as touching of an intimate body part, patting, pinching, stroking, brushing up against the body, hugging, kissing, fondling, and sexual assault.


4.3 Procedure on Complaint of Sexual Harassment

An employee has the absolute right not to be harassed in the workplace and this right is fully supported by the Company. If you are harassed, don't keep quiet, please take immediate action as follows:

4.3.1 Tell the other person (if you are comfortable to do so), in a direct and firm manner or in writing that their behaviour and actions are unacceptable and should cease immediately.

4.3.2 Keep a record of all incidents with the person's name, dates, time, place of incident, a description of the incident, name of witnesses (if any).

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- 4.3.3 Complain immediately to your Immediate Superior (IS) / Factory Human Resources (FHR), who will discuss the situation with you in the strictest confidence.
- 4.3.4 IS / FHR will then forward the complaint to Head of Group Human Resources (HoGHR) without delay on the same day the complaint is received or if not possible, on the next working day.
- 4.3.5 If the alleged harasser is the Immediate Superior, then the employee should immediately report to the Head of Department (HOD) / Head of Factory (HOF).
- 4.3.6 HOD/ HOF will then forward the complaint to Head of Group Human Resources (HoGHR) without delay on the same day the complaint is received or if not possible, on the next working day.
- 4.3.7 Alternatively, if employee opt for anonymous reporting channel, staff can raise the complaint via email to TG@whistleblower.com.my; whereas workers can report directly to the Centralised Worker's Helpline at +016-2062998 or third party helpline (i.e. Impactt helpline) which open during the periodic audit exercise for a scheduled period of time.


4.4 Investigation Procedure

- 4.4.1 Upon receipt of the official complaint from the complainant, or from IS, HOD or HOF on the complaint of sexual harassment, the Group HR/ FHR acting as Investigation Officer (IO) will investigate into the complaint within **five (5) days** by recording statements in writing from:
 - (a) the complainant;
 - (b) the alleged harasser;
 - (c) the witnesses
- 4.4.2 Both the complainant and alleged harasser shall be given equal opportunity to tell their sides of the story and to substantiate with their own witness / witnesses.

4.5 Disciplinary Procedure

- 4.5.1 Upon completion of the investigation as in clause 4.4 above, and if the misconduct of sexual harassment is proven, the possible punishment to be imposed on the accused employee could be depending on the circumstances surrounding the matter and the seriousness of the matter as follows:
 - (a) dismiss without notice the employee;

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(b) downgrade the employee; or

(c) impose any other lesser punishment against the employee as the Management deems just and fit as follows:

(1) suspension without wages for a period not exceeding two weeks;

(2) written warning letter issued with a copy kept in the employee's personal file; or

(3) transfer to another department with no change in salary / benefits

4.5.2 Refer to Appendix 3.1 for the Formal Complaint and Investigation Flowchart

5.0 Feedback to the Complainant

5.1 The complainant shall be informed of the outcome of the investigation or if disciplinary action is taken against the alleged harasser, of the outcome of the disciplinary action.

5.2 Although the Company encourages employees suffering from sexual harassment to report the matter immediately, the employees are expected to act in good faith.

5.3 If the allegation is proven after the investigation or inquiry to be false, fabricated, frivolous, vexatious, unjustified, baseless and / or if the complaint was made in bad faith, such action by the complainant would be treated as a misconduct can be subject to appropriate disciplinary action which may include dismissal.

6.0 Educational Programmes

6.1 Prevention is the most effective tool any employer can use to eradicate sexual harassment in the workplace. Preventive action includes:


(a) Communication;

(b) Education; and

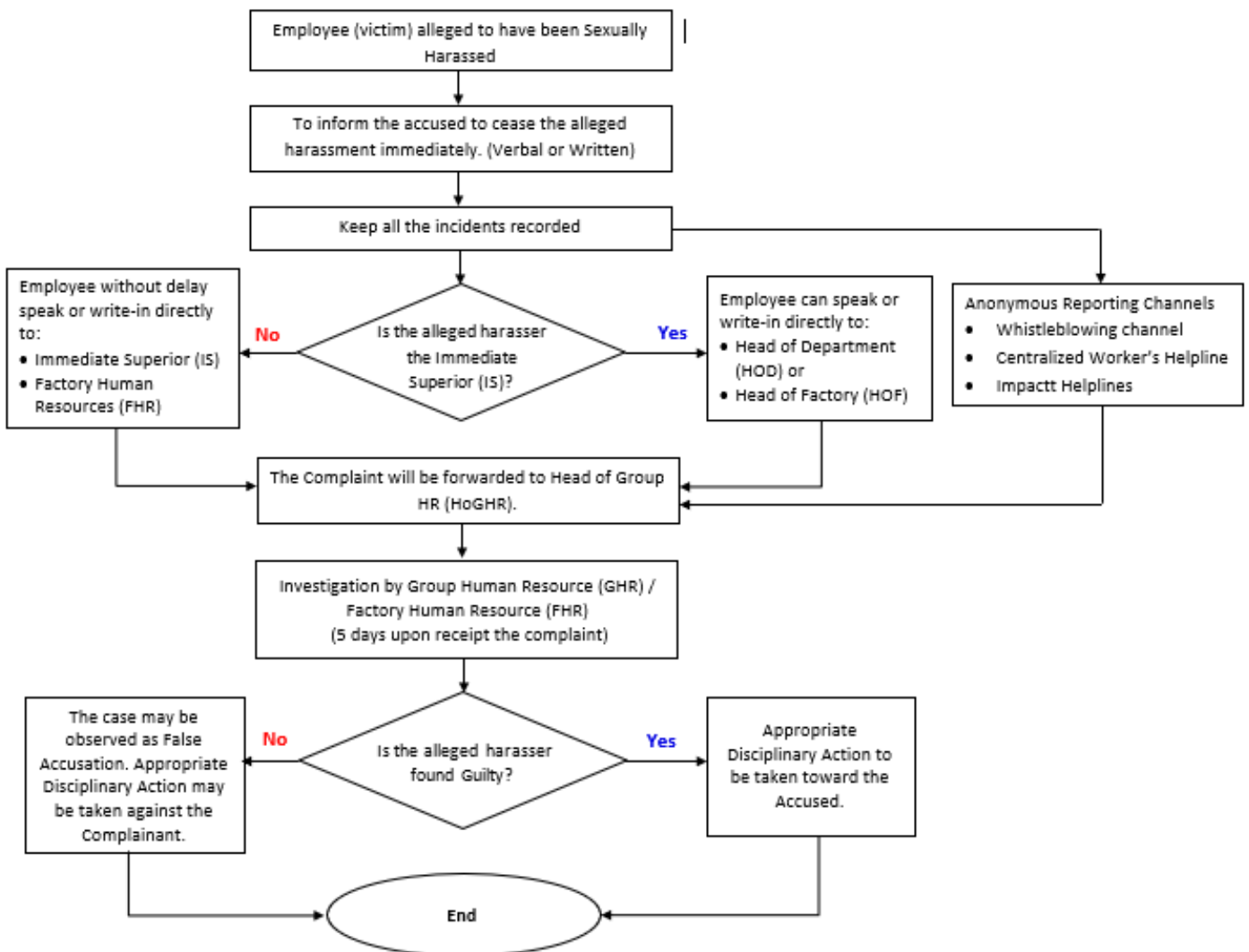
(c) Training.

6.2 Company shall provide training programme such as during orientation / assembly/ briefing which employees could be educated in the area of Prevention of Sexual Harassment.


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Appendix 3.1 Formal Complaint and Investigation Flowchart



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