


# TOP GLOVE SDN BHD


	<b>HUMAN RESOURCE MANUAL</b>	<b>Revision No.</b> 5
<b>Effective Date</b> 1.2.2014	<b>REWARDS &amp; PERFORMANCE</b>	<b>No of Pages</b> 7
	<b>HRM: PREVENTION OF SEXUAL HARASSMENT POLICY</b>	

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.
5	19.9.2022	Added 4.2, 4.4.8, 7.0, 8.0. Revised Appendix 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 fair treatment of all employees and due respect for their dignity. The existence of sexual harassment is a denial of a fundamental principle 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 sexual harassment at 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 position.

## 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) creating an offensive work environment due to acts of a sexual or suggestive nature; 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 Executive 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 Categories of Sexual Harassment

- 4.2.1 Sexual coercion is sexual harassment that results in some direct consequence to the victim's employment. An example of sexual coercion is where a superior who has power over the salary and promotion, attempts to coerce a subordinate to grant sexual favours. If the subordinate accedes to the superior's sexual solicitation, job benefits will follow. Conversely, if the sexual solicitation is refused, job benefits are denied.
- 4.2.2 Sexual annoyance is sexually related conduct that is offensive, hostile or intimidating to the recipient but has no direct link to any job benefit. However, sexual annoyance creates a bothersome working environment in which the recipient has to tolerate in order to continue working. Sexual harassment by an employee against a co-employee and sexual harassment by a company's client against an employee fall into this category.

## 4.3 Forms of Sexual Harassment

- 4.3.1 Sexual Harassment encompasses various acts 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 letters with sexual overtone. 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.

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## 4.4 Procedures for 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, do not keep quiet. Please take immediate action as follows:


- 4.4.1 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.
- 4.4.2 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).
- 4.4.3 Complain immediately to your Immediate Superior (IS) / Factory Human Resources (FHR), who will discuss the situation with you in the strictest confidence.
- 4.4.4 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.
- 4.4.5 If the alleged harasser is the Immediate Superior, then the employee should immediately report to the Head of Department (HOD) / Head of Factory (HOF).
- 4.4.6 The HOD/ HOF will then forward the complaint to the 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.
- 4.4.7 Alternatively, if employee opts for anonymous reporting channel, staff can raise the complaint via email to [TG@whistleblower.com.my](mailto: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).
- 4.4.8 Employees may also report a sexual harassment case by filling up the Grievance Form in the TG HR Connect App.

## 4.5 Investigation Procedure

- 4.5.1 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;

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(c) the witnesses (if any).

4.5.2 Both the complainant and alleged harasser shall be given equal opportunity to tell their sides of the story and to substantiate it with their own witness / witnesses.

## 4.5 Disciplinary Procedure

4.6.1 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 the employee without prior notice;
- (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; or
  - (2) written warning letter issued with a copy kept in the employee's personal file.

4.6.2 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 and 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 will be subject to appropriate disciplinary action which may include dismissal.

## 6.0 EDUCATIONAL PROGRAMMES

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

- (a) Communication;
- (b) Education; and
- (c) Training.

**6.2** The Company shall provide training programmes during the staff orientation / assembly/ briefing in which employees could be educated in the area of Prevention of Sexual Harassment.


## 7.0 GENERAL GUIDELINES TO PREVENT SEXUAL HARASSMENT

**7.1** Following are the general guidelines to prevent sexual harassment cases. The guideline is not exhaustive, and the Company reserves the right to amend, add or delete any part of the guidelines.

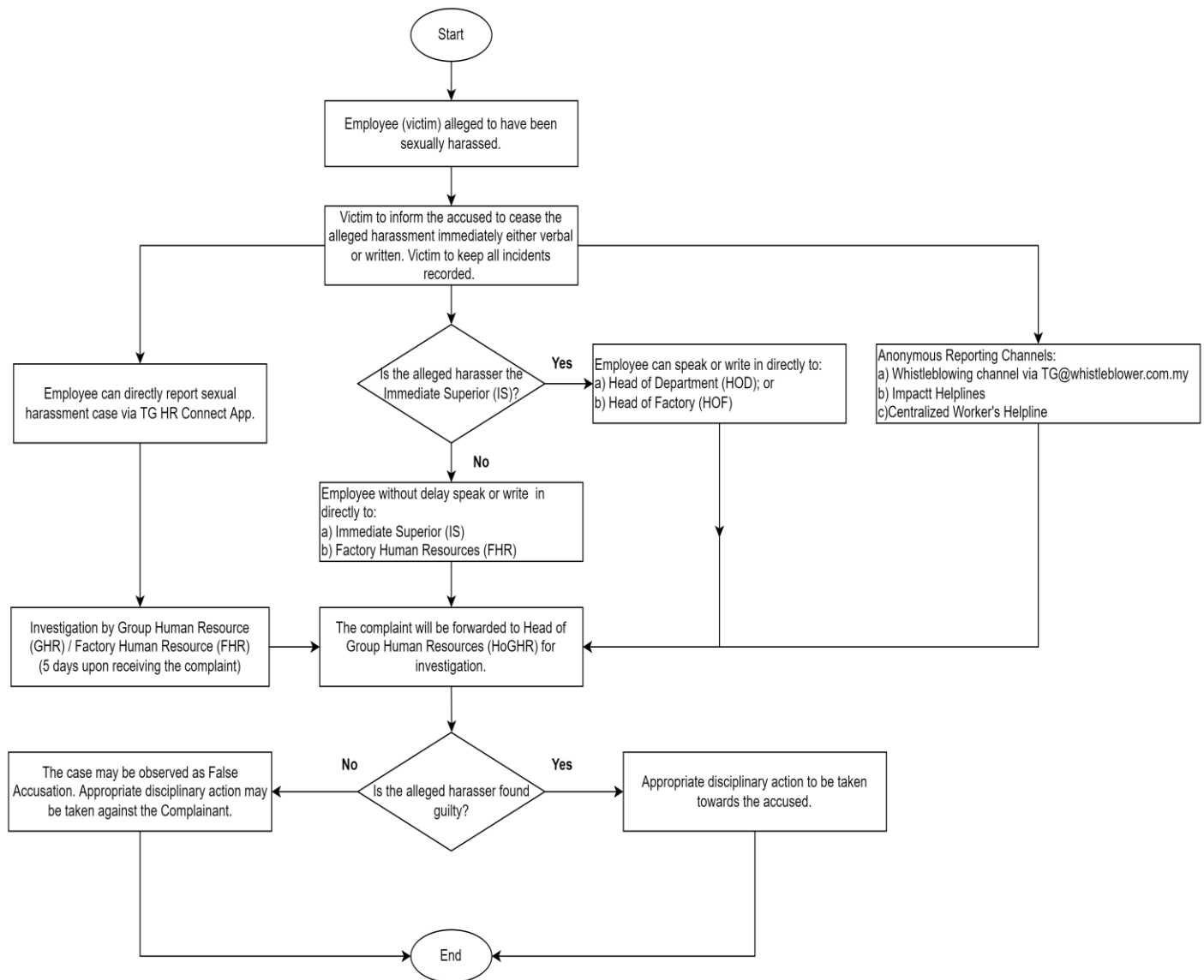
- (a) Respect and treat all colleagues alike.
- (b) Treat your workplace with respect
- (c) Do not ask and expect any favours from your superiors except those benefits you are entitled to.
- (d) Avoid closed doors and close encounters when dealing with a superior or colleague of the opposite sex where practicable.
- (e) Dress and behave in a professional manner to avoid unwarranted attention.
- (f) Avoid making personal remarks even of a complimenting nature unless they are related to work.
- (g) Follow the Company's guideline on the definition of sexual harassment.

## 8.0 AMENDMENTS TO THE POLICY


**8.1** The Company reserves the right to review and/or amend this Policy from time to time.

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### Appendix 3.1 Formal Complaint and Investigation Flowchart



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