



MEMO

DATE	17 th February 2014	REF NO.	MEMO/HR032/14(HR/ADM)
TO	All Department/ Location		
FROM	GCEO		
CC	COO		
SUBJECT	Sexual Harassment Policy		

Dear All,

Enclosed herewith is the SOPB Group policy on Sexual Harassment in the Workplace for your attention.

Regards,

PAUL WONG HEE KWONG
Group Chief Executive Officer

/enc: SOPB Group Policy on Sexual Harassment in the Workplace

SOPB GROUP POLICY ON SEXUAL HARASSMENT IN THE WORKPLACE

1. Objective

1.1 Sarawak Oil Palms Berhad ("SOPB") aims to create a safe and healthy working environment which is free from sexual harassment whereby all members of staff are treated with courtesy, dignity and respect.

1.2 The purpose of this policy is to define sexual harassment and to provide an effective procedures for complaints/ grievance, based on the principles of natural justice.

2. Scope

This policy applies to all employees of SOPB Group of Companies ("the group")

3. Policy Statement

3.1 SOPB does not tolerate any form of sexual harassment in the workplace and is therefore prohibit :-

3.1.1 Any employee engaging in the conduct deemed to be harassment as described in Section 4, or encouraging such conduct by others;

3.1.2 Any form of retaliation made against an employee who either complains about the harassment or who participates in any investigation concerning the harassment.

3.2 Breach of this Policy is a misconduct and may incur disciplinary measures up to and including dismissal.

4. Definition of Sexual Harassment

4.1 Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature having the effect of verbal, non-verbal, visual, psychological or physical harassment:

4.1.1 that might, on reasonable grounds, be perceived by the recipient as placing a condition of a sexual nature on her/his employment;

- sexual coercion; e.g. a superior who has the power over 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 subordinate refuses, job benefits are denied.

or

4.1.2 that might, on reasonable grounds, be perceived by the recipient as an offence or humiliation, or a threat to his/her well-being, but has no direct link to her/his employment

- sexual annoyance; e.g. a sexual harassment by an employee against a co-employee.

4.2 Forms of Sexual Harassment

4.2.1 verbal harassment :

e.g. offensive or suggestive remarks, comments, jokes, jesting, kidding, sounds, questioning

4.2.2 non-verbal/gestural harassment:

e.g. leering or ogling with suggestive overtones, licking lips or holding or eating food provocatively, hand signal or sign language denoting sexual activity, persistent flirting.

4.2.3 visual harassment:

e.g. showing pornographic materials, drawing sex-based sketches or writing sex-based letters, sexual exposures.

4.2.4 psychological harassment:

e.g. repeated unwanted social invitations, relentless proposals for dates or physical intimacy.

4.2.5 physical harassment:

e.g. inappropriate touching, patting, pinching, stroking, brushing up against the body, hugging, kissing, fondling, sexual assault.

4.3 Within the context of this policy, reference to the workplace means any place where the business of SOPB is being carried out and the situation may include, but is not limited to:-

4.3.1 at work-related social functions;

4.3.2 in the course of work assignments outside the workplace;

4.3.3 at work-related conferences or training sessions;

4.3.4 during work-related travel;

4.3.5 over the phone; and

4.3.6 through electronic media.

5. Complaint/Grievance Procedure

5.1 Informal Complaint

5.1.1 Any employee who is experiencing or affected by harassment, may take an informal approach, if he/she considers appropriate, in resolving the problem by raising the matter directly to the alleged harasser. The employee may make an initial attempt to make it clearly known to the alleged harasser that the behaviour is offensive, unwelcome, contrary to the organization's policy and that he/she should stop to behave in this manner. Alternatively, the employee may seek his/her immediate superior or manager to approach the alleged harasser on his/her behalf.

- 5.1.2 If the employee is dissatisfied with the outcome of the informal approach or if unwelcome behaviour continues, he/she may proceed with a formal complaint under section 5.2 at any time.

5.2 Formal Complaint

- 5.2.1 An employee who has been directly harassed, has witnessed or is affected by the harassment, shall report such conduct by writing in to the Manager of Human Resources Department. Complaint shall be made immediately after an incident of alleged sexual harassment.
- 5.2.2 If the employee requires help in determining whether the harassment has occurred, or whether to take formal or informal approach, he/she may seek advice from the Manager of Human Resources Department.
- 5.2.3 To ensure prompt and thorough investigation of the complaint, the complainant should provide as much of the following information as is possible:-
- The name, designation, department and location of the person(s) allegedly causing the harassment.
 - A description of the incident(s) including the date(s), location(s) and the presence of any witnesses (if any).
 - The alleged effect of the incident(s) on the complainant's employment related benefit (if any) such as position, salary, promotional opportunity, other terms and conditions of employment.
 - The names of other employees who might have been subject to the same or similar harassment.
 - The steps that the complainant has taken to try to stop the harassment.
 - Any other information that the complainant believes to be relevant to the harassment complaint.
- 5.2.4 Anonymous complaints will not be entertained.

5.3 Investigation

- 5.3.1 A discreet investigation will be carried out as soon as the complaint is received. A statement will be obtained from both the complainant and the alleged harasser separately, and will any individuals who may be able to provide the relevant information. Every employee is expected to cooperate in the investigation if requested without fear of reprisal.
- 5.3.2 If deemed necessary, due inquiry will be conducted against the alleged harasser.

5.3.3 The outcome of the investigation will be communicated to the complainant and the accused. Where the complainant or the accused is dissatisfied with the outcome of the investigation, he/she may appeal to the Group Chief Executive Officer (GCEO) in writing within seven (7) days from the date he/she is officially informed of the outcome.

6. Disciplinary Measure

6.1 Disciplinary Actions

SOPB views sexual harassment as intolerable misconduct which can never be condoned. If the investigation reveals that this policy has been violated, the harasser will be disciplined in accordance with the disciplinary procedures. The nature and severity of the disciplinary measures will commensurate with the seriousness of the harassment which may include immediate dismissal. The harasser may also subject to criminal penalties depending on the severity of the offence.

6.2 False Accusation

Disciplinary actions may also be taken against the employee who makes false accusations or fabricated allegations/complaints.

7. Confidentiality

7.1 All complaints, investigations and inquiries will be treated with utmost confidentiality.

8. Review

This policy may be reviewed and amended from time to time, as and when necessary, to ensure the effectiveness of this Policy to achieve the aims of the organization.

Flow Chart of Complaint Procedure

