

## **SEXUAL HARASSMENT POLICY**

Purpose	This policy is a document that prohibits sexual harassment and raises awareness to prevent the occurrence of sexual harassment in the workplace. It defines and describes prohibited sexual behavior in the workplace, and contains information on how to report a complaint.
Scope	Applicable to all employees under the UCSI Group of Companies.
Issued by	GHR Department
Effective Date	2 January 2023

### **1.0 Objectives**

1.1 At UCSI Group, we strive to create a safe and secure work environment that is free of any form of sexual harassment. We are committed to promoting everyone's right to work in a respectful and dignified environment and will not accept any kind of sexual harassment in the workplace. All incidents of sexual harassment will be taken seriously and investigated immediately. Any individuals found to have violated this policy will face disciplinary action, including possible termination of employment. All complaints of sexual harassment will be treated with respect and in confidence. No one will be victimized for making such a complaint.

### **2.0 Definition of sexual harassment**

2.1 Sexual harassment means any unwanted conduct of a sexual nature, in any form, whether verbal, non-verbal, visual, gestural or physical, directed at a person which is reasonably offensive or humiliating or is a threat to his well-being. Sexual harassment in the workplace falls into two categories:

- Where submission or rejection of such advances, requests or conduct is implicitly or explicitly made a term or condition of employment or as a basis of employment decisions.
- Where such advances, request or conduct is severe or pervasive enough to create a humiliating, hostile or abusive work environment, which have the purpose or effect of unreasonably interfering with the individual's work performance. This type of harassment does not require a direct link to the affected party's terms and conditions of employment.

2.2 Sexual harassment encompasses various conducts of a sexual nature which can manifest themselves in five possible forms, namely:

2.2.1 Verbal Harassment

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

2.2.2 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.

2.2.3 Visual Harassment

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

2.2.4 Psychological Harassment

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

2.2.5 Physical Harassment

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

### **3.0 Complaint Procedure**

3.1 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.

3.2 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 on 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.

3.2.1 Informal Complaint

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.
- 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 14 days of the complaint being made.

3.2.2 Formal Complaint

The designated person who initially received the complaint will refer the matter to the Vice President of Group Human Resources or the Vice-Chancellor and Group CEO to instigate a formal investigation. The designated person may deal with the matter him/herself or refer the matter to an internal investigator.

The disciplinary procedure is as below:

- The person carrying out the investigation will interview the victim and the alleged harasser separately.
- The person carrying out the investigation will interview other relevant third parties separately.
- Once the facts have been established, decide whether or not the incident(s) of sexual harassment took place.
- If yes, Group Human Resource Office is to issue Show Cause Letter. The employee can be suspended from work pending the next course of action.
- The employee is to respond to the Show Cause Letter within the stipulated deadline. Group Human Resource Office is to evaluate the explanation in consultation with the Head of Division/Dean/Centre Director/Head of Business Unit.
- If the explanation is unacceptable, Group Human Resource Office will issue Warning Letter; or Group Human Resources will issue a Letter of Charges and Notice of Domestic Inquiry letter.
- The Panel of Domestic Inquiry (DI) will hear the case and determine if the employee is guilty of the charges against him/her.
- If the employee is guilty, the Panel of DI will recommend the appropriate punishment.
- If it cannot be determined that the harassment took place, the Panel of DI or Group Human Resources may still make recommendations to ensure the proper functioning of the workplace.
- The Vice Chancellor/Group Chairman is to make a final decision on the appropriate punishment.
- Follow up to ensure that the recommendations are implemented, that the behavior has stopped and that the victim is satisfied with the outcome

3.3 Victims of sexual harassment are encouraged to seek psychological counselling at Laurent Bleu Medical Clinic or UCSI Hospital. For employees serving at the Sarawak Campus, it shall be based on their appointed clinics.

#### **4.0 Disciplinary Measures**

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

- written warning;
- adverse performance evaluation;
- reduction in wages;
- transfer;
- demotion;
- suspension;
- dismissal; or
- withholding increments or bonus

The nature of the disciplinary measures will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.

#### **5.0 Implementation of this policy**

5.1 UCSI Group will ensure that this policy is widely disseminated to all relevant persons.

5.2 All new employees must be trained on the content of this policy as part of their induction into the company.

Every year, the Company will arrange for workshop sessions to raise awareness of sexual harassment in the workplace. Employees are encouraged to attend these sessions as a refresher on the policy.

5.3 It is the responsibility of every manager to ensure that his/her employees are aware of the policy.

#### **REFERENCE:**

ANTI-SEXUAL HARASSMENT ACT 2022 (Published 18 October 2022)

This policy is approved by the ..... TMM ..... on 15 May 2023