

Kumpulan Perangsang Selangor Berhad

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KUMPULAN PERANGSANG SELANGOR BERHAD

(Company Registration No:197501002218/23737-K)

ANTI-HARASSMENT POLICY VERSION 1/2023

APPROVED BY BOARD
DATE: 28 August 2023

This Policy is applicable to Kumpulan Perangsang Selangor Berhad Group of Companies.



TABLE OF CONTENTS

<u>CONTENTS</u>	<u>PAGE</u>
1. INTRODUCTION	4
1.1 Background	4
1.2 Scope	4
1.3 Responsibility	5
1.4 Approving Authority	5
1.5 Date of Implementation	5
1.6 Review Frequency	5
1.7 Reference	6
2. OBJECTIVES	6
3. STATEMENT OF POLICY	7
4. DEFINITIONS OF HARASSMENT	7
5. FORMS OF HARASSMENT	8
6. EFFECTS OF HARASSMENT	10
7. COMPLAINT AND DISCIPLINARY PROCEDURES	10
8. CONFIDENTIALITY AND WHISTLEBLOWER POLICY	11
9. DUTY OF GOOD FAITH	12
10. ADHERENCE TO THE POLICY	12
11. AMENDMENTS	12



1.0 INTRODUCTION

1.1 Background

- (a) Kumpulan Perangsang Selangor Berhad ("**Company**") and its subsidiaries ("**KPS Group**") understand and acknowledge the importance of working in a comfortable and harmonious environment; and strives to create and maintain a work environment free of harassment.
- (b) This includes its commitment to provide a safe, conducive, and harassment- free environment for all of its employees, individually or in group.
- (c) This Anti-Harassment Policy ("**Policy**") is intended to create and maintain a work environment in which people are treated with dignity, decency, and respect.
- (d) This Policy intends to fulfil the recommendations set forth in the amendments to the Employment Act 1955 which come into force on 1 January 2023, and any other amendments made thereafter.

1.2 Scope

- (a) This Policy applies to KPS Group, its controlled organisations, business associates acting on the Company's behalf, the Board of Directors, and all the Company's employees.
- (b) Specifically, this Policy applies to:
 - (i) all individuals who are employees (whether contract-based including interns), directors, all persons who establish relations with the Company including but not limited to the advisors, consultants, service providers, contractors, suppliers, potential business partners, shareholders, and any other parties related;
 - (ii) all locations where the Company operates, even where local regulations do not exist; and
 - (iii) all methods of contact, including in person, in writing, via the internet, direct mail, telephone, telex or facsimile, and during or outside of workplace and working hours.

1.3 Responsibility

- (a) All departments within the Company are primarily responsible for complying to this Policy.
- (b) All employees of the Company are equally responsible for the prevention, detection, and reporting of harassment; and are required to avoid any activities that could lead to or imply a breach of this Policy.
- (c) All direct supervisors and Heads of Department are responsible to ensure that complaints of harassment by their subordinates are handled expeditiously and confidentially in accordance with this Policy.
- (d) The Legal and Compliance Department of Kumpulan Perangsang Selangor Berhad is the owner of this Policy. It has full responsibility in the development and maintenance of this Policy including any reviews, changes, amendments, additions or deletions of any provision of this Policy.

1.4 Approving Authority

(a) **The Company**

The Board of the Company ("**Board**") is the approving authority of this Policy.

(b) **Subsidiary companies**

The Company's subsidiary companies are to adopt this Policy upon approval by its board.

1.5 Date of Implementation

This Policy is effective immediately upon approval by the Board of the Company.

1.6 Review Frequency

This Policy will be reviewed by Legal and Compliance Department of Kumpulan Perangsang Selangor Berhad every three (3) years at the latest at the minimum, to ensure the effectiveness of the management and implementation of this Policy.



1.7 Reference

This Policy shall be read together and is issued in conjunction with the laws, by-laws, ordinances, rules, regulations, directives, guidelines, code of conduct issued by the relevant regulatory or statutory bodies including but not limited to:

- (a) Employment Act 1955;
- (b) Employment (Amendment) Act 2022;
- (c) Anti-Sexual Harassment Act 2022;
- (d) Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace, 1999 issued by the Ministry of Human Resources Malaysia;
- (e) the Company's Code of Business Conduct and Ethics;
- (f) the Company's Employee Handbook;
- (g) the Company's Whistleblowing Policy and Guidelines;
- (h) the Company's Standard Operating Procedures- Disciplinary Procedure; and
- (i) the Company's Compliance Policy.

2.0 OBJECTIVES

The Policy's objectives are as follows:

- 2.1 to set out the Company's responsibilities and the responsibilities of those working for or with the Company in observing and upholding the Company's position in its commitment to provide a safe, conducive, and harassment- free environment for all of its employees, individually, or in group;
- 2.2 prevent harassment of and/or by employees in the workplace and provide an effective mechanism to eliminate or address such harassment;
- 2.3 educate all partners, employees, agents, servants, and staff to recognise that harassment in any form is a demeaning practice that constitutes a profound affront to the dignity of persons; and
- 2.4 provide information and guidance to those working for or with the Company on how to recognize and deal with harassment.



3.0 STATEMENT OF POLICY

It is KPS Group policy to conduct all business in an honest and ethical manner and consistent with KPS Group's core values of **PRIDE, RESPECT, INTEGRITY, DISCIPLINE AND EXTRA-MILE**. KPS Group will uphold all Malaysians laws relating to anti-harassment and takes a zero-tolerance approach towards any harassment committed.

4.0 DEFINITIONS OF HARASSMENT

- 4.1 Harassment (as defined below) can be committed by and can happen to any person or group of persons to whom the Policy applies, regardless of gender (this includes harassment committed against members of the same sex), and reporting relationship.
- 4.2 Harassment may be motivated by race or ethnicity; skin colour or other physical attribute(s); religion; sex or gender; place of origin; ancestry; culture; age; mental or physical ability or disability; sexual orientation; family, marital or social status; economic or financial background; or political affiliation.
- 4.3 For the purpose of this Policy, harassment shall mean:
- (a) any behaviour, whether spoken or written words, pictures or actions communicated in person or through the use of any media and/or physical conduct that is inappropriate or otherwise offensive to a person; and
 - (b) be use of any threatening, abusive, or insulting words or behaviour; or by any threatening, abusive, or insulting communication that is intended to cause harassment, alarm or distress to another person,
- (collectively referred to as "**Harassment**").*
- 4.4 Under this Policy, **Harassment shall include sexual harassment** which may take place inside or outside the workplace; before, during or after working hours; in person, or over other forms of media; including but not limited to the following:
- (a) any unwanted conduct of a sexual nature, whether verbal, non-verbal, visual, gestural or physical, directed at a person which is offensive or humiliating or is a threat to his/her well-being, arising out of and in the course of his/her employment;
 - (b) any unwelcome conduct of a sexual nature that a reasonable person would find offensive, humiliating, or intimidating;



- (c) any unwelcome conduct in the form of spoken or written words, visual pictures or actions, communicated in person, or through the use of any media;
- (d) any behaviour that may amount to sexual harassment where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated, intimidated, or psychologically affected; or
- (e) any request, whether express or implied, for sexual favours, physical or emotional intimacy by a manager, superior, colleague or a non-employee which create a hostile and unsafe working environment for the recipient of the said harassment.

4.5 However it must also be recognised that the dividing line between Harassment and other work-related conflicts may, at times, be difficult to establish. Situations of conflict and tensions are not automatically, nor necessarily be considered as Harassment.

5.0 FORMS OF HARASSMENT

Harassment encompasses various forms which may happen under the following events, which the list is not exhaustive:

5.1 Racial/religion-based harassment

A form of harassment that is based by the race or religion of the recipient which may often occurs as follows:

- use slurs in general or directed at the recipient;
- insulting or degrading comments about the recipient's race or a race as a whole; or
- sharing of racial jokes, "memes," or images.

5.2 Power harassment

Harassment by a person who uses his/her authority to interfere with the recipient and the recipient's work which may often occurs as follows:

- inappropriate, vulgar or rude comments;
- personal humiliation; or
- intimidation tactics to create a hostile work environment of the recipient.



5.3 Physical and psychological harassment

A form of workplace harassment/violence that involves physical attacks or threats which may amount to an assault, and may occurs in the following circumstances against the recipient:

- direct threats of intent to inflict harm;
- physical attacks (kicking, hitting, shoving);
- threatening behaviours (shaking fists angrily);
- destroying/throwing property to intimidate;
- discrediting or spreading rumours/gossips/lies about the recipient;
- deposing or challenging everything the recipient says; or
- foul and vulgar comments and remarks made to the recipient.

5.4 Sexual Harassment

A form of harassment which may be manifested under the following conducts, whether in or outside of work environment:

Conduct	Examples
verbal	offensive or suggestive remarks, comments, jokes, jesting, kidding, sounds, questioning.
non-verbal/gestural	leering or ogling with suggestive overtones, licking lips or holding or eating food provocatively, hand signal or sign language denoting sexual activity, persistent flirting.
visual	showing pornographic materials, drawing sex-based sketches or writing sex-based letters, sexual exposure.
psychological	repeated unwanted social invitations, relentless proposals for dates or physical intimacy
physical	inappropriate touching, patting, pinching, stroking, brushing up against the body, hugging, kissing, fondling, sexual assault.



6.0 EFFECTS OF HARASSMENT

Harassment has the purpose or effect of:

- 6.1 creating, directly or indirectly, an intimidating, hostile or offensive workplace;
- 6.2 interfering with the performance and the productivity of the employee's/recipient's functions, duties and responsibilities; or
- 6.3 affecting employment opportunities including promotion or compensation.

7.0 COMPLAINT AND DISCIPLINARY PROCEDURES

- 7.1 Any act of Harassment committed by the Company's employee under this Policy and under the Company's Employee Handbook shall be considered as an act of misconduct by the employee.
- 7.2 A complaint may be made by the recipient/witness involving employees of the Company or whom the party is in contact with reference to the work at the Company.
- 7.3 It is encouraged that any incident or a complaint of harassment to be reported as soon as possible after experiencing or witnessing such incident to ensure the incident is investigated in a timely manner.
- 7.4 Any harassment complaint can be made by the complainant to complainant's immediate direct supervisor, his/her Head of Department, or the Company's 's Head of Human Resource Development Department ("**Designated Officer**") verbally or in writing.
- 7.5 If a complaint is made verbally, the Designated Officer should convert it into writing, and verify the written content with the complainant and ensure the followings are included in his/her writings:
 - (a) Name of the complainant;
 - (b) Name of the respondent;
 - (c) Name of any witness(es), if any;
 - (d) Detailed explanation of what transpired / the details of the incident(s) including date(s) / time(s) / venue(s); and
 - (e) Any documentary evidence, or other evidence that may be relevant to the complaint.



- 7.6 Formal complaints made to the complainant's direct supervisor, or Head of Department must then be referred to the Head of Human Resource Development Department by the complainant's direct supervisor or Head of Department at the earliest opportunity.
- 7.7 Upon receipt of a complaint, the employee's Head of Department and Human Resources Development Department shall proceed to conduct a thorough investigation in accordance with the Company's Employee Handbook- Part XIV: Disciplinary Process and Sanction.

8.0 CONFIDENTIALITY AND WHISTLE BLOWER POLICY

- 8.1 All employees of the Company have the responsibility to prevent and report instances of harassment.
- 8.2 If any employee suspects or observes anything which is in contravention with this Policy, it may be reported at the earliest possible opportunity via whistleblowing channels as follows:
- (a) Present or meeting up with the personnel from the Integrity & Governance Unit under Legal and Compliance Department of Kumpulan Perangsang Selangor Berhad;
 - (b) Whistleblowing Hotline at 03-5524 8448;
 - (c) Write a letter/ whistleblowing form to:

*Chief Integrity and Governance Officer,
Integrity and Governance Unit,
Kumpulan Perangsang Selangor Berhad,
Tingkat 17 Plaza Perangsang,
Persiaran Perbandaran,
40000 Shah Alam, Selangor Darul Ehsan;*
 - (d) Email to: *integrity@kps.com.my*; or
 - (e) KPS Berhad's website: <https://kps.com.my>
- 8.3 All records and reports of the investigation related to this Policy will be kept confidential. The investigation documents, including the findings should not be disclosed unless necessary to investigate an incident or complaint of harassment, take corrective action or otherwise as required by law.



- 8.4 The Company will ensure that anyone who reports will not be in detriment as a result of raising genuine concerns about harassment, even if they turn out to be mistaken; an unsuccessful investigation or not in their favour.

9.0 DUTY OF GOOD FAITH

- 9.1 This Policy shall not be misused by any employee or persons to lodge a frivolous, scandalous or vexatious complaint.
- 9.2 Disciplinary action will be taken against any employee found liable of misusing this Policy. However, no action will be taken against an employee who makes a complaint in good faith.

10.0 ADHERENCE TO THIS POLICY

- 10.1 All employees are responsible to adhere this Policy and perform duties in lawful manner, as well as to report and escalate the complaint promptly any concern and issues relating to Harassment.
- 10.2 Since the principles of this Policy are based on legal requirements, the consequences of Harassment are severe and may include imprisonment for individuals and damage to the Company's reputation. Therefore, the Company take its legal responsibilities very seriously.
- 10.3 Any employee found to have violated this Policy may be subject to disciplinary action, including termination of employment or contract, with or without prior notice or warning. In addition, KPS Group reserve the right to pursue any remedies available, at law or in equity, for violations of this Policy.

11.0 AMENDMENTS

Any amendments to this Policy shall require the approval of the Board unless they are deemed as operational in nature.

