



Teejay Abuse & Harassment Free Workplace Policy (Anti-Abuse and Harassment Policy)

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About the Policy

The objective of this policy is to create a productive, contented and disciplined work environment which is free of abuse or harassment in any form, and to ensure that the Teejay culture remains a respectful and caring one.

We at Teejay are committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work based on gender, sexual orientation, race, religion, nationality, age, social origin, marital status, disability, political affiliations, or opinion. The Teejay Group shall operate on a zero-tolerance policy for any form of abuse/harassment inclusive of sexual harassment in the workplace, shall treat all incidents seriously and promptly investigate all allegations of abuse and/or harassment. Any person found to have abused and/or harassed another will face disciplinary action, up to and including dismissal from employment.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

Definitions

The definitions herein are strictly restricted and limited to this document and will not extend to any other document or aspect of the company outside the purposes stated.

The examples provided are intended to be guidelines and are not exclusive or exhaustive when determining whether there has been a violation of this policy, or whether or not any act would constitute harassment or abuse.

“Abuser/Harasser” may be any Employee, be it a supervisor, peer or a subordinate and may include an employee of a service provider/contractor, a client or a visitor of the company.

“Committee” shall consist of members nominated by the Cross Functional Leadership Team of Teejay for the purpose of this policy.

“Complainant” means the individual initiating the complaint procedure under this policy including the individual affected or any other individual who informs any committee member or the company of any abuse or harassment.

“Employee” Any person employed by the company for wages or for other similar consideration. This includes employees across all levels. Persons who are seconded on contract or on fixed term or temporary contracts shall also be considered as employees of the Company. Those providing services to the company for a fee, retainer or commission should be aware of the Company policy preventing Workplace Abuse and Harassment by their respective employers and should ensure that the principals set out in it are upheld).

“Perpetrator” means the person who is proved to be guilty of the act of Abuse and Harassment, after conciliation or inquiry.

“Policy” shall mean this policy of the company relating to abuse and harassment.

“Register” means the record of particulars required to be maintained by the HR department and the Committee pursuant to this policy.

“Respondent” means a person against whom the Complainant has raised a complaint of Abuse and Harassment.

“Victim” means a person who is proved to be subjected to the act of Abuse and Harassment, after conciliation or inquiry.

What is Abuse in the workplace?

Workplace abuse is a persistent pattern of mistreatment of unwanted or unwelcome behavior from an individual or a group of individuals in the workplace that causes either physical or emotional harm. It can include such tactics as verbal, nonverbal, psychological, and physical abuse, intimidation as well as humiliation. Harassment, discrimination, bullying, and violence are forms of workplace abuse. This is not however exclusive to the physical location of the workplace as any form of abuse or harassment between Employees that takes place outside the workplace, inclusive of online mediums (e.g. social networking platforms, social media, internet usage etc.) will also be subject to this Policy.

Abuse of authority or power is the improper use of a position of influence, power or authority against another person. If a person uses his/her influence, power or authority to improperly influence the career or employment condition of another, including, but

not limited to, appointment, assignment, contract renewal, performance evaluation, or promotion. Abuse of authority may also include conducts that create a hostile or offensive work environment which includes, but is not limited to the use of intimidation, threats, blackmail, or coercion harassment including sexual harassment which is particularly serious when accompanied by abuse of authority.

Section 345 of the Penal Code of Sri Lanka states that, unwelcome sexual advances by a person of authority in a working place are considered sexual harassment. The perpetrator of harassment may be punished either with **imprisonment** up to a term of **five years, or with fine, or both**. He/she may also be ordered by the court to pay an amount, as determined by the court, to the victim of harassment for injuries.

The Sexual Harassment of Women at workplace (Prevention, Prohibition and Redress) Act of 2013 governs similar concerns in India and provide protection against sexual harassment of women at workplace and for prevention and redressing of complaints of sexual harassment and for matters therewith or incidental thereto.

Examples of workplace abuse:

Discrimination;

Biased or unjust treatment on the grounds of race, age, sex, ethnicity, religion, class, disability status, gender identity, pregnancy, sexual orientation, marital status, or other such factors.

Bullying;

Offensive comments made about another individual. For example, comments relating to physical appearance (Body image, weight, physical features, skin tone, etc.), tone of voice, name-calling.

Violence;

Aggressive act intended to physically/psychologically harm another individual or, a threat of using physical force or, an act that creates a risk to the health and safety of a person.

What is harassment?

Comments, conduct, or gestures that are suggestive, insulting, intimidating, humiliating, malicious, degrading, offensive, or discriminatory, directed towards an individual or group of individuals. Workplace harassment may include but not be limited to;

- Physically threatening behaviour such as finger pointing, destroying property, throwing objects
- Verbal or written threats to inflict harm
- Physically aggressive behaviours including hitting, shoving, pushing
- A statement or behaviour that is reasonable to interpret as a threat

What is Sexual Harassment?

Sexual Harassment is a serious form of sex discrimination, and it undermines equality at work and reflects on the integrity, dignity and well-being of employees. It is a form of harassment of a sexual nature and includes any one or more of the following unwelcome or unwanted acts or behaviors (whether directly or by implication) that negatively impact a victim:

- I. Inappropriate physical contact, or
- II. Sexual advances or a demand or request for sexual favors; or
- III. Making or posting sexual pranks, sexual teasing, or
- IV. Showing pornography; or
- V. Giving gifts or leaving objects that are sexually suggestive; or
- VI. Any other unwelcome physical, verbal, or non-verbal conduct of sexual nature
- VII. The following circumstances, among others, if it occurs or is present in relation to or connected with any explicit or implicit sexual act or behavior may amount to sexual harassment.
 - a. Implied or explicit promise of preferential treatment in his/her employment; or
 - b. implied or explicit threat of detrimental treatment in his/her employment or
 - c. implied or explicit threat about his/her present or future employment status or interference with his/her work or creating an intimidating or offensive or hostile work environment for him/her; or
 - d. Humiliating treatment likely to affect the safety of his/her mental or physical health.

Examples of unwelcome physical behavior that may amount to sexual harassment;

Brushing up against, touching, patting, hugging, kissing etc. that is unwanted or unwelcome, thereby having a negative impact on the recipient, making him/her feel uncomfortable.

Instances of verbal sexual harassment;

Eve teasing (the making of unwanted sexual remarks or advances from a person to another), words with sexual connotations or double meaning, sexual comments about a person's body or looks, discussing sexual topics at work or with colleagues or within their hearing, making sexually offensive jokes or comments (via letters, emails, text messages or phone calls), unwelcome terms of endearment. Provided however, unwanted sexual remarks shall not be limited to eve teasing and can be any form of unwanted sexual remarks or advances made to either sex.

Sexual harassment may also be non-verbal.

Making lewd facial expressions such as whistling or eve teasing, winking, licking lips, making sexual gestures with hand or body movements, staring inappropriately at someone or standing uncomfortably close to a person, stalking or nonconsensual photography, videography or recording.

Requesting sexual favors or making sexual advance with the indication or promise of exchanging for job benefits, or making or implying threats to the job of a person in-case of a refusal of such sexual advances or favors.

Sending pornographic material or sexually explicit jokes via emails, text messages or social media networks, posting another person's intimate pictures/videos taken without their knowledge/consent online.

Seeking sexual favors or making sexual advances with the implication or promise of job benefits in exchange or making implied threats to the job of a person in case of a refusal of such sexual advances or favors also amounts to Sexual Harassment.

Condescending, patronizing, threatening or punishing actions which undermine one's self-esteem or diminishes performance amounts to Harassment.

Sexual harassment is criminally punishable under Section 345 of the Penal Code (Amendment) Act, No. 22 of 1995. It states, "Whoever, by assault or use of criminal force, sexually harasses another person, or by the use of words or actions, causes sexual annoyance or harassment to such other person commits the offence of sexual harassment and shall on conviction be punished with imprisonment of either description for a term which may extend to five years or with a fine or with both and may also be ordered to pay compensation of an amount determined by court to the person in respect of whom the offence was committed for the injuries caused to such person".

Sexual gratification at workplace may be a punishable offence under the jurisdiction in which the entity operates in. Furthermore, sexual harassment in the Penal Code may cover misuse of internet and emails that are obscene or make allegations of a sexual nature in order to harass, intimidate or embarrass.

It is also important to recognize that the Company has zero tolerance for perpetrators who are found to have aided or abetted sexual harassment and thereby encouraged or condoned the sexually harassing acts of a colleague. Such persons shall also be made accountable for their acts.

Workplace Sexual Harassment is not confined to the work premises. Any unwelcome sexual advances or sexually inappropriate behavior towards an Employee or other person connected with work made outside the workplace, out of working time or through social media could amount to workplace sexual harassment as well.

How to raise a concern/ complaint?

When faced with abuse/harassment the Employee may opt for different courses of action, described below. He/she may attempt, in a first instance to resolve the situation informally, or he/she may decide to lodge a formal complaint directly.

Informal approach

An Employee being subjected to offensive behavior should, whenever possible, attempt to put a halt to the unwelcome behavior as early as possible by making it clearly known to the offender, orally or in writing that his/her behavior is not appropriate and that it should cease immediately.

If the offensive behavior continues despite these actions or if it is not possible for the offended Employee to deal with the situation, he/she may follow the formal approach to submit a complaint.

Formal approach

If the Complainant considers that informal resolution is inappropriate or unsuccessful, he/she may initiate the formal complaint procedure based on his/her comfort levels.

Step 1 - the complaint to be shared with the supervisor or reporting manager. If not comfortable with step 1,

Step 2 – the complaint to be shared with HR department. If not comfortable with step 2,

Step 3 – the complaint to be shared with CEO. If not comfortable with step 3,

Step 4 – the complaint to be shared with the “Committee”. If the complainant is unable to access the entire Committee then,

Step 5 – the complaint to be shared with either the Head of The Risk & Control Team or the Manager- Legal who shall report to the **“Committee or the Board of Directors”** as appropriate.

The complaint should always be shared by email or letters based on the complaint form preferably in 10 days but within 3 months of occurrence of the incident and signed by the Complainant.



The Complainant should clearly indicate the name (s) of the person (s) against whom it is filed and should describe specifically the act or acts, the date, time, place and circumstances under which they occurred, as well as any other information and evidence relevant to the matter. The complainant should under no circumstance feel hesitant to use the informal or formal approach in reporting the incident. However, the complaint should be made in good faith, which means that the Complainant must believe that the way she/he perceived the alleged abuse or harassment reflects the true and accurate facts of the incident.

Bad faith implies an element of malice ill will, improper motive, or similar dishonest purpose, and therefore false complaints should not be made.

If at the inquiry stage by the Committee, it finds false / malicious complaints / allegations or misleading / forged documents, strict disciplinary action will be taken against the relevant parties.

However, the inability to prove a given complaint, does not always imply that it is of malicious nature.

Roles & Responsibilities

Employees

- I. Responsible for behaving in a way that ensures that the workplace is free of intimidation, hostility or offense and any form of abuse or harassment.
- II. Not tolerating any form of abuse or harassment nor encourage the same.
- III. Acting as a witness if the person being harassed decides to lodge a complaint and responsible for supporting the person to reject unwelcome behavior
- IV. Based on the comfort level ensure that any form of abuse or harassment is reported to the Supervisor, HR team, CEO, Functional Head or the Committee.

Managers & Supervisors

- I. Responsible to ensure positive and harmonious working environment, free of intimidation, hostility or offense and any form of abuse/harassment.
- II. Taking steps at an early stage, to prevent and/or resolve conflicts with Employees in their work environments.
- III. Taking swift and appropriate preventive action on potential abuse/harassment, as soon as they become aware of such situations.
- IV. Taking an active part in the mediation/ resolution of actual abuse/harassment as soon as they become aware of such situations. Taking appropriate actions, following the resolutions of cases and ensuring measures are in place to prevent recurrence of conflict and/or abuse/harassment.
- V. Ensure no retaliation towards Complainants, Victims or Witnesses.
- VI. Suggest to the Committee, any interim measures to keep the parties away from each other or away from the workplace, citing appropriate reasons
- VII. Discourage a culture of retaliation among teams and colleagues.
- VIII. Maintain strict confidentiality.
- IX. Inform HR department immediately about any complaint received.

Human Resources

- I. Thoroughly understand the complaint presented to them by the Supervisors/ Managers, CEOs/Functional Heads or Committee.
- II. Collectively make a decision along with the Supervisors/ Managers, CEOs/Functional Heads or Committee on the appropriate steps to be taken.
- III. For every SBU HR department shall maintain, in strict confidentiality, a register of complaints and a record of any follow up action taken by the Company.
- IV. For every SBU HR department shall send a monthly report to the Committee of any complaints and relevant action taken.
- V. Ensure that strict confidentiality is maintained throughout the investigation and thereafter.

- VI. Offer the victim the available resources such as counselling services or support that might be necessary to help them with any trauma caused by the incident.
- VII. Implementation of the Disciplinary Process in collaboration with the Committee.
- VIII. Ensure training and awareness schedules are followed by all employees.
- IX. Prompt escalation of complaints or concerns that are reported to the Committee.
- X. Taking timely actions in response to Committee recommendations.

CEO/ Functional Head

- I. Taking swift and appropriate preventive action on potential abuse/harassment, as soon as they become aware of such situations.
- II. Taking an active part in the mediation/ resolution of actual abuse/harassment as soon as they become aware of such situations.
- III. Maintain strict confidentiality.
- IV. Inform HR department immediately about any complaint received.
- V. Responsible for the Group implementation (Teejay Lanka/Prints and India); CFT's responsible for their respective functions.
- VI. Governance & recommendations of revisions as and when required.
- VII. Create a conducive environment to raise complaints or clarify concerns.

Committee

- I. The Committee will be responsible to address any complaints received directly or any complaint that cannot be resolved at the previous levels.
- II. The Committee will handle the preliminary discussions and will be responsible in processing grievances pertaining to harassment/ abuse and take appropriate action.
- III. The Committee will need to be neutral, impartial, empathetic, good listeners, conscious not to pre-judge, to have genuine commitment to address complainant/s and to follow the principles of natural justice.
- IV. The Committee will ensure that appreciation mechanisms are in place for the prevention and resolution of abuse and harassment in the workplace.
- V. The Committee will ensure that harassment complaints are dealt with within 7 working days of receipt of complaint and will decide on the appropriate action based on the gravity of the case and in consultation with the HR Department handling the disciplinary process.
- VI. The Committee will take necessary measure as appropriate to separate the Harasser and the Complainant.
- VII. The Committee will take necessary measures as appropriate to separate the Complainant and the Respondent from his/her function and on the alleged harassment being proven take appropriate steps to suspend the Harasser.
- VIII. The Committee will maintain a Register inclusive of the direct complaints made to them and a record of any follow up action taken, along with the monthly records sent by the HR department.
- IX. The Committee shall submit quarterly reports to the Board of Directors with particulars, recorded in the foresaid Register.
- X. The Committee at its discretion may from time to time review the stated policy against abuse and harassment/sexual harassment and recommend to the company any additions or alterations or amendments to the policy. The Policy shall be amended from time to time and updated copies of the Policy and information on Committees shall be available at all times with the Head of HR or the designated officers as informed by the HR Department.
- XI. The Committee shall exercise all powers and duties conferred to it by this policy.

XII. The Committee consists of members of the Teejay group appointed by the CEO for a period of 1 year and shall always comprise of;

Designation
1. EXCO Members
2. Head of the respective overseas operation
3. Functional Head of Human Resources
4. 2 CFT Members
5. Senior most lady employee in management (if she doesn't fall within 1-4)

XIII. The quorum for the Committee at inquiries shall be 5 members.

XIV. Apart from the EXCO the members of the Committee shall be appointed and constituted annually by the Chief Executive Officer.

Investigation

- I. At all times relevant to receiving a formal complaint the relevant person who initially receives the complaint should always report the same to the HR Department for the disciplinary process of the Company to commence.
- II. The Committee and HR department will maintain written records of the entire proceedings. They shall endorse the complaint received by it and keep the contents confidential, as far as reasonably practical, except to use it for discrete investigation. Where the witnesses are required to be interviewed, the importance of confidentiality will also be emphasized to them. The complaint should contain all the material, documentary proof, oral or written material and relevant details concerning the alleged abuse/harassment.
- III. Immediately an initial investigation would take place into the complaint by HR department or the Committee as a part of the preliminary investigation. There is a total of 7-8 members within the Committee. At least 2 members will be present when discussing or addressing the preliminary investigation, with gender representation. The alleged abuser(s) shall not be part of the investigation team. Employees in any way involved with the incident, for instance as witnesses or recipients of the initial complaint, should not be members of the investigation team.
- IV. They will investigate into the complaint, and if the abuse or harassment alleged is of a serious nature and the HR department or the Committee deems that there is sufficient evidence to proceed, a show cause will be issued and a further investigation by an independent Investigating officer will be initiated.
- V. The HR department will hand over the statement of allegation complaint to the Abuser/Harasser within a period of 7 working days of receipt of the written complaint from the Complainant. This statement of allegation will be limited to an extract of "12. RELATED INCIDENTS/OCCURRENCES" in the "complaint form" and the full complaint form should not be exposed or shared with the Respondent.
- VI. An opportunity will be provided to the Respondent to submit a written statement within a period of 10 days including supporting documents and names and details of any witnesses.
- VII. If the Complainant or Respondent desires any witness to be called, they shall communicate in writing to the HR department or the Committee the names of witnesses whom they propose to call.
- VIII. If the Complainant or the Respondent desires to tender any documents by the way of evidence before the HR department or the Committee, they must supply self-attested copies of such documents as and when required.

- IX. The HR department will decide on the suitable date and time for the inquiry and shall call up-on all witnesses mentioned by both the parties. It is the duty of the HR department and the Committee to provide both parties and their witnesses a fair hearing with the time and opportunity to respond, examine all evidence and documents and follow the principles of natural justice in conducting the proceedings without any prejudice or bias. Lawyers and special representatives are not permitted to represent the parties in the process before the HR department or the Committee.
- X. The HR department in collaboration with the Committee will provide every reasonable opportunity to the Complainant and to the Abuser/Harasser to put forward and defend their respective cases.
- a) For the purpose of the inquiry, the Committee shall have the same powers as vested in an institution of inquiry or tribunal and as such it may; summon and enforce attendance of persons and examine them.
 - b) Require the discovery and production of documents
 - c) Teejay shall provide all necessary facilities to deal with the complaint and conduct inquiries, assist in securing attendance of the concerned parties and witnesses and make available such information to the HR department or the Committee as it may require in respect to the complaint and inquiry process.
- XI. The HR Department and the Committee shall seek the assistance of and will reach out to all Employees who may have relevant information relating to the complaint or investigation which should be brought to the attention of the HR department or the Committee formally. The HR department, the Committee and the management will ensure that no Employee will suffer negative consequences as a result of participating in this complaint proceedings.
- The HR department or the Committee will complete the inquiry within a reasonable period but not beyond 3 months unless in an exceptional situation from receipt of the complaint and communicate its finding within 10 days of such completion including its recommendations for action to the management team and to both parties. The report of the HR department and the Committee shall be treated as an inquiry report on the basis of which an erring Employee can be given appropriate punishment straight by the management as recommended in the report. **Note: Where the punishment is termination, it is necessary that the rules of natural justice and the disciplinary process of the Company have been followed. Even other punishments could be challenged on the basis that a fair hearing was not given.**
- XII. The HR Department in collaboration with the Committee shall decide on the work arrangement of the complainant if the respondent is the Complainant's Supervisor, coworker, or subordinate of the same Division.
- XIII. The management team will direct appropriate action in accordance with the recommendation proposed by the HR department and the Committee.

False or malicious complaints or accusations

The HR department or the Committee is also required to check for false or malicious complaints or allegations, or misleading or forged documents. If it is found that any allegations against the Abuser or Harasser are false or malicious, or the Complainant or any witness have given any false or fabricated evidence or a document is found to be misleading or forged or the complaint has been filed with the motive of falsely maligning the concerned individual, tarnishing his/her image in the company or to settle personal/professional scores, strict action will be taken against such person and the Committee shall take strict disciplinary action. However, the inability to prove a given complaint, does not always imply that it is of malicious nature.

As false or malicious complaints of sexual harassment can have devastating consequences on the person or persons falsely implicated, aiding or abetting the formulation of a false complaint or any collusion in this regard will also be viewed as serious misconduct warranting strict disciplinary action.

Protection of Complainant and witnesses – no retaliations

This policy seeks to encourage Employees to come forward with any complaints of Abuse/Harassment. Retaliation against the Complainant or any witnesses is strictly forbidden and Brandix and Teejay will take strict action against anyone found to be retaliating against or harassing Complainants or witnesses or any other parties to the proceedings.

Miscellaneous

- I. Management shall proactively take measures to make everyone at work feel secure by ensuring that the physical work areas and transport are safe. CCTVs need to be operational and 90 days back up should be available. All related documents should be kept under safe custody of the Management and/or the HR Department.
- II. The Management may provide assistance to the Victim if they choose to file a police complaint in relation to the issue of abuse and harassment at the Workplace. In the event the Victim chooses not to file such complaint against the Perpetrator, then and in such event the Victim shall provide the Company with a sworn affidavit of his/her intention or lack thereof and shall emancipate the Company of any liability connected with the harassing act.

General Responsibilities

- I. The management will provide all necessary assistance for the purpose of ensuring full, effective and speedy implementation of the policy.
- II. The management will ensure to all Employees that the policy is implemented and that there will be zero tolerance towards abuse/harassment.
- III. Where the perpetrator is not a direct Employee of the company, but the incident took place within the grounds of the company, the management shall if the Complainant so desires, assist him/her in filing a complaint to the company of the perpetrator.
- IV. The policy may be amended time to time by the management of Teejay Group and changes made to the members of the reporting committee will be decided by the CEO and notified to the Board of Directors at the ensuing Board Meeting. The updated policy shall be available in the Company website (www.teejay.com).

Conclusion

Teejay encourages its Employees to stand up and speak up against abuse/harassment. Do not hesitate to say “NO” when you are in a situation that makes you uncomfortable.

Often, even after being subjected to abuse/harassment, Employees show a tendency to remain silent for fear of embarrassment or because they prefer not to spoil their work relations. We urge our Employees to put aside any fears of embarrassment and speak up against abuse/harassment at the workplace to ensure that all Employees, regardless of their positions are treated with dignity, decency and respect.

It should be recognized that breach of this policy and displaying any of the behaviors discussed herein negatively impacts the organization and may in fact end in termination of employment. It is our duty at Teejay to provide a safe working environment for

one another, to establish zero tolerance code of behavior for any form of abuse or harassment, to put in place a procedure for resolution, settlement or prosecution, to take immediate steps against these behaviors and to treat complaints confidentially.

Where the abuse and/or harassment is found to be of serious nature, Teejay may also consider in passing on the matter for further action by the legal regulatory or the government authorities.

Courteous, mutually respectful, pleasant, non-coercive interactions between employees, including men and women, that are appropriate in the workplace, and acceptable to and welcomed by both parties, are encouraged at Teejay and are not considered to be abuse/harassment, including sexual harassment. Let us help to ensure that Teejay is a safe, yet stimulating and pleasant workplace for all our Employees.