



The Policy Statement

Pan-International Wire & Cable (M) Sdn. Bhd. ("PIW") is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment.

PIW will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually 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.

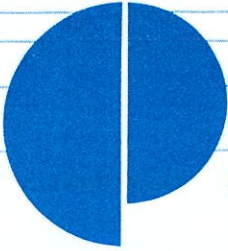
Definition of Sexual Harassment

The term "Sexual Harassment" is explained under the **Employment Act 1955** (hereinafter referred to as "**the Act**"), and the Code of Practice on the Prevention and Eradication of Sexual Harassment in the Workplace (hereinafter referred to as "**the Code**") as follows:-

"Any unwanted conduct of a sexual nature, whether verbal, non-verbal, visual, gestural or physical, directed at a person is offensive or humiliating or a threat to his/her well-being, arising out of and in the course of his employment."

Under the Code, sexual harassment can be categorized into two (2) types:

- **SEXUAL COERCION:**
For Example, a superior who decides on salary increment and promotion attempting to coerce a subordinate for sexual favors
- **SEXUAL ANNOYANCE:**
A sexual-related conduct that is offensive, hostile to intimidating that has no direct link to any job benefit. A sexual harassment by a colleague or a company's client will fall into this category



The Forms of Sexual Harassment

Sexual Harassment can take place in various forms. Based on the Code issued by the Ministry of Human resources, there are 5 possible forms of sexual harassment:-

1. Verbal Harassment

- For example, offensive or suggestive remarks, comments, jokes, questioning (i.e. *Asking sexual questions, or about someone's sexual history or sexual orientation*)

2. Non-Verbal/Gestural Harassment

- For example, leering or ogling with suggestive overtones, licking lips, or hand signals denoting sexual activity, persistent flirting (i.e. *Staring in a sexually suggestive or offensive manner, or whistling*)

3. Visual Harassment

- For example, showing pornographic materials, drawing sex-based sketches, writing sex-based letters, or sexual exposures (i.e. *Sharing sexually inappropriate images or videos*).

4. Psychological Harassment

- For example, repeated unwanted social invitations, relentless proposals for dates, or physical intimacy (i.e. *Sending suggestive letters, notes, text message or emails*)

5. Physical Harassment

- For example, inappropriate touching, pinching, stroking, brushing up against the body, hugging, kissing, sexual assault.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. PIW recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

PIW recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee.

Anyone, including employees of PIW clients, customers, casual workers, contractors or visitors who sexually harass another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within PIW premises or outside, including at social events, business trips, training sessions or conferences sponsored by PIW.



If He/She is Being Sexually Harassed at the Workplace

The victim can first lodge a complaint to the employer. If no action is taken, or if the outcome is unsatisfactory, the victim should then lodge a complaint to the Director General of Labour pursuant to Section 81D of the Act.

If the harassment involves physical molestation, indecent exposure, or physical sexual assault, then those acts may be a criminal offence under the Penal Code. In such circumstances, the victim to immediately lodge a police report at the nearest police station.

Complaints Procedures

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. PIW 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 Admin/HR Department, etc.

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 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
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework

Throughout the complaints procedure, a victim is entitled to be helped by a counselor within the company. PIW will nominate a number of counselors and provide them with special training to enable them to assist victims of sexual harassment. PIW recognizes that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. PIW understands the need to support victims in making complaints.



Informal Complaints Mechanism

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, or refer the matter to a designated mediator within the company to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped
- ensure that the above is done speedily and within [...] days of the complaint being made

Formal Complaints Mechanism

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to the Top Management to instigate a formal investigation. The Top Management may deal with the matter him/herself, refer the matter to an internal or external investigator or refer it to a committee of three others in accordance with this policy.

The person carrying out the investigation will:

- interview the victim and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place
- produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
- follow up to ensure that the recommendations are implemented, that the behavior has stopped and that the victim is satisfied with the outcome
- if it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken
- ensure that the all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and in any event within [...] days of the complaint being made



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Outside Complaints Mechanisms

A person who has been subject to sexual harassment can also make a complaint outside of the company. They can do so through i.e. labour office or the nearest police station.

Sanctions and Disciplinary Measures

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

- verbal or written warning
- adverse performance evaluation
- reduction in wages
- transfer
- demotion
- suspension
- dismissal

The nature of the sanctions 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. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

Implementation of This Policy

PIW will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the company.

Every year, PIW will require all employees to attend a refresher training course on the content of this policy or PIW will distribute the info related to sexual harassment i.e flyers, brochures, notes for refreshment on this policy.

It is the responsibility of Department Head to ensure that all his/her employees are aware of the policy.

Monitoring and Evaluation

PIW recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the company will evaluate the effectiveness of this policy and make any changes needed.