



***PACKAGES LIMITED***

## **ANTI-HARASSMENT POLICY**

Particulars	Description
Document Title	Anti-Harassment Policy
Ownership	Human Resource Department
Review Frequency	After every 3 years unless necessitated earlier
Approved By	Board of Directors
Date of Approval & Applicability	April 25, 2018
Version Control	2.0

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## 1. Preface

This policy aims to create a safe working environment for employees, which is free of harassment, abuse and intimidation with a view toward fulfillment of their right to work with dignity. It will also enable higher productivity and a better quality of life at work.

Harassment is one of the biggest hurdles faced by working women preventing many who want to work to get themselves and their families out of poverty. The Government of Pakistan has passed laws related to 'anti-harassment workplace', aimed at dealing with inappropriate behavior at workplace. '**The Protection against Harassment of Women at Workplace, Act – 2010**' has been enforced with an aim to promote harmonized, gender sensitive work environment, free from harassment, intimidation and abuse.

This policy builds on the principles of equal opportunity for men and women and their right to earn a livelihood without fear of discrimination; and gives protection to all employees, both male and females, irrespective of the gender of the victim.

## 2. Objectives

- To promote a harmonized, gender sensitive work environment;
- To inculcate Packages corporate culture based on egalitarian beliefs of having equal opportunity for development and growth with a total disregard to considerations of gender, race, color or creed; and
- To handle any inappropriate behavior at work place, thus making it a dignified environment for both men and women.

## 3. Scope

This Policy is not limited to females only, thus would apply on both male and female employees working at any of the offices or establishments of Packages Limited. A proactive approach is being adopted to mitigate the potential risk of misuse of the subject Policy; in case the complainant is found to be guilty of filing of a fake complaint against another employee, a severe disciplinary action may be taken against the complainant, in such a case. Moreover, anonymous complaints through any means (written, electronic or oral) shall not be entertained, because giving a slightest consideration to any of the anonymous complaints opens up avenues for misuse of this Policy. The Anti-Harassment Policy shall become exercisable, only if the complainant discloses her/his full name and the correct identity. However, the identities of the complainant as well as of the accused shall be kept strictly confidential, throughout the entire process.

## 4. Implementation

- To inform all the employees about the Policy through a Circular;

- To place the 'Anti-Harassment Policy' and Code of Conduct on the Packages Intranet Portal;
- To announce the appointment of Chief Anti-Harassment Officer (CAHO) and the constitution of a separate 'Special Inquiry Committee' for this purpose; and
- To start receiving complaints and processing them, as defined in the Policy.

## 5. Definition of Harassment

'Harassment' means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or an attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment.

There are three significant manifestations of harassment in the work environment:

### a) Abuse of authority:

A demand by a person in authority, such as a supervisor, for sexual favors in order for the complainant to keep or obtain certain job benefits, be it a wage increase, a promotion, training opportunity, a transfer or the job itself.

### b) Creating a hostile environment:

Any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature, which interferes with an individual's work performance or creates an intimidating, hostile, abusive or offensive work environment. The typical "hostile environment" claim, in general, requires finding of a pattern of offensive conduct, however, in cases where the harassment is particularly severe, such as in cases involving physical contact, a single offensive incident will constitute a violation.

### c) Retaliation:

The refusal to grant a sexual favor can result in retaliation, which may include limiting the employee's options for future promotions or training, distorting the evaluation reports, generating gossip against the employee or other ways of limiting access to his/her rights. Such behavior is also a part of the harassment.

Furthermore, harassment can occur in a variety of circumstances such as:

- Advances, propositions, suggestions or pressure for social activities outside of work, where it has been made clear that this are unwelcome;
- Conduct which is discriminatory, intimidatory, physically or verbally abusive, including the display of explicit material, humor or comments of a sexual or racial nature or related to a person's abilities or disabilities whether directed specifically at any particular individual or not;
- Suggestions that sexual favors may further an employee's career, or that refusal may hinder it;

- Spreading malicious rumors, or insulting someone by word or behavior (particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief);
- Unjustified conduct which is intimidatory or bullying and which results in an individual being made to feel humiliated, distressed or persecuted and has an adverse recipient;
- Offensive comments about dress or appearance;
- Offensive or unwanted comments about religious beliefs;
- Ridiculing or demeaning someone – picking on them or setting them up to fail;
- Exclusion or victimization;
- Unfair treatment;
- Overbearing supervision or other misuse of power or position;
- Unwelcome sexual advances – touching, standing too close, the display of offensive materials, asking for sexual favors, making decisions on the basis of sexual advances being accepted or rejected;
- Making threats or comments about job security without foundation;
- Deliberately undermining a competent worker by overloading and constant criticism; and
- Preventing an individual's progress by intentionally blocking promotion or training opportunities.

## **6. Constitution of the Special Inquiry Committee**

1. For the purpose of conducting inquiries into the complaints received under the purview of this policy, a Special Inquiry Committee has been constituted.
2. The Committee consists of three members of whom one member is a woman, one member is from senior management and one member is a senior representative of the employees. In case a complaint is made against any one of the members of the Special Inquiry Committee then that member should be replaced by another for that particular case.
3. 'Special Inquiry Committee' is constituted as under and is subject to reconstitution/ change communicated through circular after formal approval:
  - Mr. Adeel Waheed (Chairperson)
  - Ms. Fatima Qadir
  - Mr. Mohsin Ilyas

## **7. Process for filing a complaint**

1. The (affected) employee (the victim) shall send a written complaint, in a sealed envelope, marked, 'Strictly Confidential' directly to the Group Head of HR, Chief Anti-Harassment Officer (CAHO). The complaint should include (any) evidences or documents, or any other related material, in support of the complaint. The complaint can also be filed through an email to official mailing address of CAHO. If the complainant so wishes, the complaint can also be filed through the immediate supervisor of the employee, at the free will of the complainant.
2. The CAHO will study the complaint in detail and determine if the complaint comes under the purview of the Anti-Harassment Policy. In case if the complaint is outside the purview of the Anti-Harassment

Policy, the CAHO will return the complaint to the complainant, by giving reason(s) for return. In case the complaint is found to be under the purview of the Anti- Harassment Policy, the CAHO will then forward the complaint within one (1) day to Special Inquiry Committee established for this purpose. During this course, the CAHO may contact the complainant by phone or may require the complainant to meet in person, so that the details of the complaint can be further clarified.

3. In order to block the implication of the misuse of this Policy, the basic requirement for the implementation of its clauses and for formal undertaking of an inquiry, the following two conditions are hereby kept as pre-requisites:
  - All allegations must either have at least one witness, or in case of no witness, any other written or recorded or pictorial evidence or in case of no such evidence to support the allegations, at least a circumstantial evidence or an inference based on incidental logic and reasoning;
  - The complainant shall declare and disclose her/his full name and correct identity, at the time of filing of the complaint, which will be kept confidential, at all times; and
  - No anonymous or conditional complaint shall be entertained.

## **8. Procedure for holding an Inquiry**

1. The Special Inquiry Committee, within three days of receipt of a written complaint, shall:
  - Communicate to the accused the charges and statement of allegations leveled against him, the formal written receipt of which will be given;
  - Require the accused within seven days from the day the charge is communicated to him to submit a written defense and on his failure to do so without reasonable cause, the Committee shall proceed ex-parte; and
  - Enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as the Committee may consider necessary and each party shall be entitled to cross-examine the witnesses against him.
2. Subject to the provisions of this policy, the Special Inquiry Committee shall have power to regulate its own procedure for conducting inquiry and for the fixing place and time of its sitting.
3. The following provisions inter alia shall be followed by the Committee in relation to inquiry:
  - The statements and other evidence acquired in the inquiry process shall be considered as confidential.
  - An officer in an organization, if considered necessary, may be nominated to provide advice and assistance to each party;
  - Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a Collective Bargaining Agent representative (if they are workman), a friend or a colleague;
  - Adverse action shall not be taken against the complainant or the witnesses;
  - The Special Inquiry Committee shall ensure that the employer or accused shall in no case, create any hostile environment for the complainant so as to pressurize her/ him from freely pursuing complaint; and
  - The Special Inquiry Committee shall give its findings in writing by recording reasons thereof.

- The Special Inquiry Committee shall submit its findings and recommendations to the Group Head of HR within thirty days of the initiation of inquiry. If the Special Inquiry Committee finds the accused to be guilty, it shall recommend to the Group Head of HR for imposing one or more of the following penalties based on the severity of the 'Harassment':

**Minor penalties:**

- a. censure;
- b. withholding, for a specific period, promotion or increment;
- c. stoppage, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar; and
- d. recovery of the compensation payable to the complainant from pay or any other source of the accused.

**Major penalties:**

- a. reduction to a lower post or time-scale, or to a lower stage in a time-scale;
  - b. compulsory retirement;
  - c. removal from service;
  - d. dismissal from service; and
  - e. Fine. A part of the fine can be used as compensation for the complainant. In case of the owner, the fine shall be payable to the complainant.
4. The Group Head of HR shall impose the penalty recommended by the Special Inquiry Committee within one week of the receipt of recommendations from Committee.
  5. At any stage of inquiry, if it is reasonably determined that the complainant has filed a false complaint, the Special Inquiry Committee shall recommend to the Group Head of HR, any of the punishments defined above, for the complainant, for defaming an innocent person and reporting an incident based on untrue facts, for a final decision and execution.
  6. The convicted employee shall have the right to file an appeal against the decision of Special Inquiry Committee before the 'Human Resource & Remuneration Committee'. The convicted employee shall also have the right to file a 'mercy petition' to the Chief Executive Officer (CEO), and the CEO shall, under the normal course of administrative review, may or may not pardon the employee, at his sole discretion.