



GraceKennedy Limited Policy	
Policy	SEXUAL & OTHER HARASSMENT

1. OVERVIEW

- 1.1 GraceKennedy Limited, its subsidiaries, joint ventures, and associated companies, as applicable, (the Company) is committed to taking reasonable steps to ensure that all persons are able to work or conduct business in a work environment that is free from Sexual and other Harassment. The Company takes a zero-tolerance approach towards Sexual Harassment and other forms of Harassment.
- 1.2 The purpose of this policy is to outline the principles and procedures that the Company has established to create an environment free from Sexual and other Harassment, provide protection for all persons against such harassment, and ensure appropriate disciplinary action where it is established that such behaviour has occurred.
- 1.3 This policy forms a critical component of the Company's strategy to attract, develop and retain team members who support our values and will help us to achieve our business objectives.

2. DEFINITIONS

"Complaint" or **"Claim"** means a written report from an employee alleging that they have been subjected to unwelcome Sexual Harassment or other Harassment.

"Designated Officer" means the HR Representative(s) at the Managerial level or above in each Division and the Executive Office, who has been designated to maintain and update the Sexual Harassment Register and facilitate the handling of complaints in keeping with the procedures in this policy.

"Due Process" refers to the procedure used to ensure fair treatment, specifically an Employee's entitlement to notice of a charge and a hearing before an impartial individual(s) during which the Employee is allowed to be heard and defend themselves against the charge/s, including the right to representation where desired.

"Employee" means a person who performs work for the Company on a casual, temporary, contract or permanent basis.

“SBU Head of HR” refers to the officer in charge of the HR portfolio of the SBU.

“Sexual Harassment” has the meaning set out in the respective legislation in the jurisdiction in which the Company operates as stated in the Appendices to this policy. Where no legislation exists in the jurisdiction in which the Company operates, the definition used in Jamaica shall apply.

Strategic Business Unit” or “SBU” means a business operation that is managed or reported on as a distinct unit. It may be a company or a division/department/subset of a company.

“Tribunal” means any external body established by legislative authority for the purpose of hearing and determining a complaint of Sexual Harassment.

3. SCOPE

3.1 This policy shall apply to GraceKennedy Limited, its subsidiaries, joint ventures and associated companies (as applicable).

3.2 In the event of a conflict between the provisions of this policy and the laws of the country in which the Company operates or a collective bargaining or similar agreement applicable to the Company, the provisions of this policy will be superseded by the provisions of the law or the agreement to the extent necessary for compliance with the law or agreement.

4. POLICY STATEMENTS

4.1 Sexual & Other Harassment Prohibited

4.1.1 Sexual Harassment or other Harassment in any form (such as verbal, written, telephone or email communications) is demeaning to an individual, undermines the integrity of the employment relationship, creates disharmony in the workplace and causes an individual distress and discomfort. It is recognised that Sexual Harassment or other Harassment may be perpetrated against any individual and may occur in the context of varying working relationships. Sexual Harassment or other Harassment may include actions, words, jokes, or comments based on race, colour, gender, sexual orientation, religion, age, ethnicity, national or social origin, property, political, disability, birth, or any other basis.

4.1.2 Sexual Harassment and other Harassment is strictly prohibited in all circumstances involving the work of the Company.

4.2 Policy Awareness and Compliance by Employees

4.2.1 The Company will take steps to make Employees aware of this policy and the applicable procedures for addressing claims of Sexual Harassment and other Harassment.

- 4.2.2 It is the responsibility of all Employees to understand the requirements of this policy and the relevant legislation and ensure they remain compliant with these requirements.

4.3 Management of Sexual & Other Harassment Claims

The Company shall manage Claims of Sexual Harassment or other Harassment in accordance with this policy and established procedures, details of which are set out in the Appendices to this policy and the Company's Corrective/Disciplinary Action policy, as applicable. Notwithstanding Appendix 1 being specific to Jamaica, the procedures set out therein may be applied to other jurisdictions, with the necessary modifications where appropriate.

4.4 Reporting and Investigating Sexual & Other Harassment Claims

- 4.4.1 Employees who wish to raise concerns and make reports in relation to Sexual or other Harassment in good faith may do so without fear of reprisal. A report may be made to the SBU Head of HR, HR representative or other person specified in the procedures set out in the Appendices to this policy applicable to the jurisdiction in which the Company operates.
- 4.4.2 The investigation of a Complaint is crucial to ensuring that the Company can fulfill its commitment to take appropriate action when a report is made of an incidence of Sexual Harassment or other Harassment. Employees are therefore required to cooperate with an investigation of a Complaint. An Employee who, without reasonable excuse, fails to cooperate with an investigation may be subject to disciplinary action under the Company's Corrective/Disciplinary Action Policy.
- 4.4.3 A Complaint may be withdrawn at any time by the complainant communicating same to the Company in writing.
- 4.4.4 Employees shall not make false Claims against an individual and an Employee that makes a false Claim shall be subject to disciplinary action under the Company's Corrective/Disciplinary Action Policy.

4.5 Due Process- Sexual & Other Harassment

The Company shall ensure that where a Complaint of Sexual Harassment or other Harassment is made against an Employee, due process is exercised in the management of the Complaint.

4.6 Confidentiality

- 4.6.1 All Claims of Sexual Harassment or other Harassment shall be documented for the purposes of monitoring and evaluation.

4.6.2 The Company will endeavour to protect the privacy of the individuals involved in a Claim at all times. However, information related to a Claim may be disclosed for reasons including to implement and determine compliance with this policy, as required under the relevant legislation which necessitate disclosure and to those persons who need to know in order to give effect to this policy including the relevant SBU Head of HR or HR representative and the Company's Attorneys-at-Law. Disclosure shall be limited to only the minimum information required to give effect to the purpose for which the disclosure is made.

4.6.3 Any individual found to be in breach of the confidentiality obligations set out in this section 4 shall be subject to disciplinary action under the Company's Corrective/Disciplinary Action Policy.

4.7 Protection Against Retaliation

Bullying, intimidation and threats which are meant to facilitate an act of Sexual Harassment or other Harassment or to retaliate against an individual who has made a claim of Sexual Harassment or other Harassment shall be treated as acts of Sexual Harassment or other Harassment and shall be dealt with in accordance with this policy and established procedures.

4.8 Disciplinary Action

Appropriate disciplinary action, which may include termination of employment, will be taken against an Employee, where after exercising due process it has been determined that the Employee:

- (i) harassed an individual,
- (ii) wilfully and knowingly made a false Claim of Sexual Harassment or other Harassment
- (iii) failed without reasonable excuse to comply with an investigation of a Complaint,
- (iv) breached the confidentiality obligations under this policy, or
- (v) breached any other provision of this policy

5. POLICY REVIEW

This policy shall be reviewed at least every three (3) years.

APPENDIX 1- JAMAICA

1. DEFINITIONS

"Anti-Sexual Harassment Committee" means a Committee established to conduct disciplinary hearings relating to Sexual Harassment Complaints, ensure due process has been followed, and issue their findings and decision.

"Sexual Advance" includes any one or more of the following acts, forms of conduct or behaviour, namely-

- (a) physical contact of a sexual nature,
- (b) a demand or request for sex or for favours of a sexual nature,
- (c) the making of sexual suggestions, remarks or innuendos,
- (d) the showing of pornography or the display of images or objects of a sexual nature; and
- (e) any other physical, gestural, verbal, non-verbal or visual conduct of a sexual nature

"Sexual Harassment" means the making of any unwelcome sexual advance towards a person, by another person, which:

- (a) is regarded as offensive or humiliating by the person towards whom the sexual advance is made; or
- (b) has the effect of-
 - (i) interfering with the work performance of the person to whom the sexual advance is made; or
 - (ii) creating an intimidating, offensive or a hostile work environment.

2. INTERNAL PROCESS FOR MANAGING SEXUAL HARASSMENT COMPLAINTS

- (a) Employee lodges written Complaint to SBU Head of HR or HR representative.
- (b) SBU Head of HR or HR representative acknowledges receipt of Complaint and notifies the accused in writing within **two (2) working days** of receipt of written Complaint.
- (c) SBU Head of HR or HR representative submits details of Complaint and action taken to the Designated Officer responsible for maintaining Sexual Complaints Register.
- (d) Designated Officer contacts GK Chief Security Manager or designate to initiate investigation of the Complaint.
- (e) GK Group Chief Security Manager or designate commences investigation **within fourteen (14) working days** of Complaint being lodged. Relevant persons are

interviewed, written statements collected, and other actions taken to ensure a comprehensive investigation. An Investigation Report must be submitted to the Designated Officer within a reasonable time or in any event no longer than one (1) month following conclusion of the investigation with findings and recommendations on whether or not the evidence supports the Claim.

- (f) The Designated Officer determines whether there is sufficient evidence for a charge to be made against the accused.
- (g) Where the Investigation Report indicates insufficient evidence/no case to answer, the Designated Officer advises the complainant and the accused of this in writing and also advises the complainant of their right to appeal to the Anti Sexual Harassment Committee. The Designated Officer must also ensure that the Sexual Complaints Register is updated accordingly.
- (h) Where there is sufficient evidence/a case to answer, a previously uninvolved officer prepares the charge/s and issues a written invitation to the accused to attend a disciplinary hearing conducted by the Anti-Sexual Harassment Committee, where all evidence and reports will be presented, and allowing accused to be accompanied by a representative in keeping with due process requirements, as set out in the Corrective/Disciplinary Action Policy.
- (i) Anti-Sexual Harassment Committee conducts the hearing and shares its findings and decision with Designated Officer, SBU Head of HR and SBU Head as appropriate, to action.
- (j) Designated Officer communicates the decision to the accused, advising of the right of appeal to the Sexual Harassment Tribunal and updates the Sexual Harassment Register accordingly.
- (k) Designated Officer communicates to complainant the outcome of the complaint, giving such details as are necessary and advising of the right of appeal to the Sexual Harassment Tribunal and updates the Sexual Harassment Register accordingly.