



MINI GROUP OF COMPANIES

HR POLICIES

2016

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ALCOHOL, DRUGS AND SUBSTANCE ABUSE

MGC HR Manual - **Section 20: Safety, Health & Environment** - Rev : 00/2016

WORKPLACE POLICY ON ALCOHOL, SMOKING, DRUGS AND SUBSTANCE ABUSE

Policy Statement

MGC recognizes the serious negative impact Alcohol, Smoking, Drugs and Substance Abuse (ASDSA) has on the workforce, family and society at large. Consumption of the same has been linked to low productivity levels, rising crime rate, HIV/AIDS prevalence, social unrest, family dysfunction, poverty, death and other malaise in the country.

The aim of this policy is to promote a drug free workplace, inform employees on the dangers of Alcohol, Smoking, Drugs and Substance Abuse, dispel denial and misconception surrounding drugs and offer a way forward and hope to the affected. This therefore calls for concerted efforts from allemployees to address the menace.

This policy provides a guide on how MGC intends to tackle issues surrounding ASDSA in its efforts to promote a drug's free, healthy and productive work force.

The company may require its employee(s) to undergo testing for drugs or alcohol during the course of their employment. Employees are strongly advised to cooperate as non-conformance will be regarded as misconduct.

Scope

The policy sets standards for managing ASDSA at MGC. It applies to all staff members within the Group irrespective of their positions or terms of employment.

Interpretation of Terms

Addiction : Physical and mental dependence on a particular substance. A Chronic disorder which has genetic, psychosocial, and environmental dimension and is characterized by the continued use of a substance despite its detrimental effects, impaired control over the use of a drug, and preoccupation with a drug's use for non-therapeutic purpose.

Affected : A person who is feeling the impact of Alcohol, Smoking and Drugs Abuse Through sickness or loss of a relative, friends or colleagues.

AIDS (Acquired Immune Deficiency Syndrome): A cluster of medical conditions often referred to as opportunistic infections that affects people whose immunity is reduced due to infection with the Human Immunodeficiency Virus (HIV).

Alcohol : Alcohol means any beverage that contains ethanol. Ethanol is a Sedative hypnotic drug obtained by fermentation of Carbohydrates using yeast.

Alcoholism : A disease known as 'Alcohol Dependence Syndrome'. It's a chronic, often progressive disease in which an employee craves alcohol and drinks despite repeated alcohol related problems.

Confidentiality : The assurance that information accessed and shared will not be revealed without written consent of the client.

Counseling : A helping relationship in which clients are assisted to resolve their issues and/or cope with situations.

Drug : A drug is any chemical substance (whether licit or illicit) which when taken into the body can affect one or more of the body's functions. (At MGC this includes but not limited to Tobacco, Alcohol, Miraa, Inhalants, Pharmaceutical products, kuber, tamboo, Cocaine, Shisha, Heroin, Marijuana, Hashish, Opioids, Hallucinogens)

Drug Abuse : Non-medical use of drugs that destroys the health and productive life of an individual. The consumption of illegal drugs or unhealthy use of legal ones.

HIV : A virus that weakens the body's immune system, ultimately causing AIDS. (Human Immunodeficiency Virus)

Prevention : A programme designed to combat Alcohol, Drugs and Substance Abuse.

Policy : An organization's position on a particular issue.

Rehabilitation : Restore someone to health or normal life by training & therapy after addiction.

Safety : Security or well being of employees.

Support : Services and assistance that are provided to help a person cope with difficult situations and challenges.

Workplace : Occupational settings, stations and places where workers spend time for gainful employment.

Vulnerability : Exposed to the possibility of being attacked or harmed either physically or emotionally.

Policy Objectives

The main objective of this policy is to maintain an Alcohol, Smoking, Drugs and Substance free, Healthy and productive workforce.

The Company aims at providing the following:

- A safe and healthy work place
- Safeguarding the health and welfare of employees;
- A well organized work place and management availability
- Challenging and rewarding work
- Professional and confidential support for ASDSA problems
- No access to alcoholic beverages at work
- Increase the employees' confidence and morale, reduce absenteeism and high turnover
- Increase productivity, efficiency & increase employee competitiveness
- Create awareness on the harmful effects of ASDSA at the workplace.
- Assist the Company in managing ASDSA through early detection and intervention hence reducing the medical burden at the workplace.
- Preventing accidents and occupational hazards related to ASDSA at the workplace through early detection, risk analysis and mitigation;
- Establish a corporate Culture and practices that prevent and pre-empt ASDSA at the workplace.
- Identifying specific problems faced by ASDSA at the workplace;
- Empowering the employees with relevant information and knowledge on the effects of ASDSA
- Prescribing clear rules on expected conduct and consequences in relation to ASDSA;
- Providing support systems that mitigate against ASDSA in the workplace which may include counselling, treatment and rehabilitation

The consumption of alcohol and drugs by staff whilst at work is considered inappropriate and strictly prohibited. Staff should have regard to the potential consequences of substandard performance and to the undesirable effect on some people. Abuse in the workplace has the potential to negatively affect the health, safety, productivity and performance of employees, which result in low business output in our Group of Companies. Therefore, the well being of the working community is paramount. Although alcohol and drug abuse happens in the context of the family and the wider society, the workplace offers a chance for early detection, intervention and psycho-social support for employees. Consequently, this benefits the employer, the family and the community at large.

This policy targets to address issues of preventive educations, referral for treatment and rehabilitation, psycho-social support, acquisition and dissemination of behavior change material, minimization of denial and stigma associated with alcohol, smoking and drugs dependency, and customizing targets for prevention and control of alcohol and drug abuse within the Company's operations and risk levels.

Employees who are intoxicated by alcohol or other substances present a risk to themselves and others and must not be at work. Some of the known effects of alcoholism and drug abuse include; addiction, absenteeism, brain damage, low concentration/focus, quarrelsome, low productivity, with risky social behavior, high accident rates, pecuniary embarrassment; it also affects employee's integrity, including increased conflict at the work place, irresponsible behavior, change in daily habits, mood swings, poor hygiene, vulnerability to disease, conflict with the law, outbursts of violence, anti-social behavior and disorientation in time, space and even death.

RESTRICTIONS ON DRUGS AT THE WORKPLACE

Restrictions on Alcohol, Smoking, Drugs and Substance Abuse.

The Company restricts and prohibits access and availability of ASDSA through possession, consumption and sale at the workplace.

To this regard, the following are prohibited

- The use, possession, solicitation for, or sale of drugs or alcohol, or medication without a doctor's prescription within Company premises or while performing company assignments.
- Being impaired or under the influence of intoxicating substances within the Company or on client workplace
- Being under influence that affects your work performance, your personal safety or of others, or puts at risk the Company's reputation.

- The presence of any detectable amount of intoxicating substances in the employee's system while at work, or while on company business.

Corporate Indemnity

The Company shall not be held responsible for individual's behavior occasioned by alcohol and drug consumption in all its functions and activities.

Prescribed Drugs

Any employee who is using prescription or over-the counter drugs that may impair their ability to effectively and safely perform their job, or affect the safety and well-being of others, must notify a supervisor of such use before resuming any duties.

If required, the Immediate Supervisor in consultation with the employee and management will seek written advice from the relevant Medical Practitioner on specific restrictions and will jointly investigate alternate work arrangements to ensure the health and safety of the employee.

SMOKING

MGC respects the rights of smoking employees to smoke and of non-smoking employees to enjoy a comfortable environment and strives to accommodate the positions of smoking/non-smoking employees and visitors.

The Company too has an obligation to comply with the Tobacco Control Act 2008 by ensuring strict compliance to the provisions of the Act. The Act provides that "no person shall smoke in a public place which is defined as any "indoor, enclosed or partially enclosed area which is open to the public or any part of the public, or to which members of the public ordinarily have access and includes workplaces and public conveyances".

At MGC, public places will include but not limited to:

- **Offices**
- **Factories**
- **Company cars**
- **Workplaces (Open areas, corridors, Lounges, meeting rooms, eating places, reception, lifts, stairs, toilets, amenity areas etc)**

Smoking will only be permitted in designated smoking areas, where provided. All Company premises including open compound areas are non-smoking zones.

Designated smoking areas (where provided) shall be a room:

- Well ventilated as to ensure that air from the area is directly exhausted to the outside and does not re-circulate or drift to the other public facility.

- Is separate, enclosed and sealed from the floor to the roof with a door provided
- In which non-smoking individuals do not have to enter for any purpose while smoking is ongoing
- That is cleaned or maintained only when smoking is not ongoing

Appropriate warning signs shall be posted in all areas reminding employees as regards smoking.

COMPANY APPROACH

Non Discrimination of Employees

Employees who have sought assistance in dealing with alcohol or drugs abuse related problems will not be discriminated against and will be offered appropriate support. Rehabilitated employees will be reintegrated into the normal working systems and helped to adapt to the prevailing working conditions.

Job Security and Promotion

Employees who seek treatment and rehabilitation for Alcohol and Drug Abuse related problems will enjoy normal job security and opportunity for career development.

Support Program for Employees

The Company may identify support programmes for employees with Alcohol, Drugs and Substance Abuse problems. This may include counseling, treatment and rehabilitation programmes which are adapted to the individual needs and Company's exigencies.

Intervention and Disciplinary Procedures

Though having the authority to discipline, the Company will within reasonable limits, deal with disciplinary issues related to ADSA. Therefore, in such circumstances, other than initiating disciplinary action on the affected employee, the Company may also refer/suggest counseling, treatment and rehabilitation alternatives to assist the employee.

However, should the employee fail to change, consideration will be made to either refer the matter to the medical board or apply the appropriate disciplinary measures as the case may be.

Job Placement for Rehabilitated Employees

When an employee voluntarily discloses a previous history of alcohol and drug abuse related problem to the Company, the management shall, where reasonably practicable, avoid exposing the rehabilitated individual to a working situation similar to that which, in the past, may have led to such problems.

The managers and supervisors shall have the obligation and responsibility to ensure early

detection of recurrence of Alcohol, Drugs and Substance Abuse (ADSA) by the employee and recommend appropriate action.

Management of poor performance

Abuse of alcohol or drugs which results in unsatisfactory performance is to be dealt with by the Human Resource Department in conjunction with the employee's line Supervisor. The Company may support an employee who acknowledges a drug or alcohol dependence and will encourage the employee to seek professional assistance (at the employee's cost). Refusal to seek specialist advice or failure to follow recommended treatment and ending up with unsatisfactory performance will not be tolerated and shall be dealt with in accordance with the Company's policy on performance management.

Testing & Verification

Where an employee is seriously suspected to be intoxicated/under influence of alcohol or drugs, the immediate supervisor in consultation with the HR Department will organize to have the suspected employee tested at the nearest Government hospital/Chemist.

Where the results of the testing are negative (no trace of alcohol content in the system), the Company will bear the costs of both the transportation and testing.

Where the results of the testing are positive (with trace of alcohol content in the system), the employee will bear the costs of both the transportation and testing. Disciplinary action will be taken on case to case basis.

Confidentiality

The Company shall ensure confidentiality in dealing with the affected person's affairs.

RESPONSIBILITIES OF THE EMPLOYEE

In this policy, employees shall:

- Participate in any training programmes provided by the company relating to ADSA
- Show empathy to colleagues affected by Alcohol, Drugs and Substance Abuse
- Be committed to maintain an Alcohol, Drugs and Substance free workplace
- Be committed to adhere to this policy
- When affected, to voluntarily own up and seek assistance available within the Company.

CLEAN WORKSTATION ENVIRONMENT

MGC HR Manual - **Section 21: Amenities & Business Environment** - Rev: 00/2016

CLEAN WORK STATION ENVIRONMENT POLICY

Policy Statement

The purpose for this policy is to establish the minimum requirements for maintaining a "Clean Work Station".

In order to maintain a clean work place environment, each employee will be responsible for maintaining a clean work station at all times. This may be achieved by reducing the amount of documentation to the barest minimum, litter elimination and avoiding spill-ages. There should be a place for everything and everything in its rightful place. Employee will also ensure that their work station is free of food and any other dirt particles that may attract insects/rodents and other disease causing pathogens to the Work environment.

MGC recognizes and considers a clean desk as an important approach to ensure that all sensitive/confidential materials are removed from an end user workspace and locked away when the items are not in use or an employee leaves his/her workstation. It is one of the top strategies to utilize when trying to reduce the risk of security breaches in the workplace where sensitive/critical information about our employees, our intellectual property, our customers and our vendors is secure in locked areas and out of site. This policy can also increase employee's awareness about protecting sensitive information.

Scope

This policy applies to all employees of MGC.

Objective

- a)** Meet safety, health and environment considerations.
- b)** Maintain an acceptable work place appearance.
- c)** Reduce the threat of a security breach and data protection by ensuring confidential information is locked away.
- d)** Reduce the chance of a breach of confidentiality and theft of intellectual property.

Policy Guidelines:

- a)** Employees are required to ensure that all sensitive/confidential information in hard-copy or electronic form is secure in their work area at the end of the day and when they are absent from the working desk
- b)** File cabinets containing Restricted or Sensitive information must be kept closed and locked when not in use or when not attended.
- c)** Employees should ensure that their work stations are free of food and any other dirt

particles

- e) Work tools should be securely and safely maintained in their designated places
- f) Only work tools immediately required should be kept at the work station
- g) Waste should be disposed in designated areas

Non-Compliance

Any employee found to have violated this policy may be subject to disciplinary action

CORPORATE SOCIAL RESPOSIBILITY [CSR]

MGC HR Manual - **Section 16: Conflict of Interest** - Rev: 00/2016

CORPORATE SOCIAL RESPONSIBILITY (CSR) POLICY

Policy Statement

MGC is committed to being recognized as a leader in the field of Corporate Social Responsibility (CSR) and recognizes that in doing so, we will have a significant impact in the communities we operate in. The Group will ensure that all matters of CSR are carefully considered and supported in our operations and are consistent with the Group's best interests.

MGC is committed to the establishment and maintenance of best practices in programs designed to protect the environment, enhance safety and health of our employees, our customers, and the communities where we operate in.

Scope

MGC strives to contribute in addressing social issues through sustainable CSR initiatives. By recognizing, identifying and prioritizing social issues, MGC aims to implement well-planned local CSR initiatives through collaboration with employees and relevant stakeholders.

Definition of Social Responsibility

Social responsibility refers to the activities and related responsibilities which have positive impact on society and the environment. This may include issues relating to the environment, human rights, labour practices, organizational governance, fair business practices, community involvement and social development.

Policy Objectives

MGC recognizes that operational, economic, environmental, public and social concerns are all integrally linked to MGC's mission. Meeting the commitment to protect these concerns is a primary management objective – as well as the individual and collective responsibility of all MGC employees.

Guiding Principle

In pursuit of the above objectives, MGC will:

- i.** Respect the rule of law
- ii.** Recognize the rights of stakeholders to be heard and of MGC's responsibility to respond
- iii.** Ensure our activities respect and promote the highest recognized principles for organizational governance
- iv.** Not indulge in any form of corruption, including extortion and bribery
- v.** Proactively consider the interests of society at large and the economic development

of host communities

- vi. Promote ethical behavior (towards the environment, community, customers, employees and investors)
- vii. Enhance positive and minimize negative impacts on society
- viii. Contribute to sustainable environment
- ix. Conform to fair labour practices
- x. Promote a safe and healthy working environment
- xi. Integrate social responsibilities within core management systems and decision-making processes

Programs

Through our dedicated and socially responsible employees, MGC shall adopt a number of programs and initiatives, all of which strive to contribute positively in our community.

These programs may include, but are not limited to the following:

- Reducing the effect of hunger, poverty and malnutrition, promote healthcare and sanitation including provision of safe drinking water
- Promoting education and enhancing vocational skills within our community thus enhancing employability including offering industrial attachments/internship opportunities.
- Promoting gender equality, empowering women, setting up homes and hostels, old age homes, day care centers and such other measures for reducing inequalities
- Ensuring sustainable environment, animal welfare and the conservation of natural resources
- Protection of national heritage, art and culture including restoration of buildings and sites of historical importance and works of art
- Nurture talents through promotion of sports and cultural activities
- Rural development projects including slum upgrading programs

The Akberali and Nurzakhanu Habib Manji & Family Charitable Trust

In keeping with the family's humble beginnings and out of the ethos of social responsibility and community service, the family Trust was started. The Trust focuses primarily on enabling access to healthcare, educational and housing, whilst supporting disadvantaged families to become economically self-sustaining.

The Trust has been involved in the following initiatives:

- Financial support to families to ensure their children gain access to primary, secondary and tertiary education institutions
- Financial support for MGC staff and their families to fund education and healthcare
- Financial contribution of housing to the less privileged members of the community
- Subsidized housing for the welfare and needy including the aged and physically challenged

Vetting of the applications or requests for support is at Trustee's discretion.

Employee's responsibilities

In taking up employment with MGC, employees will be expected to:

- Understand the spirit of MGC's Corporate Social Responsibility policy
- Embrace the value of CSR in our society
- Voluntarily participate in CSR programs identified by the Group
- Identify and propose issues from the community that this policy may be applicable to

Disclaimer

MGC's participation in any community/social activity should not in any way be deemed to mean allegiance to any political, religious, ethnic, race or gender.

Changes to this MGC - CSR policy may occur from time to time as the situation may dictate.

DISCIPLINARY AND GRIEVANCE HANDLING

MGC HR Manual - **Section 9: Disciplinary & Grievance** - Rev: 00/2016

POLICY ON DISCIPLINARY AND GRIEVANCE HANDLING

Policy statement

The company's policy is that all employees are expected to uphold discipline at all times and subscribe to a code of conduct, the provisions of which will constitute part of terms and conditions of service.

Rules and procedures set must be adhered to by all employees to the letter. The purpose of discipline is to ensure compliance to the Company rules and regulations and to correct any conduct that may not conform to such rules.

Employees render themselves liable to disciplinary action where their conduct is adjudged to constitute a breach of company's standard of performance or code of conduct.

Scope

The policy sets standards for managing employee discipline and grievance at MGC. The Company reserves the right to impartially administer discipline and the employee will have a right to be granted a fair hearing. This is because the company upholds the principle of natural justice.

Disciplinary Action Objectives

1. Corrective measure – To ensure high level of discipline in the workforce or to deter recurrence/ repetition of offences by employees.
2. To take corrective measures whenever an employee breaches the company code of conduct
3. To enforce/ ensure compliance to company regulations, policies and procedures

Grievance Handling Objectives

- i. Ensure that where grievances arise, they are first settled at the department/branch levels
- ii. To provide procedures that help resolve grievances relating to employment as quickly and as fairly as possible
- iii. Employees be given a fair hearing by their immediate supervisor or manager concerning any grievances they may wish to raise
- iv. Have the right to be accompanied by a fellow employee of their own choice when raising a grievance or during a hearing
- vi. Have the right to appeal to a more senior manager against a decision made by their immediate supervisor or manager

DISCIPLINARY ACTION

Categories of offences

1. A Minor Offence (Minor Misconduct)

It is an isolated slip or omission not connected with any essential detail of duty and becoming serious only if repeated even after disciplinary action has been taken e.g. cautions, warnings

2. A Major Offence (Gross Misconduct)

A major offence is a grave offence in personal conduct that includes but not limited to the offences listed under Section 44 of the Employment Act, 2007. These are regarded as offences that fundamentally breaches the contractual relationship between an employee and any of the Group Company's. The nature of the misconduct is such that it justifies the Company's decision to no longer accept the continued employment of the staff member concerned.

In many occasions, gross misconduct results to termination of employment or even summary dismissal of the employee.

HR department will maintain a schedule of offences detailing a list of minor/major misconduct .

DISCIPLINARY PROCEDURES

1. MINOR MISCONDUCT

Employee discipline will be the responsibility of the respective immediate supervisor/line manager. The H.R department may be consulted on the appropriate action to be taken in line with the legal framework.

The appropriate sequence of disciplinary actions to be taken by the Company shall be as follows: -

(a) Written report detailing the offence committed, statements and any evidence will be initiated by the line supervisor and forwarded to the HOD

(b) Depending on the severity of the offence, the HoD may initiate further investigations and decide on the appropriate action (limited to verbal warnings) at the department level. Any documentation available at this level should be forwarded to the HR department for record purposes

(c) Offences warranting written communication to the employee or requiring further investigations will be forwarded immediately to the HR department by the respective HoD

(d) The HR Department will charge the employee with the offence committed, the date of the misconduct, time, location of the incident and indicating the possible action that

may be taken to correct the misconduct

(e) The employee is required to defend himself at least within the next 48 hours upon receipt of the show cause letter. The HOD must comment on the employee's defense and forward it to the HR Department for the next course of action.

(f) The HR Department will organize a disciplinary session with the affected employee (where necessary) and involve the immediate supervisor too (where necessary) and or any witnesses (if required).

(g) Where a written communication is to be issued, the employee should acknowledge receipt in writing and copies of the communication sent to the respective HoD. Such communication shall be valid for one year from the date of issue.

(h) Any employee who has been aggrieved by a decision made by the Management which he/she considers unfair to him/her has the right to appeal against such decision.

(i) Appeals must be in writing and should conform to the appeals procedure as detailed in this policy.

WARNINGS PROCEDURE

Oral Warnings

Oral warnings should be given in cases of isolated and minor departures from the required standards. The employee will be informed of the nature of their misconduct and why it is not acceptable to the Company. A note indicating that an oral warning has been given will be put in the employee's file. If the matter complained about is not rectified, written warnings will be given.

Written Warnings

(i). These will be given where the initial offences merit more serious action or oral warnings do not result in the necessary improvement. An employee whose work or conduct is unsatisfactory but not sufficiently so to justify an immediate recommendation for termination of service, should be advised in writing of this fact by their supervisor.

(ii). The written warnings will specify the nature of the offences and the possible consequences of the employee's further failure to improve conduct or performance. For accountability and to avoid victimization, a warning must have details of the complainant. This is especially so for cases of poor performance. Anonymity of the complainant is covered under the whistle blowing policy.

(iii). Copies of all letters of warning will be placed in the employee's personnel file, together with a file note of the background to the issue of a warning letter and the situation

kept under review.

(iv). If there is a genuine improvement in the individual's work and/or conduct and if this is maintained for a period of 12 months, the letter of warning will cease to be effective. However, a note will be placed in the file stating work or conduct has improved. The warning letter though void, should not be removed from the file. Should a second letter of warning be issued, within the twelve months' period, any further breach of discipline will result in a final warning letter.

The employee should acknowledge all show causes/cautionary notes/warning letters in writing.

Final Written Warning

This will normally be given following the failure of the first and second written warnings to produce satisfactory improvement or if the nature of the offence is severe enough to warrant more action than first or second warnings.

The final written warning will specify that the employee may be dismissed if they fail to meet the required standards of performance and behavior.

Any other offence within the next 12 months from the date of the final warning will lead to the employee's termination. In the event that an employee is to be dismissed, a full disciplinary hearing (including opportunity of a witness) followed by a dismissal letter will be given to the employee.

MAJOR/GROSS MISCONDUCT

Gross misconduct is a serious breach of contractual relationship and therefore, may result in the termination or eventual summary dismissal of the employee concerned. To ensure a fair and just decision is arrived at, the following guiding principles should be evaluated:

a. Before deciding whether to submit for a penalty, it is necessary together with the general policies, to consider:

- The gravity of the offence
- The individual's disciplinary record
- Individual's general service with the Group
- Whether the proposed penalty is reasonable in the circumstances at hand

b. Any submission concerning the disciplinary proceedings against any member of the team **MUST** be factual and complete and should include:

- Name and Designation of the employee
- A full statement covering the misconduct or accusations against the employee
- Witness statements

- Action so far taken by the responsible officer
- A statement of defense made by the employee to exonerate him/herself
- Gravity of the offence

c. Any of the following actions may be taken at the close of the investigations of a gross misconduct:

- Summary dismissal
- Termination of service
- Suspension
- Reduction in rank or seniority
- Stoppage of increment
- Withholding of increment
- Deferment of increment
- Severe reprimand
- Recovery of cost

NB- Suspension may be with pay, at half pay or no pay depending on the circumstances as listed in the Offences Schedule.

PROCEDURE FOR HANDLING GROSS MISCONDUCT

Where a report of a gross misconduct is brought to the attention of any Officer of the Company, the following procedure should be adopted: -

a. Written report detailing the following should be submitted to the HR by the Head of Department/Officer:

- The offence committed
- Date of the incident
- Time
- Location of the incident
- Witnesses (if any)
- Expected conduct

b. Written statements from the employee

c. Written statement from any witnesses

d. The HR department will immediately institute investigations into the matter and may involve any parties relevant to assist with the investigations

e. The HR department will issue out a show cause letter to the employee which may include suspension from duty for a period not exceeding 30 days. The employee is required to defend himself/herself at least within the next 48 hours upon receipt of the letter.

f. Employee(s) will be invited (not less than 3 days notice) to a disciplinary hearing and accorded the right to have another bonafide employee of his choice present during the hearing.

g. The disciplinary panel shall constitute of at least a representative from the HR Depart

ment and at least two people senior to the accused employee

h. Accusers and the investigators of the misconduct may be present during the hearing but will not form part of the decision making panel

i. Decision of the panel should be communicated to the employee within 7 days from the date of the hearing

j. All related records will be maintained by the HR Department

k. All correspondences must be in writing and where possible, acknowledged by the employee

l. Any employee who has been aggrieved by a decision made by the Management which he/she considers unfair to him/her has the right to appeal against such decision.

m. Appeals must be in writing and should conform to the appeals procedure as detailed in this policy.

LETTER OF ENQUIRY/ SHOW CAUSE LETTER

A show cause letter is not a sanction or punishment. It is an enquiry/opportunity granted to an employee to explain themselves on the issue in question, in writing within the next 48 hours of receipt, stating clearly why disciplinary action should not be taken against them.

The HR Department provides the letter to the employee. The time starts after the employee receives the letter. The employee may be asked to explain him/herself and defend against the allegations made by the management. Should the employee's response prove satisfactory, a letter to that effect would be communicated to him/her with a copy to the employee's file. Should the explanation prove unsatisfactory, the disciplinary process will proceed as per the procedure. The query, the employee's response and any other correspondences should be put in the employee's personal file.

Refusal to receive and acknowledge any official communication including a show cause letter constitutes an offence and aggravates the initial disciplinary issue.

Guidelines for the appeal procedure

(a). Appeals must be in writing and lodged within 7 days from the date of receipt of the action taken

(b). Any appeal received after the expiry of the above time limit will not be considered, unless there are acceptable reasons for their late receipt.

(c). The Company will respond to the employee in writing on the next course of action within 7 days from the date of receipt of the appeal

(d). Decision of the appeal committee will be communicated to the employee within 7 days from the date of the appeal hearing

(e). Heads of Departments appealing against any disciplinary action will appeal to the Board/Directors.

- (f). Other employees will present their appeal to the HR Department who will guide accordingly
- (g). The person who initiated the case shall be required to appear in person where necessary to present the facts of the case before the committee constituted to form an appeal hearing
- (h). At any stage during hearing, either party has the right to a brief adjournment on request.
- (i). Where a disciplinary action is reconsidered or withdrawal on appeal, no reference will be made to the case in future.
- (j). The decision of the appeal committee after considering the case and the earlier decision taken, will be final
- (k). The Company shall not entertain any appeal request until the letter advising on the final Management decision of the action taken on the prevailing case has been issued to the employee

Termination of service

This will be applied in cases of misdemeanor, which though serious, do not warrant summary dismissal. The employee will receive the contractual written notice or pay in lieu of notice in such circumstances.

The Management will adopt the same procedure required in dealing with issues of gross misconduct.

In all cases consideration must be given to the circumstances surrounding the situation and the decision should be arrived at fairly without any bias or prejudice.

Suspension

- (a). Suspension shall be imposed only in those disciplinary cases where the evidence of the offence is incomplete and where further investigations are required. In cases involving conclusive evidence of serious misconduct by an employee, suspension would be inappropriate.
- (b). An employee's Head of Department shall propose suspension to the HRM if he is satisfied that an employee has committed a serious offence against the Company.
- (c). The HRM will analyze the case and if appropriate, recommend suspension. The HRM may or may not grant an approval based on the facts at hand.

(d). In case of an approval, the HRM shall notify the employee in writing of his suspension setting out the grounds for the suspension. The suspension letter shall be copied to the HOD.

(e). An employee who has been suspended will not engage in any official duties or allowed access into the Company's premises during the period of suspension, unless directed by the Management. The suspended employee shall however leave his/her contact address with their Line Manager and /HR Department.

(f). Suspension from duty should not exceed 30 days and based on the circumstances of the matter, employee may be on either full pay, half pay or no pay during the suspension period.

(g). Investigation should commence immediately following suspension of the employee. Where investigation has been completed and no further action is contemplated, the suspension will be lifted and a letter of reinstatement communicated to the employee. On reinstatement, the employee shall be paid the salary due to them in full.

(h). Where the Company has failed to establish a case against the employee within the stipulated period, he shall be reinstated on duty and any with-held salaries be paid back to him for the period within which it remained unpaid. However, investigations will continue but shall not exceed thirty (30) days and relevant findings submitted to the HOD and HR Manager.

(i). Where an employee is suspended and the nature of the misconduct involves loss of company property or monies, the company may with-hold half of the employee's salary until the case is determined. The company may then recover equivalent of the loss from the employee's terminal benefits as surcharge.

Summary dismissal

Instant dismissal of an employee is recognized as a serious matter and will only take place in the event of gross willful misconduct even without the oral, first, second or the final warning having been given. This means that the employee leaves the Company's service immediately and is not entitled to any further salary/allowances from the date of dismissal.

An employee who is summarily dismissed will not be entitled to notice and service pay. The employee will however be entitled to all other monies, allowance and benefits due to him up to the date of dismissal in accordance with the law.

In all cases consideration, must be given to the circumstances surrounding the situation and the decision should be arrived at fairly without any bias or prejudice.

Surcharge

Where an employee negligently commits any of the following offences without satisfactory explanation to the Company, he/she shall be disciplined including surcharge for all or part of the amount involved.

- (a).** Failure to collect any monies owing to the Company of which the employee is personally responsible.
- (b).** Making or approving improper payments of Company Funds.
- (c).** Loss of Company property over which an employee has personal charge
- (d).** Misuse of Company's stores, vehicles, building material or other property or services provided for official purposes.
- (e).** Willfully committing the Corporation into unnecessary expenditure or liability.
- (f).** Cash shortages for by an employee on cash collected by an employee

The amount of surcharge imposed shall be recovered from an employee's salary in suitable installments or from terminal benefits.

An employee who is dissatisfied with surcharge imposed may appeal against the decision taken in accordance with the laid down procedures.

EMPLOYEE GRIEVANCE

The Policy addresses situations where employee(s) are aggrieved or discontented with work related issues that may adversely affect their morale and performance. It is the policy of the Company to encourage any employee with an issue to come forward and discuss verbally or in writing with their immediate supervisor who in turn, will be expected to attempt to resolve the issue within the quickest time possible. The aim is to settle the grievance as near to the source as possible in order to minimize problems at work and ensure a happy and productive working environment.

Procedure

Each employee is expected to consult first with his or her direct supervisor regarding any action, omission, occurrence or attitude expressed or implied by another employee, which is perceived as unfair or inequitable on the job. If a satisfactory resolution cannot be achieved with the immediate supervisor, the staff member should discuss the matter with the Head of Department/any other senior manager/HR.

Guiding Principles of the Procedure

- i.** Any grievance can either be presented orally or in writing to an employee's immediate supervisor / manager. In either case, they will be accepted and processed
- ii.** All employees have a right to raise a grievance with their superiors or managers without fear of victimization, discrimination or recrimination against them.
- iii.** Employees will be given a fair hearing by their immediate supervisor concerning any grievances or complaints that they have raised.

- iv. An employee has a right to be accompanied by a colleague of his/her own choice when raising a grievance or during a hearing.
- v. Grievances will be investigated and finalized within five (5) working days (where possible or within an extended period but not more than 1 month) and the complainant will be informed of the progress and the outcome in writing.
- vi. This procedure is an internal process of handling grievances/complaints and does not allow for any external representation.
- vii. All discussions, whether formal or informal, should remain confidential.
- viii. When the need arises and in serious cases, the company may choose to tape record the events/proceedings provided the employee is informed of this need.

The Informal Grievance Procedure

Majority of complaints are resolved in an informal way, making it unnecessary to raise them as a formal grievance. Where such informal grievances occur, the following procedure should be adopted:

- (a) If an employee has a complaint that involves colleague (s), they should first of all try to resolve the matter by a polite but direct approach to the employee or employees involved.
- (b) If the matter remains unresolved, the employee may request a meeting with their immediate supervisor who will investigate and try to resolve the issue. The meeting should be held within five (5) working days of the submission of the request.
- (c) Complaints should be resolved informally, through verbal discussion with the immediate supervisor
- (d) If the supervisor is involved in the grievance or if the employee has any reasons as to why the supervisor should not handle the case, the complaint should be reported to the Head of Department/any other senior manager/HR.
- (e) Where the grievance has been settled by the immediate supervisor, the supervisor will be required to submit a written note giving full details of the same to the HoD for the records.
- (f) If the action taken to resolve the grievance by the immediate supervisor is dissatisfactory or if there has been no progress in finding an acceptable resolution, the employee may proceed to the formal stage of the procedure.

Formal Stage:-

- (a) If the complaint has not been resolved at the informal stage and the employee chooses to proceed to the formal stage, the employee must do so in writing and the complaint will be addressed to the HoD and copied to HR Department. Names of witnesses should be submitted too.

(b) The employee must clearly set out in writing the nature of their complaint and the reasons why they are dissatisfied with the outcome of the informal stage. The employee should explain how they think it should be settled. Both the HoD and the HR Department should acknowledge receipt of the complaint in writing clearly indicating the date of receipt of the same.

(c) Should the complaint be against a named person(s), the HR department/HoD will give them a copy of the complaint too. The person will present a response in writing to the complaint within 48 hours giving names of any witnesses (if any).

(d) The HoD/HR should respond in writing, indicating time & place for a meeting to discuss the employee's issue. All relevant written information/evidence must be made available to all parties, at least 24 hours before the meeting. The meeting should be held within 5 days of receipt of grievance notification or from the date of receipt of the response.

(e) At each stage of the procedure the complainant will have the right to be accompanied by a colleague (another staff member of their own choice) during the meetings.

(f) All parties involved will be allowed to attend and make representations at the meeting. Witnesses may be called with prior notice. Meeting may be adjourned or decision deferred if further information is needed.

(g) After the meeting, the HoD will write to the employee within 3 days indicating any decision/action taken. If the complaint involved an individual, both parties will be given copies of the decision and a copy of the report sent to the HR Department.

(h) The complainant will have a right to appeal against the action taken.

Right of Appeal:

(a) If the employee chooses to appeal, he/she must submit in writing the grounds of the appeal under any of the following headings:

- The nature of any redress
- The findings of the hearing on a point of fact which is pertinent to the decision of the hearing.
- Failure to adhere to established procedure

(b) The appeals should be launched with the legal department within fourteen (14) days from the last date of the decision. The respective HoD, H.R representative and the General Manager/Head of Business Unit should be copied of the same

(c) Within 5 days of receipt of an appeal letter, the employee will receive an invitation to an appeal hearing with the head of legal.

(d) The HoD who had initially handled the matter will attend to present his/her findings and reasons for the decision.

(e) The appeal committee will consist of the Legal Representative, HR representative, the G.M, Head of Business Unit or any other persons appointed by the Directors for that purpose.

(f) The appeal Committee's decision may:

- Uphold all or part of the previous decision
- Not uphold the previous decision
- Substitute with an appropriate remedy

(g) Within 3 days from the date of the appeal hearing, the HR will communicate the decision to the employee in writing

(h) The decision at this stage will be final.

Exceptional circumstances

MGC appreciates that there may arise occasions where a small number of complaints may not be resolved informally, or even through the above procedures. Such circumstance may include:

i. It may not be practicable to raise the grievance with the immediate supervisor/Manager. This may be because the supervisor/manager causes the grievance

ii. The manager/director will not be available perhaps because of business travel, or other reason, to deal with the grievance with the urgency that it deserves.

In such circumstance, the grievance may be reported directly to the HRM or to any other senior manager.

iii. Where more than one employee lodges a complaint relating to the same issue, the complaints may be dealt with together in the interests of fair and consistent decision making.

EMPLOYEE DEVELOPMENT, TRAINING AND CAPACITY BUILDING

MGC HR Manual - **Section 6: Development, Training And capacity Building**
Rev: 00/2016

EMPLOYEE DEVELOPMENT, TRAINING AND CAPACITY BUILDING POLICY

Policy statement

In any organization the most important single resource is the people within it. There is an implicit expectation therefore that every organization concern itself with the development and the welfare of this vital resource without which the organization cannot achieve its set objectives. MGC recognizes the fact that the Human Capital is a resource that cannot be replicated and therefore needs to be developed on a continuous basis.

MGC is therefore devoted to developing the competence of its staff on an on-going basis. All training and development should be in line with the long-term strategic business requirements and should therefore be managed continuously to ensure maximum return on investment.

Training is not a privilege to be granted or withheld from employees, but should be undertaken after a critical appraisal of the company's needs in relation to its objectives, while taking account of the realistic aspirations of the employees.

Purpose/ Objectives of the policy

The purpose of this policy is:

1. To provide a framework for increasing the volume, quality and mix of the workforce in an organization in order to enhance quality of service and bridge identified gaps in applications of theory to practice.
2. To promote training and capacity building of its staff members to equip them with the necessary skills, knowledge, attitude and competence as a strategy for gaining competitive advantage in the various industries that the group has interests in.
3. Emphasize on demand driven and cost effective training that responds to the service delivery requirements and seeks to facilitate career growth.
4. Provide direction on how to plan, manage and coordinate training within the company.
5. Provide a framework for employee development plans relating to induction, training, promotions, acting positions and transfers.

Guiding Principles:

1. Selection of trainees shall be based on identified skill requirements and emphasis on performance improvement and training programs that address organizational and individual goals.

2. Promotions, acting capacities and transfers shall be availed to all qualified employees on merit basis.

3. There shall be instituted appropriate mechanisms to promote access, equity, quality and relevance in training to ensure adequate human capital.

Procedure and guidelines:

Training

(a) It is the responsibility of the management to develop the full potential of employees. Extent of accomplishment of this shall be an item during appraisal of the management team

(b) The HR office shall develop and maintain an annual training calendar detailing all areas its employees will be trained and develop individual employee's development plans which shall be subject to review every year to address human resource planning and manpower requirements

(c) Training shall be both in-house and external

(d) Organizational sponsored training opportunities will be managed by the Human Resource Department and shall be determined by availability of funds

(e) Approval of an employee's training program shall be done in consultation with the employee's immediate superior

(f) Training and development of employees shall be based on performance appraisal reports and shall support the achievement of organization's strategic objectives

(g) All employees shall be accorded equal training opportunities provided that the said training is relevant to the employee's job requirements

(h) Exceptional cases of full-time scholarship for long-term training shall be approved at the discretion of the management team and board of directors.

(i) Any employee sponsored by MGC to undertake an individual long-term training course shall be bonded to work for the Group for an agreed period after training, preferably three years but which shall be guided by the course sponsored and resource investment in consideration. An employee who breaches the bonding agreement shall refund the cost of training and any related expenses.

(j) Staff training and capacity building initiatives shall include but not limited to the following

- On job training
- Coaching and mentoring
- Support to continuous professional development
- Attendance to relevant workshops, conferences and courses
- Arrangement of flexible working schedules to allow an employee some time to participate in personal educational and personal development programs
- Job rotation
- Delegation of tasks
- Training organized by MGC

(k) All trained employees are expected to improve their performance within their job specifications and job execution and develop new ideas and innovations.

Training evaluation and follow-up

The line manager/ HoD in conjunction with the HR department will organize impact assessment programs based on the original training objectives. The post-training evaluation will assist in determining future training requirements.

Induction Training and Orientation

It is the policy of the Group to provide basic orientation to all staff on new appointments or who are taking on greater responsibility. This will further be supplemented by short familiarization tours and a briefing outlining the activities of the Company, policies, services, organization structure, employee's responsibilities to the Company, the Company's obligation to the employee, the salary and fringe benefits scheme, training opportunities and personnel rules and regulations. The new employee orientation will be a responsibility of the HR department and the employee's department.

Objectives of Induction programs:

Induction training is important to ensure that all the new employees get off at the right start. Objectives of an induction program will be:

- To create favorable attitudes towards the company, its policies and personnel, thereby instilling a sense of belonging and acceptability.
- Introduce employees to their new responsibilities
- Develop good relationships with other staff in their team thus enhancing corporate team spirit.

1.4.1.2. Training Needs Analysis

The Company will ensure that every training program follows a thorough analysis of training needs. This will be done through various methods, to ensure fulfillment of both the individual and the Company requirements. The activity will involve the individuals, line managers and the HR Department.

Heads of Departments, line managers and supervisors will carry out a skills analysis to identify individuals who may require training and also the skill gaps. The Heads of Department will recommend training areas to the HR department. After consideration and approval, the HR department shall proceed to implement the training in liaison with respective HOD'S.

Private/Self Selected Training

Staff may take the initiative of augmenting their self-development by pursuing relevant external courses.

Where possible and upon approval, flexitime may be arranged to coincide with the examination period allowing the candidate to prepare and sit for exams.

Employee Development

Where an employee has undergone successful training and skills upgrading, the following career development options may be initiated by the Company:

Promotions

It is the policy of MGC to encourage promotion of staff from within to the greatest extent possible. Posts that fall vacant may therefore be advertised internally first to give equal and fair chances to the existing and deserving employees.

Promotions will take into account academic credentials, past performance, relevant experience, competence and potential for development.

When promoted to a higher position, the employee will be subject to a period of probation of at least three months in the new position. The immediate supervisor or the line manager will provide adequate coaching, training and guidance to enable the employee succeed in their new role.

At the successful completion of the probationary period, the employee will be confirmed to the new position and the terms of employment may be reviewed.

Where the employee does not succeed in the new position, he/she will be reverted to a position of equal status to that from which he/she originally came.

Acting Appointments/Increased Duties

An employee may be selected to fill a position in an acting capacity when a position falls vacant, whether temporarily while the incumbent is on leave, or permanently, until recruitment of an employee or the return of the incumbent.

All acting appointments must be made in writing by the HR Department.

STATEMENT ON EMPLOYEES' RIGHTS

MGC HR Manual - **Section 2: Employees' Rights** - Rev: 00/2016

At Mini Group Of Companies, it is expressly clear that every employee has a right to:

1. Equal employment opportunity free of any form of discrimination;
2. Employment relationship free from forced labour/servitude
3. Be protected by the company against any form of harassment including sexual harassment at the workplace
4. Duty of care in regards to safe working practices, safe working environment free from possible hazards, safety trainings, safety information and free provision of personal protective equipment (as scheduled) relevant to the type of work undertaken
5. Be issued with a letter of appointment if the terms of employment so requires
6. Be issued with a permit to work if required to undertake dangerous or hazardous work situations;
7. Be adequately supervised or must have sufficient training if required to handle machines or undertake work in hazardous situations;
8. Prompt feedback on his/her performance by the immediate supervisor & agree on acceptable minimum targets
9. Provision of wholesome drinking water;
10. Periodical medical examination and treatment if exposed/affected by occupational diseases at company's expenses;
11. Adequate, clean and hygienic sanitary provision separate for both gender
12. Sitting and rest facilities for employees whose work involves standing for long hours
13. Free and fair hearing if suspected of misconduct prior to any disciplinary action being taken & be accompanied by a representative/witness of his/her choice in any disciplinary hearings
14. Right of appeal against disciplinary action taken or decisions related to any grievance action
15. Be granted one rest day after every six continuous working days
16. Be entitled to annual leave of not less than 26 working days with full pay for each twelve continuous months of service

17. Maternity leave of 3 months plus annual leave with full pay for regular female employees
18. Paternity leave of 14 calendar days with full pay for regular male employees per calendar year
19. Entitled to sick leave of not less than 30 days with full pay and a further 15 days with half pay after 2 months of continuous service with the company per anniversary year
20. Join or not to join a union if the terms of such category of employee so allows
21. Protection from harassment or termination on account of being a member or official of a trade union
22. Protection from harassment or termination on account of being pregnant
23. Entitled to a housing allowance or a consolidated gross salary as per the appointment letter
24. Itemized pay slip or details of wages computation for their wages/salaries
25. Has a right to lawful deductions including statutory deductions from his salary
26. Certificate of service upon separation subject to having served in aggregate of a full month
27. First aid services in case of accident and update information of action taken to correct future occurrence
28. Occupational insurance cover for injuries or illnesses
29. Medical insurance cover as per the Group's policy
30. Reasonable coaching, training, guidance, supervision, counseling, professional, moral or psychological support by management and team members as necessary
31. Understands that both parties to the employment contract have a right to terminate the contract of service by giving notice or offer contractual payment in lieu of the notice period. This however does not prejudice the Company's right to dismiss an employee without notice on lawful grounds.
32. Severance pay of not less than 17 days for each complete year of service if termination is on account of redundancy

33. Mandatory membership to retirement benefits scheme as provided by the Government and/or the Company's Scheme

34. Report to the management areas he/she is not happy with, or can make suggestions for improvement within the company.

EQUALITY, DISABILITY, DIVERSITY AND FAIR LABOUR PRACTICE

MGC HR Manual - **Section 3: Equality And Fair Labour Practices** - Rev: 00/2016

POLICY ON EQUALITY, DISABILITY, DIVERSITY & FAIR LABOUR PRACTICES

Being an employer committed to diversity and equality at the workplace, MGC recognizes that its success depends on creating a working environment which supports the diverse make-up of its staff through fair labour practices.

The Company:

I. Is committed to helping its employees fulfill their potential at work whilst finding the right work/life balance through flexi-time, day off(s) and leave days.

II. Will promote equal opportunity and protection against discrimination for all employees in all aspects of employment either in recruitment, Training & Development, Restructuring & Redundancy, Redeployment, the performance management, remuneration opportunities, hours of work, disciplinary and grievance procedures.

III. Takes all claims of discrimination (including on grounds of gender, ethnicity, religion, creed etc) very seriously and encourages individuals to report such cases to the Management for appropriate action. Such reports will be treated with utmost confidentiality.

IV. Prohibits, and complies with laws prohibiting acts of sexual harassment or any form of harassment in the workplace.

V. Will not engage in any acts of unfair labour practices including the use of any form of child labor, forced labor, nor support the use of corporal punishment, mental or physical coercion, or verbal abuse.

VI. Shall comply with applicable industry standards relating to work hours and payment of wages.

VII. Will comply with all applicable laws relating to Persons with Disabilities and HIV/Aids at the Workplace.

VIII. May undertake periodic staff survey in order to gain the views of all employees that will include a section on diversity, disability, the working environment and fair labour practices. The Group will use the information from the Staff Survey to measure its record on meeting our aims as regard this policy.

IX. Through its Management, will exhibit leadership on equality, diversity and fair labour practices and will act as overall champions to ensure the policy is implemented.

X. Will ensure effective communication of this policy and gain commitment from all existing and new employees.

XI. Take appropriate action (including dismissal from employment) against any staff member who breaches any provisions of this policy.

FIRE SAFETY

MGC HR Manual - **Section 20: Safety, Health & Environment** - Rev: 00/2016

Policy Statement

MGC fully recognizes the importance of protecting all persons within the Group from risks of fire. thus the greater need to implement this fire safety policy. This Fire Safety Policy is intended to protect and safeguard all employees, Contractors, Visitors, Our businesses, the Community and activities falling, to any extent, under the MGC's control. Due to its importance, this Policy forms part of MGC's Safety, Health and Environment Policy. Competent persons within the Group shall be mandated to set down the framework by which this policy is to be implemented.

Particularly, MGC commits to:

- a)** Comply with all stated and implied statutory duties relating to Fire Safety Laws and Regulations
- b)** Make Fire Safety an integral part of all our business planning, including projects at design stages, and of equal importance with all our other key operational and strategic objectives
- c)** Conduct our business in line with recognized Fire Safety Procedures
- d)** Communicate to all persons involved with this Policy of any relevant changes to MGC's fire safety procedures
- e)** Institute procedures, controls including regular audits of our operations to monitor compliance and identify areas of improvements relating to Fire Safety
- f)** Prepare a suitable and sufficient fire emergency plan which will be constantly reviewed and practiced by conducting regular fire drills
- g)** Establish and maintain fire emergency response team and equip them with adequate inductions, trainings, skills, tools and equipment to avert and combat all fire related incidences.
- h)** Post workplace information relating to fire safety at conspicuous locations.
- i)** Enhance our capacity in fire protection by actively engaging other stakeholders in the development of mutual aids and response capabilities
- j)** Regularly sensitize staff through employee inductions, education and trainings to create even more awareness on issues relating to Fire Safety
- k)** Sensitize all Contractors, Visitors and Dealers regarding our Fire Safety standards and practices and to foster their commitment to support our Programs.

- l)** Ensure that persons required to undertake all non-routine work that has potential to jeopardize our Fire Safety are granted written Permits To Work (PTW) from authorized personnel.
- m)** Ensure that incidences relating to Fire Safety are conclusively investigated and records relating to the findings and corrective actions properly maintained
- n)** Prohibit the handling, use or distribution of potentially hazardous substances that poses danger to Fire Safety which includes smoking at non designated areas.
- o)** Undertake to maintain our housekeeping standards in a manner that improves our Fire Safety programs and procedures
- p)** Hold all Supervisory and Management staff responsible and accountable for their Fire Safety related performances besides their regular contractual obligations
- q)** Encourage, motivate, and support all employees to take personal initiatives and commitment to Fire Safety.
- r)** Continually enhance the commitment to improve and sustain our Fire Safety performance.

HIV AND AIDS IN THE WORK PLACE

MGC HR Manual - **Section 24: HIV & AIDS At The Workplace** - Rev: 00/2016

HIV AND AIDS IN THE WORK PLACE POLICY

Policy Statement

MGC recognizes the significant and delicate issues of HIV infection and AIDS pandemic for the workplace. The Group therefore supports the efforts to reduce the spread of the disease and its impact on people living with HIV/AIDS (PLWHA) and reiterates that it is important that all employees seek VCT services.

MGC will not discriminate against employees or job applicants due to their HIV status. The organization shall treat cases of people living with HIV/AIDS like any other medical condition that may affect employees.

Scope

The policy sets standards for managing HIV & AIDS at MGC. It applies to all staff members within the Company irrespective of their positions or terms of employment.

Interpretation of Terms

Affected : A person who is feeling the impact of HIV/AIDS through sickness or loss of a close person

AIDS : Acquired Immunodeficiency Syndrome

HIV : Human Immunodeficiency Virus; a virus that weakens the body's immune system causing AIDS

HIV Screening : A medical test to determine a person's sero status

Infected : A person who is living with the HIV virus

Peer Educator / Counsellor : A person who has received training in HIV/AIDS counseling and who is actively involved with infected and affected colleagues

Support : Services and assistance that are provided to help a person cope with difficult situations and challenges brought about by HIV & AIDS

Testing : In relation to HIV, includes:

(a) Any direct analysis of the blood or other body fluid of a person to determine the presence of HIV or antibodies to HIV; or

(b) Any indirect method, other than the testing of blood or other body fluid, through which an inference is made as to the presence of HIV;

VCT : Voluntary Counseling and testing; A process that enables people willing to know their sero-status to help them plan their lives and make informed decisions

Workplace : Occupational setting, station or place where workers spend time for gainful employment

Workplace Programs : An intervention to address HIV & AIDS specific issues within the workplace

General Guidelines

The following have been established to serve as the basis for handling employee situations and concerns related to HIV infection and AIDS :

- (a)** Job applicants may with their consent be required to undergo a HIV test but the information will NOT be used as part of the recruitment qualification process, rather the information is to be used for policy strengthening
- (b)** There shall be no obligation on the part of the employee to inform the organization on their HIV status. Disclosure will be on a voluntary basis.
- (c)** Where an employee has willfully opted to inform the organization his/her HIV status, confidentiality of employee medical status shall be observed
- (d)** Workplace education on HIV and AIDS may be conducted at least once a year to equip employees with information to enable them protect themselves from HIV and how to cope with HIV and AIDS at the work place
- (e)** HIV testing may be required with specific consent of the employee if ability to work is impaired by HIV related illnesses
- (f)** HIV infection or AIDS in itself does not provide the grounds upon which an employee shall be terminated
- (g)** Infected or affected employees shall be protected from stigmatization by other employees
- (h)** Any employee who stigmatizes a HIV infected or affected employee shall face disciplinary action
- (i)** Employees living with HIV and AIDS shall not be discriminated against any staff benefit including medical and other insurance related covers
- (j)** If an employee living with HIV and AIDS is too ill to work, the provisions under sick leave in the policy on leave of the Group's HR Manual shall apply.

Policy Objectives

Through increasing the awareness of the condition, and by promoting a culture which is empathetic to those who suffer from the effects of the condition, the Company seeks to achieve the following:

- i. To protect the rights of all employees infected with the virus
- ii. To protect the rights of employees who are not infected with the virus
- iii. To limit the effect of the spread of the virus by educating and creating awareness amongst the employees on HIV/AIDS
- iv. To eliminate the unrealistic fears and prejudices relating to the condition and spread
- v. To protect the interests of the Company in limiting the impact of the condition
- vi. To effectively monitor and evaluate the effectiveness of the measures taken to manage the condition and its effects on the workplace.
- vii. To streamline HIV & AIDS activities at MGC
- viii. To provide guidelines in caring for staff who may be living with the virus
- ix. To encourage voluntary HIV testing

The Company recognizes the threat posed to both the health of employees and the interests of the Company by the Acquired Immunodeficiency Syndrome (AIDS). In so doing the Company is committed to the promotion of awareness of the condition amongst all employees, and the provision, where reasonably possible, of support and assistance to those who have been infected and affected with the Human Immunodeficiency Virus (HIV).

While the Company is sensitive to the plight of employees living with the virus, it is also acutely aware of the adverse consequences to the Company.

The Company has therefore identified the following areas where adverse effects may be experienced:

- (a) Recruitment and Training;
- (b) Employee Benefits;
- (c) Absenteeism, attendance and productivity;
- (d) Promotions and Affirmative Action;
- (e) Succession planning
- (f) Safety and health

GUIDING PRINCIPLES

a) Recognition of HIV & AIDS as a workplace issue

HIV & AIDS is a workplace issue and should be treated like any other serious illness/condition at the workplace. This is necessary not only because it affects the workplace but the workplace, being a part of the local community, has a role to play in the wider struggle

b) Recruitment & Promotion

The Company does not take into consideration the HIV/AIDS status of an applicant when recruiting or promoting. It does not require, whether directly or indirectly, any person to undergo any form of testing for HIV as a precondition to the offer of employment.

c) Eligibility for employee benefits

The HIV status of an employee shall not affect his / her eligibility for any benefit schemes provided for within the Company.

d) Sick leave in relation to HIV/AIDS

Sick leaves will be provided as per the Company's guidelines on the same.

e) Job status and training

An employee shall not be discriminated against or prejudiced in relation to any trainings or change of position on the basis of his/her HIV status.

f) Working Hours

Normal working hours will apply to all staff. However, flexible/humanitarian approach may be applied to those infected or affected.

g) Termination of employment

Policies and procedure relating to termination of services within MGC will apply to all staff. No employee shall be terminated/dismissed based solely on perceived or actual HIV status.

h) Stigmatization

Employees shall not refuse to work or interact with fellow colleagues on the grounds that the latter is affected or perceived to be infected. Employees who behave as such shall be warned that such conduct is unreasonable and that their behavior may place his or her own job in jeopardy. Action will be taken in accordance with the Company's Disciplinary procedures

i) Confidentiality

The Company recognizes the sensitive issues that surround HIV/AIDS and therefore undertakes to handle matters in a discreet and private manner. Whilst the maintenance of strict confidentiality regarding the HIV/AIDS status of an employee is of paramount

paramount importance, the Company encourages employees to be open about their status. In so doing the management is then able to proactively assist the employee. Where an employee has revealed their status to management, the Company will keep the identity of the person confidential. Access to personal data relating to any employee's HIV status shall be bound by the strictest rules of confidentiality consistent with all medical ethics.

j) Care & Support

Solidarity, care and support should guide the response to HIV & AIDS at the workplace. The Company will treat any staff member living with the virus with empathy and care. Consequently it will provide reasonable assistance, which may include reasonable time off, sick leave, information regarding the virus and its effect including professional counseling and voluntary testing.

k) Performance Management

The Company accepts the rights of employees suffering from the condition but it also recognizes the significant adverse effect on the performance of the Company. Where the performance of an employee living with the virus is adversely affected, the Company reserves the right to address the problem as if it were an incapacity/ ill health matter. If an employee is unable to perform his/her tasks adequately, the manager or supervisor must resolve the problem according to the relevant Company's procedure on Performance Management. The action taken should take into consideration the employees' physical condition, the nature of his/her job and all alternatives (including deployment to less taxing duties). Consideration to retire the employee on medical grounds incase the condition deteriorates further should be the last resort.

l) Education & Awareness

The Company endeavors to educate its employees about HIV/AIDS on issues which include, but are not limited to, the following:

- What is HIV/AIDS;
- How the virus is contracted and prevented;
- What the cause of HIV is;
- The effect of the virus on the workplace;
- Management of the condition;
- The Groups' policy and procedure for dealing with HIV/AIDS.

The Human Resources Department shall be responsible for continuous and regular sensitization on aspects related to HIV/AIDS and may provide information and educational materials. Supervisors and managers are encouraged to contact the Human Resources Department for assistance in providing employees with information and assistance.

Employees within MGC are informed that there is no risk of contracting the virus through casual contact in the work environment. Notwithstanding this, the Company and all its employees, are required to take all reasonable precautions to prevent the spread of the

disease to others.

j) Testing

The Company does not require the testing of employees for HIV/AIDS in any of its employment practices. The Company may make arrangements for appropriate facilities for employees who wish to be tested voluntarily. With the request and written consent of the employee, the Company may arrange for the employee to receive pre-test and post-test counseling as well as an HIV/AIDS test. The results of the HIV/AIDS test, if disclosed voluntarily by the employee, will be treated confidentially.

2.0 HIV & AIDS WORKPLACE PROGRAMMES

To ensure that the policy is widely disseminated and monitored, the Company may adopt either of the following programs and strategies:

a) Peer Education

To ensure effective communication and implementation of this policy, the Management may incorporate Peer Education programs within MGC. Peer educators will be drawn from across the Group companies and shall undergo intensive trainings on Counseling and management of HIV/AIDS programs at the workplace.

b) Information, Education & Communication

The Company will place relevant materials relating to HIV & AIDS for ease of reference to all the employees at easily accessible points.

c) Promotion of attitude and behavior change.

The company will endeavor to facilitate workshops, sharing experiences, seminars and peer education aimed at sensitizing attitude and behavior change.

d) Trainings

The Company shall incorporate HIV & AIDS awareness as part of its core trainings to all its employees. Employees will be sensitized on HIV & AIDS during induction and/or in the course of their employment with the Group.

e) Preventive Programs

Employees will receive sensitization on use and access of condoms and the demystification of myths relating to condoms.

f) VCT (Voluntary Counselling & Testing)

The company may organize appropriate facilities for voluntary counseling and testing services leading to comprehensive care services, networking and partnering with other VCT centres and hospitals for referrals.

INDUSTRIAL ATTACHMENT AND INTERNSHIP POLICY

MGC HR Manual - **Section 6: Development, Training And capacity Building**
Rev: 00/2016

INDUSTRIAL ATTACHMENT & INTERNSHIP POLICY

1. Policy Statement

This policy sets out principles and guidelines for industrial attachment and internships at MGC and will outline the purpose of industrial attachment and/or internship, specific objectives, the main activities and responsibilities of the key players.

MGC will provide attachment/internship opportunities to students who as, part of their educational programs require practical work experience.

2. Policy Objectives

Industrial attachments and internship programs are meant to offer students from different institutions of higher learning real life experience in corporate/business set ups.

The following will be considered as key objectives of this program:

- i.** Improve quality of the students' skills to make them more relevant to the labour market by providing them with an opportunity to have an insight into the practical application of their theoretical knowledge
- ii.** Sensitize students on safety and health aspects of workplace setting while sharpening their interpersonal skills
- iii.** Establish a permanent and effective employment pool to MGC.
- iv.** Create a bridge between the world of study and the work place for young professionals
- v.** Realize MGC's vision of capacity building by empowering young people to gain experience and prepare themselves for the labour market.

Guiding Principles

For this program to be effective, the following guide should be applied:

- Internship will be offered in line with MGC programs and activities;
- A restricted number of students will be allowed at the Company for a specific period of time taking into account considerations of space, mentorship and equipment;
- Where there are many students seeking for internship, a short list and interviews of candidates shall be conducted by the respective Heads of Department with assistance from Human Resources Department;
- Interns will be assigned to relevant Head of Department /manager for supervision throughout the internship period.

3. Requirements for Attachment at MGC

- i.** Applicants should either be continuing students or those who have completed the mandatory course in the relevant field.
- ii.** Applicants should be pursuing/have pursued a vocational training, certificate, diploma or degree course.

- iii. Each application should be accompanied with a supporting letter from the respective educational institution.
- iv. For a continuing student, placement form from National Industrial Training Authority (NITA).
- v. The initial period of internship should be a minimum of 12 weeks i.e. 3 months and may be renewed upon request either by the student or the sponsoring institution.
- vi. Student's insurance cover for work injuries/illnesses for the entire period of the attachment/internship
- vii. National identity card/passport copy and two passport size photographs

4. Application Procedure

- All applications for industrial attachment be addressed to the Department/Human Resource department.
- The H.R department will liaise with the departments to arrange for the attachment/internship
- H.R Department, upon confirmation of availability of attachment/internship space and relevant documentation, will issue an acceptance letter to the institution with a copy to the Head of Department and to the student.
- The department head will then prepare a formal training program in readiness for the student's arrival.
- The Trainee will be deployed in the respective department, supervised to ensure that they are exposed to the relevant areas as per the training schedule.

Obligations

1. The Company – It is the responsibility of the company to:

- To make available places and tools for the students.
- To expose the trainees to scheduled activities during the attachment/internship.
- To effectively supervise and assess progress of the trainees in collaboration with the sponsoring institutions.
- Ensure the academic logbook of the students are promptly completed.
- Follow up for completion of relevant forms as per NITA requirements.
- To ensure that the interns are aware of their rights, obligations and responsibilities;
- To ensure that professional competencies of the intern are enhanced by allocating the intern relevant assignments to their interests and area of study.

2. The Students – It is the responsibility of the trainee:

- Present all the required documentation to facilitate the attachment/internship.
- To comply with the Company's Code of Conduct and regulations.
- Demonstrate interest in the attachment/internship by devoting their time and effort through out the course period.

- Ensure the academic logbook is promptly updated and checked by the relevant supervisor
- The Intern shall organise her/his own work-permit where applicable.

Evaluation of Attachment/Internship Programme

- Upon completion of programme, the trainee/attaché will submit a brief report about their experience at the company and provide ideas/suggestions that may help improve future programs
- The Departmental Head/Supervisor will evaluate the intern's performance using the Trainee Performance Appraisal Form.
- A copy of the completed Performance Appraisal Form and confidential report will be forwarded to the relevant college/university.
- The student's records will be kept and maintained in the industrial attachment file for future reference
- Where a successful student is employed by the Group, all relevant records during their time of training will be transferred from their attachment/internship file to his/her personal file.

Compensation during the Industrial Attachment period

Compensation during the industrial attachment period may be considered at the discretion of the Management.

Disclaimer

At no point shall any intern/student on this program be deemed to be on a contract of services with the Company or entitled to the accruing benefits of employment unless he/she has been confirmed as an employee of the company in writing.

SAFETY, HEALTH AND ENVIRONMENT

MGC HR Manual - **Section 20: Safety, Health & Environment** - Rev: 00/2016

SAFETY, HEALTH & ENVIRONMENT POLICY

Policy Statement

MGC is committed to ensuring that workstations and sites are safe and environmentally friendly for staff, customers and the public at large. Implementation of this Policy is a key management objective and the responsibility of all employees.

Competent persons within the Group shall be mandated to set down the framework by which this policy is to be implemented. They shall endeavor to put in place appropriate measures for identifying and mitigating against potential and real occupational hazards while ensuring sustainable development.

The Company:

- Will comply with all stated and implied statutory duties relating to Safety, Health & Environment
- Regards safety, health & environment (SHE) as integral aspects of its core business activities including projects in their design stages and incorporates SHE matters as a regular agenda item in all its operations at all administrative levels
- Has in place key competent personnel who will assist in meeting the statutory duties including, where appropriate, involvement of specialists from outside the organization
- Will manage its operations in a manner that promotes safety, health and environment programs
- Ensure that facilities, processes and systems of work are designed to take account of safety and health of all persons including persons with disabilities.
- Institute procedures, controls including regular audits of its operations to monitor compliance and identify areas of improvements relating to safety, health & environment.
- Develop emergency response plans for potentially risky or hazardous situations including first aid and evacuation procedures
- Regularly sensitize staff through employee inductions, education and trainings to create even more awareness on issues relating to Safety, Health & Environment
- Will require that persons issued with appropriate tools and or Personal Protective Equipment (PPE) relevant to the need correctly use the same as required
- Contractors will be required to operate within legislative requirements using best practices and following MGC's policies and procedures regarding Safety, Health and Environment

- Ensure that persons required to undertake work in hazardous situations are granted written Permits To Work (PTW) having regard to all safety, health and environment aspects of the work to be done
- Will ensure that incidences relating to safety, health and environment are conclusively investigated and records relating to the findings and corrective actions properly maintained
- Prohibits the handling, use or distribution of unauthorized drugs or substances which includes smoking at non designated areas and communicates this to all persons involved in its business
- Will undertake to maintain its housekeeping standards in a manner that allows effective execution of safety, health and environment procedures
- Is committed to using natural resources in the most cost effective, efficient and environmentally sustainable manner with special respect to energy use.
- Is committed to continually prevent/reduce pollution at the source wherever and whenever possible.
- Implement environmentally friendly programs for the acquisition, handling, transportation, segregation, storage, utilization and disposal of waste materials or potentially hazardous items
- Hold all Supervisory and Management staff responsible and accountable for their SHE related performances besides their regular contractual obligations
- Ensure provision of adequate and hygienically maintained washroom facilities for both gender, and made easily accessible for all persons needing such services
- Encourage, motivate, and support all employees to take personal initiatives and commitment on Safety, Health & Environment programs

SEXUAL HARASSMENT

MGC HR Manual - **Section 14: Sexual Harassment Policy** - Rev: 00/2016

SEXUAL HARASSMENT POLICY

Policy statement

MGC is committed to providing a safe and productive work environment and considers any form of sexual harassment unacceptable.

Scope

The policy applies to all employees (regular and temporary staff), job applicants, partners, consultants, trainees/interns, contractors/sub-contractors, agency staff, clients, suppliers and service providers under a contract with the Company.

This policy caters equally for both male and female and provides all employees, who are victims of sexual harassment, a means of redress. The victim can be of the same sex as the harasser.

Non employees who are sexually harassed by Company staff, may lodge a grievance with the company in accordance with this policy, where the harassment has taken place in the workplace or during the course of the harasser's continued employment with the Group.

Definition of Sexual Harassment

Any unwelcome sexual advance, request for sexual favors, or verbal, written or physical conduct of a sexual nature by a manager, supervisor, co-workers or non-employee (third party).

Sexual harassment should not be confused with employees flirting with each other, or becoming involved in a romantic or sexual relationship, where the relationship is consensual, welcome and reciprocated. If one of the parties changes his/her mind, and the other person persists in trying to continue the relationship or conduct, it becomes harassment. Previous consensual participation in sexual conduct does not necessarily mean that conduct continues to be welcome.

Forms of Sexual Harassment:

Quid pro quo : Where a manager/supervisor or a person of authority gives or withholds a work-related benefit in exchange for sexual favors. Typically, the harasser requires sexual favors from the victim, either rewarding or punishing the victim in some way. This may include or attempting to influence the process of employment, promotion, demotions, training, discipline, transfers, separation from employment, salary review or any other benefits in exchange for sexual favours

Hostile environment : Happens when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, sexual teasing, innuendoes, touching, unacceptable body contact, making or posting sexually demeaning or offensive pictures/videos,

cartoons or other materials in the workplace or other conduct of a sexual nature which creates an intimidating or offensive workplace.

Physical contact : e.g touching, grabbing of a sexual nature, patting, pinching or constant brushing against another's body, sexual assault and rape, a strip search etc

Verbal forms : e.g insensitive jokes, abuse, pranks, proposals, suggestions and hints, sexual advances and persistent requests for social activities (after it had been made clear that such requests are unwelcome), flirtations, sex related jokes or insults or unwelcome graphics, comments about a person's body made in their presence or directed towards them, unwelcome and inappropriate enquiries about a person's sex life, unwelcome whistling directed at a person or group of persons (e.g wolf whistling).

Non verbal forms : e.g unwelcome gestures, indecent exposure, and the unwelcome display or sending by electronic means or otherwise of sexually explicit text, suggestive pictures or messages and objects, giving gifts or leaving objects that are sexually suggestive.

RIGHTS OF THE PARTIES

Rights of the aggrieved party

The aggrieved party has the right to:

- File a complaint and have it dealt with promptly, without fear of embarrassment or reprisal
- Have another fellow employee of their choice accompany them during the process
- Have the record of the complaint placed on their personnel file, whether the complaint was made in good faith or not
- Be informed about the progress of the complaint
- Be informed of the type of corrective measures taken from the complaint
- Receive fair treatment
- Not to be victimized or retaliated against for lodging a complaint of sexual harassment

Rights of the alleged harasser

The alleged harasser has a right to:

- Be informed of a complaint
- Be given a written statement of the official allegations, and to respond to it
- Have the record of the complaint placed on their personnel file, where the complaint was investigated and established as untrue
- Have another fellow employee of their choice accompany them during the process
- Be informed about the progress of the complaint
- Receive fair treatment

Unsubstantiated Complaints

If a person files a harassment or complaint that is not supported by evidence gathered during the investigation, that complaint will be dismissed and record appropriately. As long as the complaint was made in good faith, there will be no penalty to the aggrieved party. However, in the event that the complaint was made in bad faith, the person filing the complaint had no basis and deliberately and maliciously filed a complaint, that person will be subjected to the disciplinary procedures in accordance with this policy.

Confidentiality

The company will not disclose an aggrieved party's or alleged harasser's name, or any circumstances related to a sexual harassment, to anyone, except as necessary to investigate the complaint or take disciplinary action related to the complaint or as required by law.

Management's Responsibility

(a) Create awareness of conduct that may be construed as sexual harassment, for example, during related training programs

(b) Act upon all complaints to ensure they are resolved quickly, confidentially and fairly

(c) Take disciplinary action against managers/supervisors who become aware of sexual harassment within their areas of responsibility and do not institute appropriate action to such behavior

(d) If the allegation is determined to be credible, the Management will take immediate and effective measures to end the unwelcome behavior. The Management is committed to institute investigations if it learns of possible sexual harassment, even if the individual does not wish to file a formal complaint.

(e) The HR Office should be the main contact point for questions or concerns about sexual harassment. HR has the responsibility for overseeing investigations of alleged sexual harassment and will assist Management in the commitment to ensure that all investigations of sexual harassment are conducted in a prompt, thorough, and impartial manner.

(f) Heads of departments, supervisors and other responsible department officials who observe, are informed of, or reasonably suspect incidents of possible sexual harassment must immediately report such incidents to HR, who will either initiate or provide guidance and oversee a prompt investigation. Failure to report such incidents to HR will be considered a violation of this policy and may result in disciplinary action. HR will provide guidance as needed on investigating and handling the potential harassment. Management should take effective measures to ensure no further apparent or alleged harassment occur pending completion of an investigation.

(g) Management will also take the necessary steps to protect from retaliation those employees who in good faith report incidents of potential sexual harassment. It is a violation of both the law and this policy to retaliate against someone who has reported possible sexual harassment. Violators will be subject to disciplinary action.

Employees' Responsibilities

(a) Personal responsibility for applying the Company's policies and for behaving in a considerate and respectful way to each other.

(b) Any employee who believes he or she has been the target of sexual harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop.

(c) If the employee does not wish to communicate directly with the offending person, or if such communication has been ineffective, the employee may lodge formal complaint with the Management as soon as is reasonably possible.

(d) Employees must fully participate in the investigations including co-operating with the Officers investigating the matter, record statements as required and appear for further interrogation when called to do so

(e) Where sexual harassment offence is committed by the employee's manager/supervisor, the employee may lodge his/her claim through the whistle-blowing channels or with HR or Legal office.

Complaint procedure

Informal Remedy

- Employee to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop
- Request a manager or a member of the HR Department to, on their behalf, approach the alleged harasser informally, and explain the conduct is unwelcome, offends the aggrieved person or interferes with his/her work
- Manager or the H.R representative to approach the alleged harasser without revealing the identity of the complainant, and explain to the harasser that certain forms of conduct constitute sexual harassment, are offensive, unwelcome, make employees feel uncomfortable and interferes with their work.
- The aggrieved person should keep written accounts of any instances of harassment including the date, time and nature of the incident, names of those involved and any witnesses.

Formal Remedy

Where the informal process fails to stop an alleged harassment, or if an aggrieved person wishes to directly lodge an official complaint, a formal report should be filed.

Complaint in writing

Incidences must as soon as possible, but preferably within 7 days from the date of the occurrence, be reported orally or in writing to the aggrieved person's supervisor, any manager in whom the aggrieved person has confidence, or the H.R Manager.

- The complaint should state:
 - o Name of the alleged harasser
 - o Nature of the harassment

- o Dates, times and place when the harassment occurred
- o Names of witnesses to the harassment
- o Any action already taken to stop the harassment

Investigation procedure

- i.** The complaint will be thoroughly investigated by a suitable person, who will interview the aggrieved person, the alleged harasser and any other witnesses.
- ii.** All employees have a responsibility to co-operate in such investigations.
- iii.** All parties involved are bound to the strictest confidentiality regarding the identity of the aggrieved person, the alleged harasser, the contents and the circumstances of the complaint.
- iv.** The investigator will submit a written report to the H.R Manager. The investigator will recommend whether, on a balance of probabilities, there is sufficient evidence to indicate that harassment has occurred.
- v.** The investigator will also identify possibilities for resolving the situation and will recommend one or more courses of action.
- vi.** The H.R Manager in consultation with the Department head, will decide what remedies will be provided to the aggrieved party.

Note: Failure to prove a case of harassment is not equivalent to a false allegation.

Sanction provision

Management shall:

- Take effective measures to ensure no further apparent or alleged harassment occur pending completion of an investigation
- Also take the necessary steps to protect from retaliation those employees who in good faith report incidents of potential sexual harassment.
- Ensure sexual harassment offenders do not continue with the same offence after any disciplinary action has been taken against them

Penalties

Management takes sexual harassment seriously and therefore expects all employees to understand the MGC policy provisions as well as the provisions under the current government legislation on Sexual harassment.

Proven incidences of sexual harassment and false accusations will be immediately dealt with by the Management.

Disciplinary action may range from a letter of reprimand (verbal or written admonishment) through suspensions of varying lengths and may include summary dismissal where the particular incident is considered gross misconduct and even involve reporting the matter to the Police.

Appeal Procedure

Should there be any dissatisfaction regarding the decision and action taken, both parties have the right to appeal in accordance with the Company's Disciplinary Procedures.

WHISTLE BLOWING

MGC HR Manual - **Section 16: Conflict of Interest** - Rev: 00/2016

WHISTLE BLOWING POLICY

Policy statement

Whistle blowing is the confidential disclosure by an individual of any concern encountered in the workplace relating to a perceived wrongdoing. The Group considers such wrongdoing to include but not limited to:

- General malpractice – such as immoral, illegal or unethical conduct, miscarriages of justice and unfair practices
- Health and safety risks, including risks to the public, to self as well as other employees.
- The unauthorized use of company funds.
- Possible fraud and corruption.
- Sexual, physical or any form of abuse and or harassment
- Conflicts of interests
- Actions which are unprofessional, inappropriate or conflict with a general understanding of what is right and wrong

Scope of the policy

The policy applies to all employees (regular and temporary staff), partners, consultants, trainees/interns, contractors/sub-contractors, agency staff, clients, suppliers and service providers under a contract with the Group.

Objectives

- To encourage employees to feel confident in raising concerns and to question and act upon concerns about malpractice.
- To provide avenues for employees to raise concerns in confidence and receive feedback on any action taken.
- To ensure that employees receive a response to their concerns and that they are aware of how to pursue them if not satisfied
- Consultation goes to the heart of the Group's culture, and avoids an individual having to resolve a difficult ethical situation alone.
- To reassure employees that they will be protected from possible reprisals or victimization if they have a reasonable belief that they have made any disclosure which is in MGC's interest.

Fundamental elements of this policy

(a) An important aspect of accountability and transparency is a mechanism to enable all individuals to voice concerns internally in a responsible and effective manner when they discover information which they believe shows malpractices. Staff should in the first instance consider consulting their normal reporting channels

(b) If uncomfortable about raising the matter through the Group's normal reporting channels they may want to seek assistance from this whistle blowing policy by adopting the anonymity approach.

(c) Anonymity: Normally individuals should make disclosures internally. The identity of the whistleblower will be protected at all stages in any internal matter. While the Group can provide internal anonymity, it cannot guarantee this will be retained if external legal action flows from the disclosure. The Group will not be accountable for maintaining anonymity where the whistleblower has told others of the alleged misdemeanor.

(d) Whilst the firm encourages whistleblowers to identify themselves, anonymous calls will nevertheless be taken seriously and investigated fully. However, the effectiveness of any whistle blowing enquiry may be limited where an individual chooses not to be identified.

(e) The whistle blowing policy is fundamental to the Group's professional integrity. In addition, it reinforces the value the group places on staff to be honest and respected members of their individual professions. It provides a method of properly addressing bona fide concerns that individuals within the group might have, while also offering whistleblowers protection from victimization, harassment or disciplinary proceedings.

(f) It should be emphasized that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the group nor should it be used to reconsider any matters which have been investigated under the harassment, grievance or disciplinary policies and procedures.

(g) Supervisors or Heads of department cannot use the whistle blowing policy to address concerns of misconduct or poor performance by the employees under them.

(h) All employees are protected from victimization, harassment or disciplinary action as a result of any disclosure, where the disclosure is made in good faith and is not made maliciously or for personal gain. Where disclosures are made in the public interest, staff will have statutory protection as provided by the mandated statutory body.

(i) Any disclosures will be investigated fully including interviews with all the witnesses and other parties involved.

(j) Important to note on this policy:

- Staff must believe the disclosure of information is in the MGC's interest.
- Staff must believe that the information provided must be substantially true.
- Staff must not act maliciously or make false allegations.
- Staff must not seek any personal gain.
- Staff Must not use this channel for personal vendetta i.e. for retaliation

NB. Other procedures are available to employees e.g. the Grievance procedure which relates to complaints about your own employment. This policy also does not replace other corporate complaints procedures which are for public use.

Management's responsibility on the policy

(a) The Group recognizes that the decision to report a concern can be a difficult one to make. If made in good faith, individuals should consider such as responsibility to their employer.

(b) Management will not tolerate any harassment or victimization (including informal pressures) and will take appropriate action to protect employees when they raise a concern which is in MGC's interest.

(c) All concerns will be treated in confidence and every effort will be made not to reveal an employee's identity if they so wish. At the appropriate time, however, they may be called upon as witnesses. Management however encourages employees to put their name to their concern whenever possible.

Process for dealing with whistle blowing disclosures

- As a first step, an employee should normally raise concerns with his/her immediate supervisor/manager or any other superior. This may depend, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach a more senior level of management within the Group.
- Concerns can also be made through a confidential call or in writing to the persons in charge or to the Human Resource department.
- The whistleblower should make it clear that they are making their disclosure within the terms of the Group's whistle blowing policy. This will ensure the recipient of the disclosure realizes this and takes the necessary action to investigate the disclosure and to protect the whistleblowers identity.

Possible outcomes after reporting a concern

There will be no adverse consequences for anyone who reports a whistle blowing concern in good faith. However, any individual found responsible for making allegations maliciously or in bad faith will be subject to disciplinary action.

The following actions may be taken after investigation of the concern;

- Disciplinary action (up to and including dismissal and or legal action) against the wrongdoer dependent on the results of the investigation; or;
- Disciplinary action (up to and including dismissal and or legal action) against the whistleblower if the claim is found to be malicious or otherwise in bad faith; or
- No action if the allegation proves unfounded.
- The whistleblower will be kept informed of progress and the outcome of the investigation, within the constraints of maintaining confidentiality or observing legal restrictions generally.
- A confidential record of the steps taken will be kept and this will be in accordance with the confidentiality mechanisms of the management and the Human Resource department.

SOME OF THE GROUP COMPANIES





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