

Leapfrog Anti-Harassment Policy (Nepal)

1. Introduction
 2. Purpose
 3. Scope
 4. Definitions
 - 4.1 Harassment:
 - 4.2 Discrimination
 - 4.3 Sexual Harassment
 5. Means of Harassment
 - 5.1 Verbal Harassment:
 - 5.2 Non-Verbal Harassment:
 - 5.3 Physical Harassment:
 - 5.4 Cyber Harassment:
 6. Reporting Mechanism
 7. Investigation Mechanism
 8. Confidentiality
 9. Protection of the Complainant
 10. Retaliation
 11. Response and Resolution
 12. Conciliation
 13. Expectations from Employees
 14. Prevention and Awareness
 15. Disciplinary Action
 16. Additional Clauses
 17. Legal Framework
 18. Revision History
-

1. Introduction

At Leapfrog, we are dedicated to creating a workplace where everyone feels safe and respected. Harassment or discrimination of any kind, based on things like race, gender, ethnicity, or disability, is simply not tolerated. This policy outlines what harassment looks like and what steps you can take to report it.

2. Purpose

- Protect individuals from forms of harassment.
- Ensure all incidents are handled fairly and consistently, promoting a safe and respectful workplace for everyone.
- Establish a clear process for reporting and addressing complaints.

3. Scope

This policy applies to:

- All employees, from support staff to senior management.
- Contractors, clients, and visitors.
- Work-related activities beyond the office, including remote work, off-site meetings, and company-sponsored social events.

4. Definitions

This section defines **what constitutes harassment**, ensuring that all employees understand what behaviors are not tolerated.

4.1 Harassment:

Harassment covers any remarks or behavior that offends based on race, age, ethnicity, religion, or other protected characteristics, even if meant as a joke.

Examples of inappropriate behavior may include:

- Using profanity or slurs
- Threatening gestures
- Publicly belittling an employee

4.2 Discrimination

Discrimination is when someone is treated unfairly based on characteristics like origin, religion, gender, or disability. According to The Labor Act, 2017 (2074) and The Right to Employment Act, 2075 (2018) of Nepal discrimination based on one's origin, religion, color, caste, ethnicity, sex, language, region, ideology, tribe or similar other ground is prohibited and is considered as a punishable offense.

4.3 Sexual Harassment

According to Section 4 of the Sexual Harassment at Workplace Prevention Act, sexual harassment is defined as any of the following unsolicited acts carried out or caused to be carried out by a person in violation of his or her authority or position, or as a result of the imposition of duress, undue influence, or enticement:

1. Making sexual advances or physical contact
2. Displaying pornographic content
3. Expressing sexual intentions through writing, speaking, or nonverbal cues.
4. Request or suggestion for sexual favors
5. Harassing or flirting with a sexual intent.

5. Means of Harassment

5.1 Verbal Harassment:

- Verbal harassment refers to the use of words, insults, or derogatory language to demean, belittle, or intimidate someone. Offensive remarks, jokes, or slurs related to someone's identity (gender, race, religion, etc.).
- Repeatedly making comments about someone's appearance or background that makes them uncomfortable.

5.2 Non-Verbal Harassment:

- This includes inappropriate gestures, sharing offensive materials (such as images or emails), or non-verbal cues.

5.3 Physical Harassment:

- Unwanted physical contact, such as touching.
- Physical intimidation.

5.4 Cyber Harassment:

- Sending offensive messages or comments online, including through emails or social media.

6. Reporting Mechanism

If you experience harassment or discrimination, you can report it through Leapfrog's following Speak-up channels :

- **Harassment Reporting:** Submit a written complaint including details, witnesses (if any), and supporting evidence via the [Harassment Reporting form](#).
- **Ask & Share Us Anything:** The "[Ask & Share Us Anything](#)" form can also be used to report harassment cases to internal teams. Access to the form is restricted to the People Management Lead and the SVP of Engineering & Operations, who will ensure confidentiality and take appropriate action when needed. The People Management Lead and the SVP of Engineering & Operations shall promptly and without delay escalate the complaint to the BoD by filling in the Harassment Reporting form.
- **Direct Reporting:** Any employee who is a victim or who is aware that harassing conduct is prevailing can report harassment directly to their Team Manager or any superiors. It's the responsibility of the Team Manager and superiors to report the case to People Management Lead and the SVP of Engineering & Operations. The People Management Lead and the SVP of Engineering & Operations shall promptly and without delay escalate the complaint to the BoD by filling in the [Harassment Reporting form](#).

If the accused is either SVP, People Management Lead, or the superior, you can skip the hierarchy and scan the QR, and submit the complaint/report through the form.

7. Investigation Mechanism

- **Formal Investigation:** Harassment complaints submitted through the Harassment Reporting form are directly received by Board of Directors (BOD) members. Any harassment complaints received through other speak-up channels and authorities need to be also escalated to the BoD.

Upon receiving a complaint, BoD appoints an external legal consultant to form an investigation committee composed of the designated BoD members, external legal consultants, and, if any, internal team members. The "external legal consultant" must be a firm or individual attorney who is rated "Tier One" in the Chamber and Partners Global rating. The external legal consultant in coordination with the committee will then begin a formal investigation, which includes interviewing both the complainant and the accused, as well as calling any witnesses and reviewing available evidence. This process must be carried out such that the investigation must be completed within 12 days from the receipt of the complaint. The role of "internal team member" shall be limited to secretarial roles and liaising between committee members.

For non-sexual harassment, the BoD may form an internal committee, with no need for an external legal consultant. In sexual harassment cases, an external legal consultant will always be appointed.

- **Right to Fair Hearing:** Both the complainant and the accused will have the right to present their side, provide evidence, and have a representative if needed.
- **Report Submission:** The external legal consultant will submit a report with findings and recommended actions within 12 days from the date of receipt of the complaint.

8. Confidentiality

- **Protection of Information:** All complaints, investigations, and associated proceedings will be kept strictly confidential. The identity of the complainant, accused, and witnesses will not be disclosed to anyone other than the BoD and investigation committee.
- **Document Security:** All investigation records will be securely stored and accessed only by BoD and the investigation committee.

9. Protection of the Complainant

- **No Adverse Action:** The complainant will not face any adverse consequences, such as demotion, termination, or unfavorable work conditions, for solely reporting harassment.

- **Interim Measures:** If necessary, temporary arrangements like changing work shifts or locations will be made to ensure a safe working environment while the investigation is ongoing.

10. Retaliation

- **Zero Tolerance for Retaliation:** Any form of retaliation, such as intimidation, threats, demotion, or dismissal, against a complainant or witness is strictly prohibited and will result in disciplinary action.
- **Reporting Retaliation:** Employees facing retaliation can report it to the superior. Leapfrog will promptly investigate and take appropriate actions.

11. Response and Resolution

- **Corrective Actions:** Depending on the severity of the offense, actions may include counseling, written warnings, suspension, or termination.
- **Resolution Timeline:** The entire process should be concluded within 14 days of the reporting of the harassment.

12. Conciliation

- **Voluntary Conciliation:** A harassment complaint can be resolved through conciliation provided that both parties consent to a conciliation effort.
- **Confidential Agreement:** If conciliation is successful, the terms of the settlement will remain confidential.

13. Expectations from Employees

- **Professional Conduct:** All employees are expected to maintain a respectful and professional work environment, free from harassment of any kind.
- **Bystander Responsibility:** Employees witnessing harassment must report it to the superior. Bystanders play a crucial role in preventing workplace harassment.

14. Prevention and Awareness

- **Regular Training:** The company will conduct mandatory training sessions on sexual harassment prevention and employee rights under the **Nepal Labour Act 2017**.
- **Policy Communication:** All employees will receive a copy of this policy, and it will be included in the company's Knowledge Management System, Confluence.
- **Workplace Culture:** Managers and team leads are expected to foster a culture of respect and openness to ensure employees feel safe and heard.

15. Disciplinary Action

- **Consequences for Offenders:** Based on the investigation's outcome, disciplinary action may include verbal or written warnings, suspension, demotion, or termination. Serious offenses may lead to legal action.
- **False Complaints:** If an investigation reveals that the complaint was maliciously fabricated, the complainant may face disciplinary action. However, this may not apply to cases where complaints are unproven due to insufficient evidence.

16. Additional Clauses

- **Support for Victims:** The company will offer counseling services or external professional help for employees impacted by harassment.

- **Post-Incident Monitoring:** The investigation committee will follow up with both the complainant and the accused after the case's resolution to ensure no further issues arise.
- **Periodic Review:** The policy will be reviewed annually to reflect changes in law or workplace dynamics.

17. Legal Framework

This policy is developed in alignment with the **Nepal Labour Act 2017** and other relevant legal provisions, including the **Sexual Harassment at Workplace Prevention Act, 2015**. Any conflicts between this policy and the law will default to the legal provisions.

18. Revision History

| Date Of Change | Responsibility | Summary of Change | Approved By |
|-----------------|---|--|---|
| September, 2024 | <ul style="list-style-type: none">• Dixa Shrestha (Sr. Manager, People Management),• Jyoti Pokharel (Officer, People Management) | <ul style="list-style-type: none">• Primary Policy | <ul style="list-style-type: none">• Kailash Bijayananda (Senior Vice President, Engineering & Operations) |