



Perbadanan Insurans Deposit Malaysia
Protecting Your Insurance And Deposits In Malaysia

POLICY ON WORKPLACE HARASSMENT



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Ref No	PIDM/HC/2007/01	Version No	3.0
Initial Approved Date	1 July 2007	Latest Approved Date	28 February 2023
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Approved by the Chief Executive Officer on 28 February 2023



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1.0 INTRODUCTION

- 1.1 Perbadanan Insurans Deposit Malaysia (“PIDM”) is fully committed to a safe, healthy and harassment-free work environment for all employees and believes that every employee should be treated with respect and dignity.
- 1.2 This Policy on Workplace Harassment (“Policy”) sets out:
- (a) a prohibition statement;
 - (b) what constitutes harassment;
 - (c) the procedure involved for dealing with a harassment complaint; and
 - (d) a description of the roles and responsibilities of employees, Heads of Department, the Human Capital Department (“HCD”), Executive Vice Presidents (“EVP”), the Chief Executive Officer (“CEO”) and Human Capital and Remuneration Committee of the Board (“HCRC”) in relation to matters under this Policy.

2.0 OBJECTIVES

As a step towards ensuring a safe, healthy and harassment-free workplace, PIDM has developed this Policy which aims to:

- (a) prevent harassment of employees in the workplace and provide an effective mechanism to eliminate such harassment;
- (b) educate all employees to recognise that harassment in the workplace is a demeaning practice that constitutes a profound affront to the dignity of persons; and
- (c) reaffirm the Corporation’s commitment that all employees are to be treated with respect and fairness, and they can work in a conducive environment free of harassment, thus encouraging positive morale, productivity and professional work relationships.



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3.0 APPLICATION

- 3.1 This policy applies to all permanent employees, employees under a contract, PIDM's employees on secondment to work in other organisations, employees on probation, and also to those undergoing internship with PIDM.
- 3.2 This Policy will be made known to agents, vendors and contractors of PIDM, individuals who are seconded to work in PIDM, and individuals who are given access to use and work in PIDM's premises¹, so that they should be aware that harassment of PIDM employees will not be tolerated.

4.0 PROHIBITION OF HARASSMENT

- 4.1 PIDM does not tolerate the harassment of its employees in the workplace. In particular, the following are contrary to this Policy and therefore prohibited:
- (a) any employee engaging in conduct deemed to be harassment under section 5 below, or encouraging such conduct by others; and
 - (b) any form of retaliation directed against an employee or third party who either complains about harassment or who participates in any investigation concerning harassment. Retaliation includes dismissal, demotion, unwanted transfer, denial of opportunities within PIDM or harassment as a result of the complaint or participation in the investigation.
- 4.2 PIDM's zero-tolerance position on harassment in the workplace applies to all aspects of employment:
- (a) harassing another is a breach of a term or condition of employment;
 - (b) the career development of an employee will not be compromised as a result of the actions of a harasser; and
 - (c) employees are expected to behave in a non-threatening and non-offensive manner.

¹ Refers to PIDM's offices and disaster recovery centre.



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4.3 Breach of this Policy is considered misconduct under the Disciplinary and Termination of Employment Procedures and may result in disciplinary actions taken, including dismissal. PIDM is responsible for taking necessary action against harassment, regardless of whether the conduct complained of was sanctioned or specifically forbidden.

4.4 In the case of non-employee who breaches this Policy, PIDM will notify the employer of such individual (*if applicable*) and PIDM may terminate the arrangement or agreement for the individual to work in PIDM's premises.

5.0 HARRASSMENT IN THE WORKPLACE

5.1 For the purposes of this Policy, reference to the workplace means any place where the operation of PIDM is being carried out and other locations and situations, such as work-related off-site assignments and business travel, work-related conferences, training or social gatherings, or other locations where the prohibited conduct might have a subsequent impact on the work relationship, environment or performance.

5.2 Harassment means any verbal, written or physical conduct that is commonly known or ought reasonably to have been known to be unwelcome, inappropriate or otherwise offensive to a person, and that such conduct demeans, humiliates, threatens or embarrasses him/her or otherwise violates his/her dignity. Harassment has the purpose or effect of:

- (a) creating an intimidating, hostile or offensive workplace;
- (b) interfering with the performance of an employee's functions, duties and responsibilities; or
- (c) affecting conditions of employment or compensation.

5.3 Harassment may be motivated by one of these grounds: race or ethnicity; skin colour; religion; sex or gender; place of origin; ancestry; culture; age; mental or physical disability; sexual orientation; family, marital or social status; economic or financial background; power disparity; and political affiliation. In particular, this Policy identifies and seeks to eliminate the following types of harassment:



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- (a) **Racial harassment**
Harassment in the work conditions or working environment on the basis of race is intended to cause, or has the effect of causing physical, mental or emotional distress at the workplace. It is also a form of discrimination.
- (b) **Sexual harassment**
Such harassment refers to unwanted conduct or behaviour that is of a sexual nature, whether verbal, non-verbal, visual, gestural or physical, directed at a person which is offensive or humiliating or is a threat to his or her well-being, and includes such things as a request for sexual favours by a manager, superior, colleague or even a non-employee. It usually takes the following:
- (i) Quid pro quo – This is when a person of authority gives or withholds a work-related benefit in exchange for sexual favours. Typically, the harasser requires such favours from the victim, either rewarding or punishing the victim in some manner.
 - (ii) Hostile environment – This is when a victim is subjected to unwelcome and severe or pervasive repeated sexual comments, innuendoes, touching or other conduct of a sexual nature which creates an intimidating or offensive place for employees to work.
 - (iii) coercion, unwelcome demands, invitations or requests of a sexual nature.
 - (iv) lewd, leering, obscene or suggestive gestures.
 - (v) unwanted or inappropriate physical contact that is non-consensual, such as kissing, pinching, stroking, fondling, patting, touching and brushing up against a person.
- (c) **Abuse of authority**
Abuse of authority happens when a person uses his/her authority to interfere with an employee or the employee's job. It includes humiliation, intimidation, threats and coercion.



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5.4 Other forms of harassment may include, but are not limited to:

- (a) verbal or written insulting behaviour or comments; physical abuse, threats and assaults;
- (b) derogatory remarks, slurs, epithets or language;
- (c) unacceptable, annoying or unwanted nicknames or negative stereotyping;
- (d) pornographic or otherwise offensive signs, images, pictures or materials displayed;
- (e) derogatory or offensive pranks and practical jokes;
- (f) isolation or exclusion of a person from others;
- (g) bullying and victimisation, for example, unreasonable and persistent criticism or humiliation, unreasonable distribution of work and responsibilities;
- (h) inappropriate inquiries or comments about a person's sex life, religious or cultural norms, or lifestyle;
- (i) psychological harassment that may harm a person's psychological well being that includes belittling or trivialising a person's thoughts, or discrediting or spreading rumors about the person; and
- (j) cyberbullying or online harassment that includes sharing of humiliating information, spreading rumors or lies about a person using electronic means.

6.0 INFORMAL APPROACH

6.1 Any employee who is experiencing or affected by harassment, or witnessed or is affected by the harassment of others, may take an informal approach, if he/she considers appropriate, in resolving the problem by raising the matter directly with the person responsible (the "alleged harasser"). It is possible that the alleged harasser may not realise that this behaviour is unwelcome or offensive. The employee may make an initial attempt to make it clearly known to the alleged



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harasser that his/her behaviour is contrary to this Policy and that he/she should stop behaving in this manner. Alternatively, the employee may seek the help of his/her immediate supervisor or Head of Department to informally approach the alleged harasser on his/her behalf.

6.2 If the employee needs help in determining whether harassment has occurred, or whether to take the formal or informal approach, he/she should seek advice from the Head, HCD. If the employee is not comfortable approaching the Head, HCD or the latter is the subject of the complaint, the employee should raise the matter with the Corporate Secretary and General Counsel (“GC”) . **Anonymous complaints will not be investigated.**

6.3 If the employee is dissatisfied with the informal approach or finds it inappropriate in the circumstances or unsuccessful, he/she may proceed with a formal complaint under section 7 below at any time. Nothing prevents the employee from making such a complaint immediately if he/she feels that the conduct is serious enough to warrant such an approach.

7.0 COMPLAINT PROCEDURE AND APPEAL

7.1 To file a formal complaint, the employee should complete the “Workplace Harassment Report Form” and submit the form to the person mentioned in Column II of Table A below.

Table A

Column I Complaint against:		Column II Submit the Workplace Harassment Form to
An employee, other than the CEO, the EVPs, Corporate Officers ² , Head of HCD	➡	Head, HCD
Head of HCD	➡	GC
The CEO, the EVPs, Corporate Officers.	➡	Chair of HCRC.

² As defined in the Corporate By-Laws.



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- 7.2 Allegations of harassment will be treated seriously and due regard to the need for confidentiality will be given. PIDM aims to resolve any complaints as quickly as possible. Under no circumstances shall the employee alleging the harassment be required to file a complaint with the person responsible for the alleged harassment.
- 7.3 The right to raise at any time the issue of harassment by way of complaint or as witness in an investigation should be exercised without fear of reprisal. As noted above, PIDM prohibits any form of retaliation against employees.
- 7.4 This Policy excludes any issues, complaints or concern about:
- (a) matters covered by the Corporation's Employee Grievance Procedures;
 - (b) matters pending or determined through the Corporation's disciplinary proceeding;
 - (c) improper conduct covered by the Corporation's Policy for Disclosure of Information Concerning Improper Conducts; and
 - (d) matters pending or determined through any tribunal, authority, court, arbitration, or other similar proceedings.
- 7.5 Upon receiving the complaint under paragraph 7.1, the Head, HCD, GC or Chair of HCRC, as the case may be, will determine whether there is sufficient basis for such complaint. In this regard, an investigation will be conducted as discreetly as possible to avoid any embarrassment to the parties. Both the employee and the alleged harasser will be separately interviewed, as will any individuals who may be able to provide relevant information. Every employee is expected to cooperate in any investigation if so requested.
- 7.6 Where the Head, HC, GC or Chair of HCRC, as the case may be, is reasonably of the view that there is sufficient basis for such complaint, the procedures in Part B (Misconduct) of the Disciplinary and Termination of Employment Procedures may apply.
- 7.7 The outcome of the investigation will be communicated to the employee making the complaint ("Complainant") and to the CEO. Where the Complainant is dissatisfied



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with the outcome of the investigation, he/she may appeal to the following person in writing within 14 days from the date he/she is officially informed of that outcome.

Table B

If the Alleged Harraser is:	The Complainant can raise an appeal against investigation outcome to:
(i) an employee, other than the CEO, the EVPs, Corporate Officers ³ , Head of HCD	the CEO
(ii) the Head of HCD	the CEO
(iii) the CEO, or the EVP, or the Corporate Officers.	the Chair, HCRC

7.8 The appeal is the final stage of the complaint procedures, and the decision of the CEO, or the Chair, HCRC, as the case may be, shall be final. The CEO, or the Chair, HCRC, as the case may be, will give the decision on the appeal, within 14 days after the date of receiving the written appeal or such other period as deemed necessary by the CEO or the Chair, HCRC, as the case may be.

Confidentiality

7.9 A formal complaint filed and received pursuant to this Policy will be kept strictly confidential. Information acquired from the investigation will also be kept confidential. All parties involved in the investigation, including both the victim and the harasser (alleged or otherwise), are required to keep such information confidential.

7.10 Although PIDM encourages an employee suffering from harassment to report the matter, any false accusations, fabricated allegations or otherwise complaints against another made in bad faith are considered as misconduct and there may be disciplinary action taken against the employee making such accusations, allegations or complaints.

³ As defined in the Corporate By-Laws.



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8.0 DISCIPLINARY ACTION AND RESTITUTION

- 8.1 PIDM treats harassment as misconduct and the Disciplinary and Termination of Employment Procedures (“Disciplinary Procedures”) of PIDM shall apply. If the investigation reveals that there is sufficient basis for the complaint, the employee who is the alleged harasser (“Respondent”) will be subject to the disciplinary proceeding in Part B (Misconduct) of the Disciplinary Procedures and the disciplinary action to be imposed in accordance with the Disciplinary Procedures may include but not limited to suspension or dismissal. The incident will also be documented in the Respondent’s file.
- 8.2 Where the Respondent is found not guilty of harassment, he or she will be granted restitution deemed appropriate by PIDM for any direct and foreseeable pecuniary loss suffered by him/her. For instance, where interim suspension without pay pending investigation of the case is instituted, such payment shall be reinstated.

9.0 ROLES AND RESPONSIBILITY

Employees

- 9.1 Each employee has the right to be treated fairly and respectfully in the workplace. Each employee also has the responsibility to treat colleagues, managers and stakeholders in general in a way that respects individual differences.
- 9.2 Employees are encouraged to address their concerns if someone behaves in a way that is offensive, humiliating or degrading and to speak up or report the complaint whether informally or formally in the manner provided in this Policy. Employees should keep a written record of the details of the alleged incident(s) of harassment, including time, date, locations and name of witnesses, if any.
- 9.3 All employees have a responsibility to cooperate in any investigation of a harassment complaint, including participating in the proceeding under the Disciplinary Procedures (if applicable). All information should be kept confidential. These are serious issues and privacy must be respected.

Heads of Department

- 9.4 Heads of Department should also be familiar with this Policy and are expected to be alert of any signs of harassment, such as an unexplained change in an employee’s performance, rumours or an employee isolating himself/herself or seemingly



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distracted. If something does not seem right, Heads of Department should speak to the employee concerned. Having someone willing to listen often helps the employee to talk about a problem.

- 9.5 Heads of Department also have a responsibility of ensuring that the workplace remains free of harassment and in doing so, they should apply this Policy consistently.

Human Capital Department / HCD

- 9.6 The HCD is in charge of ensuring that this Policy and its applicable procedures for dealing with harassment are understood by all employees, and to raise awareness of workplace harassment. This includes making sure that this Policy is consistently applied in all harassment complaints.
- 9.7 The HCD is also responsible for conducting an investigation when required and reviewing this Policy and its procedures so that the aims of this Policy are achieved.

GC

- 9.8 If the alleged harasser is Head, HCD, the "Workplace Harassment Report Form" is to be submitted to, and investigation will be carried out by the GC.

CEO

- 9.9 The CEO has the responsibility of taking the lead in promoting a harassment-free workplace.

Chair of HCRC

- 9.11 If the alleged harasser is the CEO, the EVP, or the Corporate Officer, the Workplace Harassment Report Form is to be submitted to, and investigation will be carried out by the Chair of HCRC.

10.0 PROCESS FLOW CHART

- 10.1 The process relating to the complaint procedure and appeal for Workplace Harassment is set out in the Appendix.

11.0 INTERPRETATION AND REVIEW

- 11.1 The Head, HCD is responsible for the official interpretation of this Policy.



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11.2 This document shall be reviewed and updated every three (3) years or as and when required, and shall be in accordance with the Manual for the Development and Review of Policies and Procedures.

12.0 CROSS REFERENCE

1. Disciplinary and Termination of Employees Procedures
2. Employee Grievance Procedures
3. Policy for Disclosure of Information Concerning Improper Conducts.

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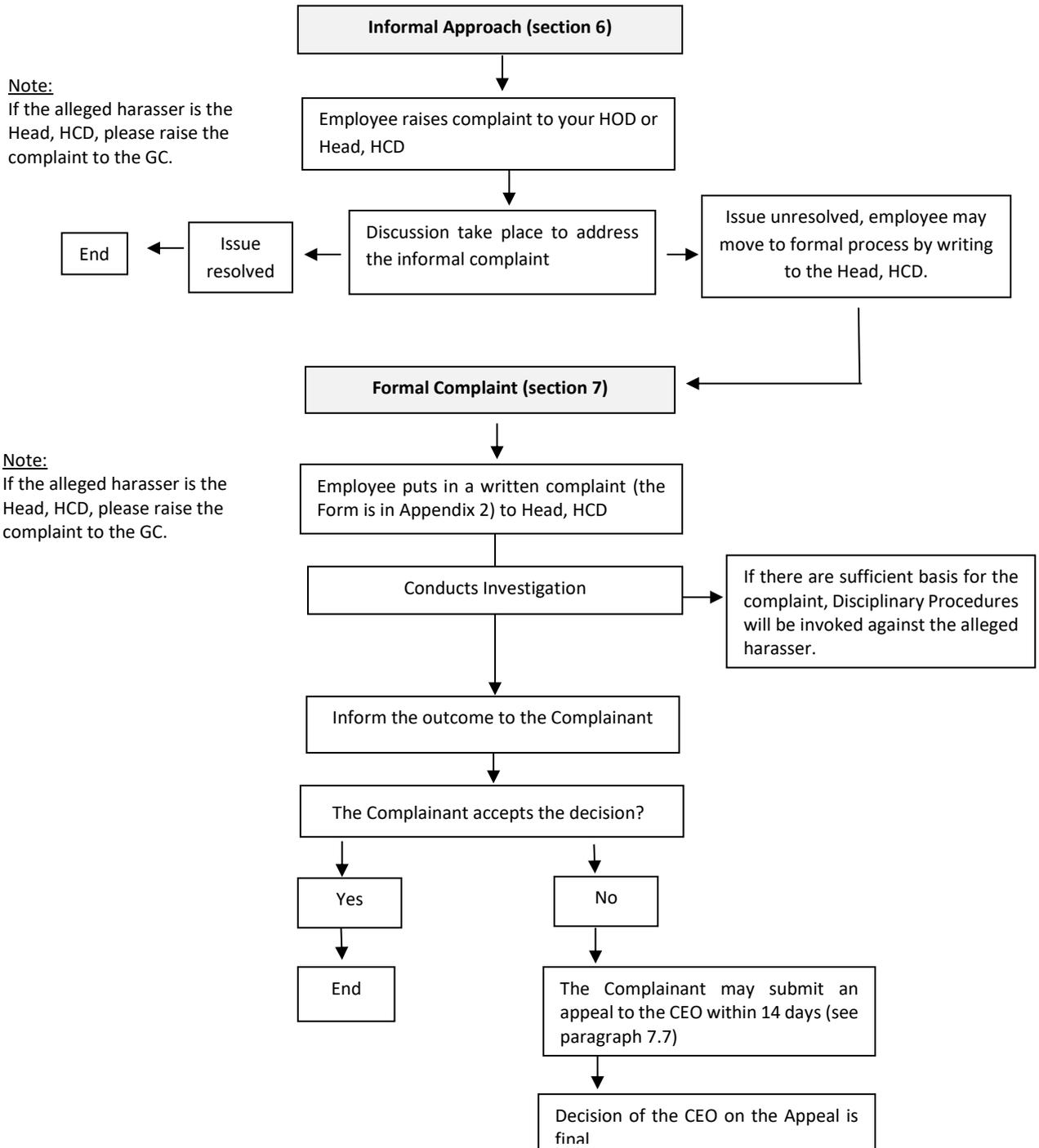


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Appendix 1

Summarised steps on how to take Informal Approach or make Formal Complaint under the Workplace Harassment Policy





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Appendix 2



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Internal Use

WORKPLACE HARASSMENT REPORT FORM

REPORTED BY

NAME			
DEPARTMENT			
DATE		SIGNATURE	

DETAILS OF THE INCIDENT

NAME OF ACCUSED		DATE OF INCIDENT	
DEPARTMENT		LOCATION OF THE INCIDENT	

DESCRIPTION OF THE INCIDENT

(Please attach the relevant supporting documents e.g., where applicable)

DESCRIBE THE HARM YOU HAVE SUFFERED

ANY WITNESSES TO THIS INCIDENT: YES / NO

IF YES, PLEASE PROVIDE THE DETAILS OF THE WITNESS:

NAME: _____

DEPARTMENT: _____



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If an investigation is required, please complete the portion below.

INVESTIGATED BY

NAME		CAUSE OF INCIDENT	
DEPARTMENT		LOCATION	
DATE	TIME	SIGNATURE	

DETAILS OF THE INVESTIGATION

POST INCIDENT ACTIONS (where applicable):

Actions completed by:

NAME:		SIGNATURE	
DEPARTMENT:		DATE	

[End]