

POLICY

RAM

Workplace  
Anti-  
harassment



Title	Workplace Anti-harassment Policy	Version no.	1
Initial approved date	8 December 2022	Last reviewed date	-

### Tracking Sheet for Amendments

Subject	Date	Remarks
1 <sup>st</sup> approved	8 December 2022	Approved by the Board of Directors of RAM Holdings Berhad and RAM Rating Services Berhad for implementation 1 January 2023.

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APPENDIX A – COMPLAINT FORM

APPENDIX B – EXTRACT OF PARAGRAPH 5 OF WHISTLEBLOWING POLICY

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## 1. POLICY STATEMENT

- 1.1 RAM Group of Companies [referred to as “RAM Group” comprising RAM Holdings Berhad (RAMH) and its subsidiaries that include, RAM Rating Services Berhad (RAMR), RAM Sustainability Sdn. Bhd. and RAM Solutions Sdn. Bhd.] is committed to providing a safe and healthy work environment that does not tolerate acts of harassment. It is the goal of RAM Group to promote a professional environment and a culture of mutual respect and is committed to providing a safe and healthy work environment. All Directors, members of Rating Committee and employees have a shared obligation to maintain a positive and respectful work environment.
- 1.2 This Workplace Anti-harassment Policy (referred to as the “Policy”) reaffirms RAM Group commitment to maintain a harassment-free workplace that does not tolerate any form of sexual harassment or other form of harassment based on individual’s gender, race, religion, culture, physical or mental disability, physical appearance or any other characteristic protected by relevant federal, state, or local law or ordinance or regulation.
- 1.3 Any person can raise a complaint under this Policy free from fear of retaliation. All allegations shall be investigated promptly and thoroughly taking into accounts the provisions in the Board Charter, Terms of Reference, and/or Terms and Conditions of Services. Employees who have engaged in misconduct violating the Policy, may be subjected to discipline, up to and including termination of employment.
- 1.4 The Policy also provides support to the victimised employee in terms of confidentiality, counselling and/or assistance in criminal or civil proceedings if the victimised employee is in need of such assistance due to the acts of sexual harassment.

## 2. DEFINITIONS

For the purpose of this Policy, the following definitions shall apply:

“ARMC” shall mean Audit and Risk Management Committee.

“Bullying” shall mean repeated unreasonable behaviour towards an individual created by an individual, or group of individuals through verbal, physical and/or social behaviour, which is intended to hurt, coerce, mistreat, abuse or harm someone causing risk to his or her health, safety and well-being. Bullying is often characterized through insulting, hurtful, hostile, vindictive, cruel or malicious behaviours which undermine, disrupt or negatively impact another’s ability to do his or her job and results in a harmful work environment of the employee.

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- “Company” shall mean any company within RAM Group, including any future subsidiary company or associate company within the Group.
- “Complainant” shall mean any person who has made a complaint or an allegation under this Policy.
- “Director” shall mean a director of the Board of RAM Group or Company.
- “Employees” shall mean all employees in RAM Group on permanent, contract, temporary, assignment or secondment basis, including agents and consultants working for RAM Group.
- “Group CEO” shall mean RAM’s Group Chief Executive Officer.
- “Harassment” shall consist of conduct (any unwelcomed conduct or behaviour that is offensive) that violates an individual’s dignity or constitutes victimisation, or which creates an intimidating, bullying, abusive, hostile, degrading, humiliating, offensive or otherwise uncomfortable environment. This includes harassment related to the protected characteristics of sex, race, national origin, ethnic origin, age, disability, sexual orientation, gender reassignment, religion or belief. Examples are enlisted under Paragraph 5 of this Policy.
- Under this Policy, harassment shall include bullying as well as sexual harassment as defined under **Section 2 of the Employment Act 1955 and Part XVa: Sexual Harassment** of the said Act as well as any related Acts and Regulations including their amendments thereto.
- “Rating Committee” shall mean a Committee established pursuant to the Securities Commission Malaysia (SC) Guidelines on Registration of Credit Rating Agencies. This Committee is subject to its Terms of Reference.
- “Respondent” shall mean a person alleged to have committed the acts of harassment.

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“Workplace” shall mean all work-related environment and situation. For avoidance of doubt, “the workplace” is not limited to the premises where the victim of harassment (“Victim”) works but extends to any place in which the victim is present as a result of or in the course of work, including any events held in conjunction with work. Workplace covers all office-site (physical, remote and virtual), as well as off-site areas such as business trips and social event where employees interact for work purposes.

For the purpose of this Policy, unless the context otherwise expressly stated, words importing the masculine gender shall include the feminine gender and words importing the singular number shall include the plural number and vice versa.

### **3. SCOPE**

- 3.1 This Policy applies to all Directors, members of Rating Committee and employees of RAM Group in all work-related settings and activities to ensure that our workplace is a safe and conducive work environment. This Policy also applies to the conduct of RAM Group’s Directors, members of the Rating Committee and employees towards a client, vendor, customer, supplier and contractor.
- 3.2 This Policy will be made known to agents, vendors and contractors so that they should be aware that RAM Group’s commitments that acts of harassment will not be tolerated.
- 3.3 This Policy shall be read together with the respective Board Charter of RAM Group and the Terms of Reference of the Rating Committee, Whistleblowing Policy, Terms and Conditions of Services and relevant regulatory provisions and/or policies.

### **4. RESPONSIBILITIES**

- 4.1 The Head of the Human Resources Department is responsible for maintaining and overseeing this Policy. If there is any doubt about the scope of applicable laws or the application of this Policy or any query concerning any conduct of harassment, clarification may be sought from the Head of Human Resources Department or the Group Chief Compliance and Legal Officer.

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## 5. ACTS OF HARASSMENT

5.1 This Policy prohibits all acts of harassment. While it is not possible to list all those circumstances that may constitute harassment, the list below are examples of harassment:

- (a) Physical and/or verbal abuse and threats;
- (b) Physical, verbal and/or non-verbal hostile behaviour;
- (c) Bullying;
- (d) Create hostile, humiliating and/or offensive environment;
- (e) Bring or use a weapon of any kind at the Workplace or possessing a weapon of any kind or threatening to bring a weapon to Workplace;
- (f) Display insulting, degrading images and/or messages in Workplace;
- (g) Abusive or hurtful texts, emails or posts, images or videos through social media;
- (h) Spread rumours about a person's personal life;
- (i) Sexual harassment within the definition of Employment Act or any relevant legislation that includes:
  - *Non verbal:* Leering or ogling with suggestive overtones, licking lips in a provocative manner or holding or eating food, hand signal or sign language denoting sexual activity
  - Verbal: Sexual/suggestive teasing, offensive comments, jokes, jesting, kidding, sounds, questioning or suggestive comments about one's physical appearance or clothing or wolf whistles.
  - Visual: Showing pornographic materials, drawing sex-based sketches or writing sex-based letters, indecent sexual exposure, sexually explicit offensive or degrading pictures or reading materials such as calendars, posters, cards, letters, software, web sites, WhatsApp, emails or any other social media platforms.
  - Psychological: Repeated unwanted social invitations, relentless proposals for dates or physical intimacy, promise of rewards (of higher grades, transfer or promotion) in return for sexual favours.
  - Physical: Inappropriate touching, patting, grabbing, stroking, pinching brushing up against body, hugging, kissing, fondling or sexual assault;
- (j) Discrimination and/or degrading remarks or jokes against the other person's;
  - Race and/or place of origin;
  - Gender;
  - Religion/belief;

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- Physical appearance or disability.
- k) Act of encouraging harassment or bullying by others to take place.
- 5.2 Any employee found to have committed an act of harassment or any act prohibited under the Policy towards another employee, group of employees, suppliers or clients, is deemed to be in breach of this policy and may be subject to legal action and/or disciplinary action which may include dismissal.

## 6. REPORTING

- 6.1 All Complaints under this Policy shall be in writing. Any person who believes he or she is a victim of harassment or witnesses harassing behaviour should file a Complaint on harassment in accordance with the procedures set out under the Whistleblowing Policy to any of the following individuals:
- (a) Chairman of RAM Holdings Berhad;
  - (b) Chairman of RAM Rating Services Berhad;
  - (c) Chairman of Audit & Risk Management Committee (ARMC); and/or
  - (d) Group CEO.
- 6.2 The Complaint can be made in person, by phone, or via email at [complaint@ram.com.my](mailto:complaint@ram.com.my) (sample format of **Complaint Form** is set out at *Appendix A*)
- 6.3 If the Complainant reports in person to the Head of Human Resources of any of the employees, the details of the Complaint will be transcribed onto the Complaint Form and disseminated to the individuals stated under Paragraph 6.1.

## 7. COMPLAINT OF SEXUAL HARASSMENT

- 7.1 Subject to any prevailing provisions under the law, particularly in **Section 81A and Section 81B of the Employment Act 1955**, where an employer (*RAM Group*) refuses to inquire into the complaint of sexual harassment, they shall, as soon as practicable but in any case, not later than 30 days after the date of the receipt of the complaint, inform the Complainant of the refusal and the reasons for the refusal in writing.



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## 8. INVESTIGATION AND OUTCOME

8.1 Upon receipt of any Complaint under Paragraph 6 the following process shall apply:

### *Complaint against employees*

- (a) Any Complaint filed against any employee; the investigation process shall be in accordance with **Paragraph 5, of the Whistleblowing Policy** (extract is at *Appendix B*).

### *Complaint against members of the Boards or Rating Committee*

- (b) Except for any Complaint against RAMH Chairman, the RAMH Chairman shall set up the **Investigation Panel (“IP”)** comprising three (3) members selected from the Boards of RAMH and/or RAMR, CEO of the Company or suitable external party to carry out the investigations in respect of Complaint against any member of the Boards or Rating Committee. If the Complaint is against the RAMH Chairman, the Chairman of ARMC shall set up the IP. Complaint against Rating Committee members who are employees, shall fall within Paragraph 8.1(a).
- (c) The IP shall have the authority to make decision as follows:
- (i) Rejection of the Complaint;
  - (ii) Resolution without recourse to an investigation;
  - (iii) Directing or designating a person to carry out investigations on any person involved or implicated;
  - (iv) Obtaining any other assistance (for instance, legal advice);
  - (v) Terminating the contract as a member of the Rating Committee or removal as Director; and/or
  - (vi) Referral to the police or any other appropriate enforcement authority.

8.2 All Complaints are to be acted upon in a timely manner.

8.3 Upon the completion of investigation, the Company will communicate the determination of the investigation, inclusive of any disciplinary action, to the involved parties as appropriate.

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## 9. APPEAL

- 9.1. Notwithstanding any provision stipulated in the Whistleblowing Policy, if the Complainant or the Respondent is not satisfied with the disposition of the investigation, he or she may submit in writing an Appeal to the Chairman of RAMH within five (5) working days upon the release of the Investigation Outcome under Paragraph 8. If the Complaint is against the Chairman of RAMH, the Appeal may be submitted to the Chairman of ARMC.
- 9.2 The Chairman of RAMH or ARMC, where applicable, in considering the Appeal under Paragraph 9.1, shall establish an **Appeals Panel (“AP”)** comprising three (3) members not previously involved in the investigation under Paragraph 8, as follows:-
- (a) Any employee;
  - (b) Any Board member of the Company; and/or
  - (c) Any suitable external party as determined by the Chairman of RAMH or ARMC.
- 9.3 The Appeal shall take place as soon as is reasonably practicable to which all parties involved shall be invited. The decision of the AP is final and no further appeal within RAM Group may be made.

## 10. COUNSELLING

- 10.1 Company may provide assistance to employees in terms of counselling if the employees are affected emotionally due to the harassment.
- 10.2 Employees may reach out to the Company when they are in need of counselling. Anything shared during this counselling sessions will remain confidential.

## 11. CONFIDENTIALITY

- 11.1 All reasonable steps on a “best effort” basis will be taken to protect the anonymity of the Complainant and Respondent. However, under certain circumstances and to assist with the investigation, the individual’s identity may become known or may need to be revealed.
- 11.2 The Complainant or any person who is involved in the investigation process, shall not disseminate to third parties information regarding the unwanted conduct or any part thereof, including the status or outcome of an investigation into it, except:-
- (a) to those who are authorised under this Policy;
  - (b) by lodging a report with an enforcement agency in accordance with the **Whistleblower Protection Act 2010** or any other prevailing law;

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- (c) if required by law; and
- (d) on a strictly confidential basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

11.3 The Complainant and/or the Respondent shall not:

- (a) contact the suspected individual or any person to determine facts or demand restitution; and,
- (b) discuss the case, facts, suspicions, or allegations with anyone except to assist in the investigations.

11.4 All records of the investigation will be kept confidential. The investigation documents, including the findings of the Investigation Panel and the Appeals Panel should not be disclosed unless necessary to investigate an incident or complaint of harassment, take corrective action or otherwise as required by law.

## **12. ACTING IN GOOD FAITH**

12.1 The RAM Group expects all parties to act in good faith and have reasonable grounds when lodging a complaint under this Policy. This Policy shall not be misused by any employee, member of the Board or the Rating Committee or any person, to lodge a frivolous, scandalous or vexatious complaint.

12.2 If the claim and report (in the Complaint) are proven to be malicious and/or having any ulterior or improper motive, the party/parties responsible may be subject to appropriate disciplinary action, including dismissal and/or legal action, where applicable.

12.3 Any act of retaliation or victimisation against the Complainant will result in legal action, disciplinary action, including termination of employment or service or removal as director. For employees, such adverse conduct of retaliation includes, but is not limited to, poor performance review or threat of transfer by a superior that is inconsistent with the individual's actual performance.

12.4 Notwithstanding any provision herein, where it is considered feasible, the Board of Directors may issue an official statement (without disclosing any confidential information and details) on the outcome of any Complaint shall be made.

## **13. ANONYMOUS COMPLAINT**

13.1 Any anonymous complaint will not be entertained. Any employee or member of the public who wishes to report improper conduct is required to disclose his/her identity to accord the necessary protection to him.

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13.2 Notwithstanding the aforesaid, all anonymous complaints received shall be noted and channelled to the Group CEO and/or Chairman of ARMC. The Group CEO and/or the Chairman of ARMC reserves the right to investigate into any report or complaint made anonymously.

#### **14. REVIEW OF POLICY**

This Policy may be reviewed and amended at the Board of Director's discretion from time to time, as and when necessary.

**COMPLAINT FORM  
(Workplace Anti-harassment Policy)**

**Administrative  
Details**

Case Ref no:

Reported on (Date):

Attention to:

<b>COMPLAINT DETAILS</b>	
Name Respondent	
Designation of Respondent	
Company /Firm	
Date of incident	
Location of incident	
Detailed explanation (please attached separate sheet(s) as necessary and sign off at the end of each page)	
Supporting evidence if any (Include digital recording of oral complaints)	
Other parties involved if any	
Witness(s) if any	

Details of Complainant/Recipient of Complaint

Name :  
 Designation  
 Company name :  
 Contact no :  
 Email :

<i>Signature of Complainant/Recipient of Complaint</i>
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## EXTRACT FROM PARAGRAPH 5 OF WHISTLEBLOWING POLICY

**5. INVESTIGATION**

- 5.1 Except for complaints against the Group CEO as provided under Para 5.3, any employee who receives any complaint or report of improper conduct shall report to the Group CEO who will assess the report to determine whether it is related to an improper conduct or excluded from the scope of this Policy. The Group CEO may designate any person, from RAM Group or an external party, to conduct any investigation or to carry out any other process pursuant to this Policy (for instance, an internal audit).
- 5.2 The Group CEO has the authority to make the final decisions including, but not limited to, any of the following:
- (a) Rejection of the complaint or report;
  - (b) Directing the concerns or any part thereof for consideration under other internal procedures or disciplinary procedures, if appropriate and applicable;
  - (c) Resolution without recourse to an investigation;
  - (d) Directing investigations on the report and any persons involved or implicated;
  - (e) Suspending the alleged wrongdoer or any other implicated person from work to facilitate any fact finding or to avoid any employee's exposure to threat or harm;
  - (f) Obtaining any other assistance (for instance, legal advice); and
  - (g) Referral to the police or any other appropriate enforcement authority.
- 5.3 If the report of improper conduct involves the Group CEO, the report shall be made to Chairman of Audit and Risk Management Committee who shall refer this to the Board of Directors. The Board of Directors shall then authorise a Director to be responsible for the investigation and make recommendation to the Board of Directors. The Board of Directors shall have the authority to make the final decisions regarding the disclosure of wrongdoing.
- 5.4 All complaints or report of improper conduct is intended to be acted in a timely manner.”

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**RAM Holdings Berhad**

Level 8 Mercu 2, KL Eco City

No 3, Jalan Bangsar

59200 Kuala Lumpur

T: (603) 3385 2488

F: (603) 3385 2582

E: [ram@ram.com.my](mailto:ram@ram.com.my)

W: [www.ram.com.my](http://www.ram.com.my)