

LMS COMPLIANCE LTD.		THE ELIMINATION OF VIOLENCE AT THE WORKPLACE POLICY MY/HRD/012	
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Issue by:



HR Department



Reviewed And Approved by:



Ooi Shu Geok
CEO

1.0 POLICY MISSION STATEMENT

At LMS Compliance Ltd. ("Company") and all its subsidiaries and associated companies (hereinafter collectively referred to as "LMS Compliance") is committed to providing a safe and healthy workplace that is free from actual, attempted or threatened violence in any form or manner. The Company believes that every employee should be treated with respect and dignity. The Company recognizes that workplace violence is a health and safety issue and will take reasonable precautions to prevent workplace violence and to protect employees at the workplace. As a step toward ensuring a secure, safe and comfortable workplace, "the Company" has developed a **Policy on Elimination of Violence at the Workplace ("The Policy")**.

2.0 PURPOSE OF THE POLICY ON ELIMINATION OF VIOLENCE AT THE WORKPLACE

2.1 The Policy is intended to:

- a) Prohibit violence at the workplace;
- b) Create and foster an environment free from workplace violence;
- c) Provide a definition of workplace violence;
- d) Establish and detail the responsibilities of all persons in the Company's workplace(s) of their obligations to ensure a workplace free of actual, attempted or threatened violence;
- e) Ensure that incidents of workplace violence are reported to Company management and/or law enforcement authorities as appropriate;
- f) Ensure that complaints of workplace violence are handled in a timely and equitable manner by the Company.

3.0 SCOPE AND APPLICATION OF THE POLICY

3.1 The Policy applies to all Company employees regardless of job position, permanent, part time, temporary or union membership in the context of the Employment Act 1955 and related Labour Legislations. The Policy also applies to

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all persons who attend at the Company workplace including, but not limited to, all visitors, customers, contractors, vendors and stakeholders.

3.2 For the purposes of The Policy, the Company workplace includes all places where Company operates and or transacts business in any manner and includes the following:

- a) Company buildings (whether owned or leased) and surrounding areas including parking lots, emergency gathering areas, sidewalks, and driveways ("Company Premises");
- b) All Company vehicles (whether owned or leased);
- c) Any off-site locations where Company business operates;
- d) Company-sponsored events, functions and recreational or social events, whether taking place on Company Premises, off site locations or elsewhere;
- e) At all times when travelling on Company business;
- f) or any other locations where the prohibited conduct might have a subsequent impact on the work relationship, environment or performance.
- g) Where an employee is working from remote workplace, the workplace includes a place outside the Company's premises including the employee's home, a virtual workplace or other remote workplace.

4.0 DEFINITION OF WORKPLACE VIOLENCE

4.1 In The Policy, workplace violence includes but is not limited to the following acts:

- a) The use of physical force against or by an employee that causes or could cause physical and or psychological harm to another person at the workplace. This includes, but is not limited to, physical acts such as punching, hitting, kicking, pushing, damaging property or throwing objects that cause injury to the other party;
- b) The attempted use of physical force against or by an employee that could cause physical or non-physical injury to the other party.
- c) Any action(s) or statement(s) reasonably amounts to be a threat of physical or psychological harm or as a threat to safety or security in the workplace;
- d) Any form of sexual violence whether in a physical or non-physical manner;
- e) Any form of verbal/emotional/psychological abuse that causes physical, non-physical, psychological and or economic/monetary harm to another person.

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- f) Any form of workplace bullying such as repeated and persistent negative acts towards one or more individuals, which creates a hostile work environment.
- g) Bringing and using a weapon of any kind at the Company workplace or possessing a weapon of any kind while carrying out Company business, or threatening to bring a weapon of any to a Company workplace.

4.2 The Policy supplements the Company's **THE ELIMINATION OF HARASSMENT AT THE WORKPLACE POLICY (MY/HRD/013)** which addresses harassment, including conduct that is not covered by the definition of workplace violence but that demeans, embarrasses, humiliates or is unwelcome in any way to the party affected by such prohibited conduct.

5.0 NON-TOLERANCE OF WORKPLACE VIOLENCE

- 5.1** The Company places the health and safety of its employees as a priority and it aims and expects that its workplace(s) to be free of workplace violence and is consistent with the relevant Occupational, Safety and Health legislations.
- 5.2** The Company will not tolerate any incidents of workplace violence perpetrated against or by any employee, customer, vendor, contractor, visitor, stakeholder or any other person in its workplace or involved in the Company business.
- 5.3** Every employee at the Company workplace is responsible for acting in compliance with The Policy.
- 5.4** In respect to acts of workplace violence, as defined in the Policy, the Company may, where appropriate take the appropriate necessary action including:
- a) Remove the perpetrator from a Company workplace by security or the police;
 - b) Disciplinary action against any employee, up to and including dismissal, and/or report the conduct to the police if necessary; and
 - c) In the event the act is committed by an external party report the said conduct of any other person to their employer, supervisor and/or principal and/or to the police.
 - d) All acts physical violence involving an employee or occurring at a Company workplace will be reported to the police if it is deemed necessary/ appropriate to do so.
- 5.5** All other incidents or threats of workplace violence will also be reported to the police as when necessary/appropriate.

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6.0 RESPONSIBILITIES AND OBLIGATIONS

6.1 COMPANY

It is the responsibility of the Company to take reasonable steps to protect its employees and all other persons in the Company workplace from workplace violence. These steps include taking the following measures:

- a) To ensure that a workplace violence risk assessment is conducted;
- b) To develop procedures in consultation with the Employees representatives and or Trade Union where applicable to address the workplace violence risks that are identified in the workplace violence risk assessment report;
- c) To ensure that all employees are aware and familiar with The Policy;
- d) To post The Policy in prominent place(s) in the workplace;
- e) To ensure that The Policy is communicated to contractors, customers and other persons who attend the Company workplace;
- f) To establish a process for reporting and responding to incidents of workplace violence;
- g) To ensure the process for reporting and responding to incidents of workplace violence is properly communicated, maintained and followed; and
- h) To ensure that The Policy is reviewed at least on an annual basis.
- i) The Company shall appoint the Human Resource Manager, Head of Human Resource or any other person which the Company deems fit to be the person in charge (PIC) and responsible to monitor implementation and compliance of the Policy.

6.2 MANAGERS AND SUPERVISORS

- a) To understand and abide by the requirements of the Policy;
- b) To communicate and review the Policy with the employees they supervise or manage;
- c) To verify that all contractors, customers and stakeholders and others who attend Company workplace are aware of the Policy;
- d) To adequately train employees in Company procedures that address the workplace violence risk(s) applicable to the employee(s);
- e) To encourage employees to report complaints or incidents of workplace violence promptly without fear or worry of any consequences;
- f) To respond to all complaints or incidents of workplace violence in a professional manner that are appropriate for the circumstances of complaint or incident;

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- g) To promptly report all complaints or incidents of workplace violence they receive or witness to higher Management.

6.3 All EMPLOYEES

- a) To comply with the Policy at all times to protect themselves and others in the workplace from workplace violence;
- b) To immediately notify their supervisor or other designated person of any incident of workplace violence whether that person is the victim or not. In potential situations of an imminent threat of serious physical harm to themselves or any person from workplace violence, the employee can contact the relevant authorities if necessary;
- c) To participate in training regarding the Policy and Company procedures directed at the prevention of violence risks in the workplace; and
- d) To fully cooperate in any investigation of complaints or incidents of workplace violence or breaches of the Policy.

7.0 REPORTING OF INCIDENTS OF WORKPLACE VIOLENCE

7.1 REPORTING INCIDENTS OF WORKPLACE VIOLENCE

- a) All incidents of workplace violence or reprisal must be immediately reported to the appointed focal Person in Charge (PIC) of the Policy implementation and compliance and the Human Resources Department;
- b) Any person subjected to workplace violence should, where appropriate, go to a safe location at the workplace and report the incident to their supervisor, a Company supervisor or manager, the Human Resources Department, so that the incident can be formally investigated;
- c) All complaints and incidents are to be recorded in writing by the reporting person/employee, the supervisor or manager receiving the report and the Human Resources Department. The date, time, location, potential witnesses and nature of the incident should be documented;
- d) If the relevant authorities have not previously been informed, the Management or the Human Resources Department will decide if the said incident of workplace violence need be reported to the relevant authorities as deemed appropriate;
- e) If an incident of workplace violence involves a person who is not an employee of the Company, Company management or the Human Resources Department will report the incident to that person's employer and/or such

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other person as the Company determines is appropriate in the circumstances.

7.2 CONFIDENTIALITY

- a) A complaint received by the Company from any other person 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 accused (alleged or otherwise), are required to keep such information confidential.

7.3 INVESTIGATION

- a) All complaints or incidents of workplace violence or reprisal will be promptly investigated by management or the Human Resources Department. The Investigation will be done in accordance to the Company's "*Investigation Guidelines Relating To Violence And Harassment*".

7.4 NO REPRISAL POLICY

- a) Workplace violence is a serious matter. The Policy prohibits reprisals against employees who have made good faith complaints and or provided information regarding a complaint or incident of workplace violence. Any employee who engages in any form of reprisals or threats of reprisals may be disciplined up to including dismissal from employment.

Acts of Reprisal can be defined as including the following:

- Any act or form of retaliation that occurs against a person because that person has complained of or provided information regarding an incident of workplace violence;
- Deliberately pressuring a person to ignore or not report an incident of workplace violence under threat or duress of any kind; and
- Deliberately pressuring a person to lie or provide less than full cooperation in an investigation of workplace violence under threat of duress of any kind.

An employee who makes a false complaint or otherwise abuses the Policy may be disciplined up to and including dismissal from employment. Such disciplinary action is not deemed to be a reprisal act or breach of the Policy.

8.0 DISCIPLINARY ACTION

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- 8.1** Workplace violence may constitute misconduct for which disciplinary action may be taken by the Company.
- 8.2** Upon receipt of a complaint from the complainant, an Investigation Officer (IO) is appointed by the HR Department to investigate into the complaint. (Please refer to the Company Investigation Guidelines Relating To Violence And Harassment)
- 8.3** Under section 14(1) of the Employment Act 1955, section 13(1) of the Labour Ordinance (Sabah Cap. 67) and section 14(1) Labour Ordinance (Sarawak Cap. 76), the Management may, on the grounds of misconduct inconsistent with the fulfilment of the expressed or implied conditions of an employee's service, after due inquiry -
- a) dismiss the employee without notice;
 - b) downgrade the employee; or
 - c) impose any other lesser punishment as he deems just and fit, and where a punishment of suspension without wages is imposed, it shall not exceed a period of two (2) weeks.
- 8.4** For the purposes of an inquiry, the employer may suspend the accused employee from work for a period not exceeding two (2) weeks but shall pay him not less than half his wages for such period;
- 8.5** Provided that if the inquiry does not disclose any misconduct on the part of the accused employee the employer shall forthwith restore to the employee the full amount of wages so withheld.
- 8.6** The complainant shall be informed of the outcome of the investigation and if disciplinary action is taken against the accused employee, of the outcome of the disciplinary action.

9.0 INTERPRETATION OF THE POLICY

The General Manager, Human Capital Division is responsible for the official interpretation and review of The Policy as and when required.

9.1 POLICY REVIEW

The Policy may be reviewed and amended on an annual basis or as and when necessary, to ensure both its relevance to the promotion of a secure workplace and its effectiveness in ensuring that violence in the workplace is prevented or dealt with effectively.

The Policy shall be reviewed on an annual basis to ensure its relevance to the aim to ensure the elimination of violence at the Company workplace.