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Policy Manual
 Global Manufacturing and Supply Chain

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	1 of 10

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Approval and Authorisation

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Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	2 of 10

Table of Contents

1.	OBJECTIVES	3
2.	DEFINITION OF TERMS	3
3.	WHEN AND WHERE SEXUAL HARASSMENT IS COMMITTED	4
4.	FORMS OF SEXUAL HARASSMENT	4
5.	RETALIATION FOR SEXUAL HARASSMENT COMPLAINTS.....	5
6.	RESPONSIBILITIES OF THE COMPANY	5
7.	COMMITTEE ON DECORUM AND INVESTIGATION	6
8.	FUNCTIONS OF THE COMMITTEE.....	6
9.	PROCEDURE FOR MAKING, INVESTIGATING AND RESOLVING SEXUAL HARASSMENT AND RETALIATION COMPALINTS.....	7
9.1	COMPLAINT	7
9.2	ANSWER.....	7
9.3	REPLY	8
9.4	PREVENTIVE SUSPENSION	8
9.5	HEARING.....	8
9.6	DECISION.....	9
9.7	MOTION FOR RECONSIDERATION.....	9
10.	SCHEDULE OF PENALTIES	9
11.	PROGRAM TO ENFORCE SEXUAL HARASSMENT POLICY	9
12.	EFFECTIVITY	10



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	3 of 10

1. OBJECTIVES

Glaxo Smith Kline- Global Manufacturing and Supply, Cainta, Philippines and its employees believe that the working environment at all times should be supportive of the dignity and self-esteem of individuals.

In this regard, the Company is committed in maintaining a work environment that is free from sexual harassment and all forms of sexual intimidation and exploitation. In keeping with this commitment, it will not tolerate harassment of employees by anyone, including any of its employees, regardless of level. With this principle, the Anti-Sexual Harassment Policy is hereby established in accordance with Republic Act No. 7877, "An Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment and For Other Purposes".

2. DEFINITION OF TERMS

The following terms used in the foregoing policy are discussed for common interpretations:

- **WORK ENVIRONMENT**
Refers to the place or environment where work is being undertaken or training is on-going or where an employment relationship exists between and among individuals.
- **ASSAULT**
Refers to any attempt or threat to inflict injury upon the person of another, when coupled with an apparent present ability to do so and any intentional display of force such that it would give the victim reason to fear or expect immediate bodily harm. It may be committed without actually touching, striking, or doing bodily harm to the person by another
- **COMMITTEE**
Refers to the Committee on Decorum and Investigation formed by the company to enforce the policy.
- **MANAGERIAL EMPLOYEE**
Refers to one who is vested with powers or prerogatives to lay down and execute management policies and/or to hire, transfer, suspend, lay-off, recall, discharge, assign or discipline employees.
- **SUPERVISORY EMPLOYEE**
Refers to one who, in the interest of the employer, effectively recommends such managerial actions if the exercise of such authority is not merely routinary or clerical in nature but requires the use of independent judgement
- **COMPLAINANT**
The party filing the complaint.
- **RESPONDENT**
The individual charged or against whom the complaint is filed.



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	4 of 10

3. WHEN AND WHERE SEXUAL HARASSMENT IS COMMITTED

Any person who, having authority, influence or moral ascendancy over another in a work environment, demands, requests or otherwise requires any sexual favor from the other, regardless of whether the demand, request or requirement for submission is accepted by the object of said act. In a work-related or employment environment, sexual harassment is committed when:

- a sexual favor is made as a condition in the hiring, or in the employment or re-employment or continued employment of said individual, or in granting said individual favorable compensation, terms, conditions, promotions or privileges;
- the refusal to grant the sexual favor results in limiting, segregating or classifying the employee which in any way would discriminate, deprive or diminish employment opportunities or otherwise adversely affect said employee;
- the above acts would impair the employee's rights or privileges under existing labor laws; or
- the above acts would result in an intimidating, hostile or offensive environment for the employee.

Sexual harassment may be committed at any work environment which includes but is not limited to the following:

- Inside or outside the company premises;
- At the company or company-related social functions;
- In the course of work assignments outside the office;
- At work-related conferences, studies or training sessions; or during work-related travel.

4. FORMS OF SEXUAL HARASSMENT

Sexual harassment may take many forms. It may be subtle, indirect, blatant or overt. It may be physical, verbal or visual in nature. Sexual harassment acts may include but are not limited to the following:

- Persistently telling smutty jokes to a co-employee who has indicated she/he finds them offensive;
- Taunting a co-employee with constant talk of sex or sexual innuendoes;
- Displaying offensive pictures or publications in the workplace;
- Asking a co-employee intimate questions on his/her sexual activities;



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	5 of 10

- Making offensive hand or body gestures at a co-employee; staring or leering at a co-employee;
- Making obscene phone calls to a co-employee during and outside work hours;
- Pinching, unnecessarily brushing up against a co-employee's body;
- Requesting for dates or favors in exchange for a job, favorable working conditions or assignments; and
- Touching a co-employee in sensitive parts of his/her body, threats of a sexual nature and actual sexual assault.
- Any person who directs or induces another to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed, shall also be liable under these Rules.

5. RETALIATION FOR SEXUAL HARASSMENT COMPLAINTS

Any person against whom a complaint for sexual harassment is filed is deemed to commit retaliatory acts when he carries out any of the following:

- Disciplining, changing work assignments or, providing inaccurate work information to, or refusing to cooperate or discuss work-related matters with any employee because that employee has complained about or resisted harassment, discrimination or retaliation;
- Intentionally pressuring, falsely denying, lying about or otherwise covering up or attempting to cover up acts of sexual harassment;
- Threatening the promotional opportunities, job securities and other service-related benefits and privileges; or
- Other acts similar to the foregoing.

6. RESPONSIBILITIES OF THE COMPANY

It shall be the responsibility of the company to prevent or deter the commission of acts of sexual harassment and provide procedures for the resolution, settlement, or prosecution of acts of sexual harassment.



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	6 of 10

7. COMMITTEE ON DECORUM AND INVESTIGATION

The Committee on Decorum and Investigation is composed of the following:

- One (1) member from the SLT Site Leadership Team who will act as Chairman;
- Two (2) members from the SLT Group;
- Two (2) members from the Supervisory Level;
- Two (2) Union Officers or Members duly appointed by its President; and
- One (1) Confidential Rank & File Employee duly appointed by the Site HRM Manager.

The Committee shall select among themselves a Vice-Chairman and a Secretary. The tenure of office coincides with the employment tenure of the said members. Only when a member tenders his / her resignation from membership of the Committee that another member shall be appointed following the guidelines set forth.

8. FUNCTIONS OF THE COMMITTEE

The Committee shall have the following functions:

1. Receive complaints, investigate and hear sexual harassment cases, prepare and submit reports with the corresponding recommendations;
2. Conduct meetings with officers, employees, trainees and apprentices to increase understanding and prevent incidents of sexual harassment.
3. Promulgate rules on proper decorum and behavior in the workplace. The names, responsibilities, work locations and phone numbers of each Committee member will be routinely and continuously posted so that an employee seeking such name can enjoy anonymity and remain inconspicuous to all of the employees in the place in which he or she works.

Any member of the Committee who complains or is complained of sexual harassment shall inhibit himself/herself from participating in the deliberations of the Committee.



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	7 of 10

9. PROCEDURE FOR MAKING, INVESTIGATING AND RESOLVING SEXUAL HARASSMENT AND RETALIATION COMPLAINTS.

The procedures shall be as follows:

9.1 COMPLAINT

- The complaint must be in writing, signed and sworn to by the complainant, and must contain the following:
 - A. the full name and address of the complainant;
 - B. the full name and address of the respondent;
 - C. a specification of the charge or charges;
 - D. a brief statement of the relevant and material facts.

Where the complaint is not under oath, the complainant shall submit any documents to support claim. He / She shall be summoned by the Committee to swear to the truth of the allegations in the complaint.

Charges of sexual harassment must be filed within 60 days upon commission.

- In support of the complaint, the complainant shall submit any evidence he/she has, including affidavits of witnesses, if any, together with the complaint.
- Where the complaint is vague or too general, the Committee may require the complainant to specify the acts complained of as sexual harassment in writing within five (5) working days from the receipt of the notice, otherwise the complaint shall be dismissed.
- A withdrawal of the complaint made or files at any stage of the proceedings' shall not preclude the Committee from proceeding with the investigation of the case.

9.2 ANSWER

- Answers shall be filed within (10) working days from the receipt of the complaint.
- The answer shall be in writing, signed and sworn to by the respondent, and copy furnished the complainant. It is sufficient if the answer contains a specific admission or denial of the charge or charges and a statement of the relevant facts constituting the respondent's defense.
- To support his / her answer, the respondent shall submit any evidence he/she has, including affidavits of witnesses, if any, together with the answer.
- The answer may be filed through personal service or by registered mail. If it is filed by registered mail, the date of mailing shall be considered as the date of filing.



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	8 of 10

- Unless otherwise directed by the Committee, failure of the respondent to file an answer or to appear in the investigation shall be construed as waiver to present avoidance in his/her behalf. On the basis of evidence and pleadings submitted and the report/recommendation of the Committee referred to under Section 6 hereto, the Head of the Personnel Office shall then resolve the case.

9.3 REPLY

The complainant must file a reply within ten (10) working days from the receipt of the answer

9.4 PREVENTIVE SUSPENSION

- HRM Manager may suspend any officer or employee for not more than thirty (30) working days pending an investigation, if there are strong reasons to believe that the respondent is guilty of charges which would warrant his/her removal from service.

When the case against the officer or employee under preventive suspension is not finally decided within a period of thirty (30) working days after the date of suspension of the respondent, he/she shall be automatically reinstated in the service; Provided, that when the delay in the disposition of the case is due to the fault, negligence or petition of the respondent, the period of the delay shall not be counted in computing the period of suspension.

9.5 HEARING

- After all the pleadings have been submitted, the Committee may conduct a Hearing not earlier than five (5) working days nor later than ten (10) working days from the date of receipt of the respondent's answer or complainant's reply. If any, and shall terminate such hearing within thirty (30) days from the filing of the charged. However, the Committee may extend the period of hearing if it deems it necessary.
- The parties and their respective witnesses shall be notified of the scheduled hearing at least five (5) working days before the date thereof, specifying the time, date and place of hearing.
- Either party may require the attendance of witnesses and the production of documentary evidence in his/her favor.
- Either party may avail himself/herself of the services of counsel.
- No postponement shall be granted except in meritorious cases.
- All documentary evidence shall be admitted for whatever value they may have and shall be attached to the record of the case.
- The parties may be required to submit their respective memoranda within ten (10) working days after the hearing of their case.
- A report/recommendation shall be submitted by the Committee to the HRM Manager within fifteen (15) working days after conclusion of the investigation or hearing.



Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	9 of 10

9.6 DECISION

- Within thirty (30) working days from receipt of the Committee report and recommendation, the Vice President for HR, the HRM Manager and members of the Core Management Group shall render their decision.
- The decision of the group shall be final and executory ten (10) working days after receipt of the copy thereof by the parties unless a motion for reconsideration or appeal is filed with the HRM Manager.

9.7 MOTION FOR RECONSIDERATION

- The aggrieved party may file a motion for reconsideration with the HRM Manager within ten (10) working days from the receipt of the copy of the decision based on any of the following grounds:
 - A. New evidence has been discovered which materially affects the decision.
 - B. The decision is not supported by the evidence on record.
 - C. Errors of law or misappreciation of facts.
- The motion for reconsideration shall be deemed filed on the date of receipt by the HRM Manager, if filed personally, or on the date shown by the postmark on the envelope which shall be attached to the records of the case if by registered mail.
- A motion for reconsideration suspends the running of the period of appeal. The Vice President for HR, the HRM Manager and the Core Management will review merits of the case within 30 working days prior to rendering the decision.

10. SCHEDULE OF PENALTIES

The following schedule of penalties may be adapted for all violations of the Sexual Harassment Policy. Employee found guilty of committing sexual harassment shall be subject to dismissal in accordance with Company Rules & Regulation No. 3.11 (Disorderly Conduct & Behaviour). However, administrative sanction shall not be a bar for a complainant to file an unlawful act of sexual harassment in court.

11. PROGRAM TO ENFORCE SEXUAL HARASSMENT POLICY

Education and training for employees at each level of the work force are critical to the success of the policy against sexual harassment. It is in this line that the following program of actions shall be done by the company:-

- Existing employees shall be given a copy of the policy, and requested to read and sign a receiving copy. For newly hired employee, this shall form part of the orientation process and a copy shall be endorsed for reading and receipt

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Policy Manual

Global Manufacturing and Supply Cainta

TITLE: Anti-Sexual Harassment Policy

Document Identifier	Version	Issued	Effective	Review In	Page
SHR-POL-007-01	01	07 Nov 2007	15 Nov 2007	12 months	10 of 10

- To post copies of the policy in conspicuous places to ensure clear conveyance of the policy;
- To conduct a periodic orientation regarding the policy;
- Adequate and periodic training to members of the Committee to enhance skills in handling sexual harassment cases; and
- To support victim of sexual harassment with counselling services.

12. EFFECTIVITY

The Rules and Regulations shall take effect upon approval of the Technical Site Director and supersedes memo issued in the past not consistent to the policy