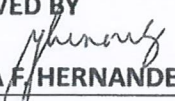
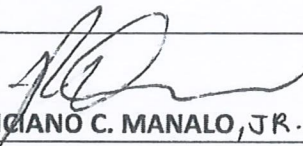




RETAIL, INC.

COMPANY POLICY

POLICY	EFFECTIVE DATE
ANTI-SEXUAL HARRASSMENT POLICY	01 MAY 2019
APPROVED BY  ELENITA F. HERNANDEZ	 PONCIANO C. MANALO, JR.

GENERAL POLICY	The Company, in compliance with Republic Act No. 7877, otherwise known as the Anti-Sexual Harassment Act of 1995, shall ensure a safe working place for its employees.
COVERAGE	SM Retail, Inc. Employees
DEFINITION OF TERMS	<ol style="list-style-type: none">1. Company – Refers and is limited to SM Retail, Inc. or SMRI.2. Sexual harassment is a form of misconduct involving an act or a series of verbal or physical behaviors which are sexual in nature made directly or indirectly and which are unwelcome and offensive to an individual to whom such act is directed.3. Sexual harassment is committed by an employee, manager, supervisor or any other person who has the authority, influence or moral ascendancy over another person in a work or training environment, regardless of whether the demand, request or requirement for sexual favor is accepted or not.4. If sexual harassment is committed by a third party, such as the client, customer, or supplier, the Company shall support and assist the employee with a valid complaint on the sexual harassment.5. A person who induces or cooperates with anyone to commit any act of sexual harassment should also be held liable.6. Sexual harassment is committed in a work-related or employment environment when:<ol style="list-style-type: none">i. The sexual favor is made as a condition in the hiring, employment, reemployment or continued employment of the individual, or in granting said individual favorable compensation, terms, conditions, promotions or privileges.ii. The refusal to grant the sexual favor would discriminate, deprive, or diminish employment opportunities or otherwise adversely affect the concerned employee.iii. The above acts would impair the employee's right or privileges under existing labor laws or;iv. The above acts would rest in an intimidating, hostile, or offensive environment for the employee.7. Work-related or employment environment is not limited to the employee's work location such as the office, store, or within Company premises. The occurrence of sexual harassment may

Company Propriety
Strictly Confidential



	<p>happen anywhere else in the course of performing employment responsibilities or by virtue of an employment relationship.</p> <p>8. The written complaint on sexual harassment must contain the following information:</p> <p>i. Employee’s full name and position</p> <p>ii. Offender’s full name and position</p> <p>iii. A brief statement on the relevant facts, including any evidence or testimony in support of the complaint</p> <p>9. Retaliatory act refers to any punitive action against an employee complaining of sexual harassment.</p> <p>10. The committee on decorum and investigation shall increase understanding and prevent incidents of sexual harassment. It shall also conduct the investigation of alleged cases constituting sexual harassment.</p> <p>11. Appropriate disciplinary action shall be meted against:</p> <p>i. An employee found guilty of sexual harassment;</p> <p>ii. An employee who was proven to have directed or induced another to commit sexual harassment or cooperated in its commission;</p> <p>iii. An employee who was proven to have committed retaliatory acts as a respondent in sexual harassment case.</p>			
APPLICABLE SANCTION	<table><tr><td><u>Offenses Meriting Termination</u><ul style="list-style-type: none">● Touching private parts directly or through clothing● Unwelcome and malicious kiss on the lips, ears, neck, other parts of the face and shoulders● Sexual assault● Any sexual harassment by a superior or one who has moral ascendancy over a person.● Requesting date or sexual action in exchange for favor● Unnecessary and malicious touching or brushing against individual’s body● Display or exhibit of private organs● Persistent telling of obscene jokes or stories/comments relating to sex despite warning that they are offensive● Lascivious and malicious look at another and voyeurism● Display of sexually offensive materials● Unwelcome inquiries or comments about person’s sex life, sexual flirtation, advances</td><td>Separation On the First Offense</td><td></td></tr></table>	<u>Offenses Meriting Termination</u> <ul style="list-style-type: none">● Touching private parts directly or through clothing● Unwelcome and malicious kiss on the lips, ears, neck, other parts of the face and shoulders● Sexual assault● Any sexual harassment by a superior or one who has moral ascendancy over a person.● Requesting date or sexual action in exchange for favor● Unnecessary and malicious touching or brushing against individual’s body● Display or exhibit of private organs● Persistent telling of obscene jokes or stories/comments relating to sex despite warning that they are offensive● Lascivious and malicious look at another and voyeurism● Display of sexually offensive materials● Unwelcome inquiries or comments about person’s sex life, sexual flirtation, advances	Separation On the First Offense	
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	<ul style="list-style-type: none"> • Making offensive hand and body gestures at an employee • Persistent unwanted contact or attention after the end of romantic relationship 		
	<u>Offenses Meriting Disciplinary action or Termination</u> <ul style="list-style-type: none"> • Derogatory remarks or innuendos directed at one's sexual orientation • Verbal abuse or threats 		<p>1st Offense: Warning of separation with minimum of Six (6) days Suspension.</p> <p>Depending on gravity and frequency of the case may be separated at 1st offense.</p>
PROCESS	No.	RESPONSIBLE	ACTIVITY
	1	Employee-Complainant	Submits a written complaint regarding the incident to the immediate Manager of HR Manager
	2	Complainant's Manager or HR Manager	Reviews the complaint to ensure that all required information are present.
			Prepares incident/ Violation Report (IVR) and serves the same to respondent who will be required to submit a written explanation within one hundred twenty (120) hours from receipt of the IVR.
			Copy HR Manager of IVR
	3	HR Division	Issues Notice of Hearing to concerned employees and CDI at least three (3) days prior to the scheduled administrative hearing.
	4	HR Manager	Allows both parties to explain their side during the hearing. Affidavits and counter-affidavits may be submitted by parties involved.
			*Respondent may be accompanied by a legal counsel and should advise the company no less than 24 hours prior the date of the admin hearing.
			Evaluate the case based on the IVR, testimonies of witnesses and other evidences, if any.
			Prepare an Administrative Investigation Report (AIR) within six (6) days after the decision has been made.
			Send a copy of the AIR to the respondent's Manager.



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				Prepare and send a written advice to employee-complainant and his Manager about the decision on the case.	
		5	Respondent's Manager or HR Manager	Serve the AIR to the employee. For termination cases, the HR Manager should also be present.	

CONFIDENTIALITY

SM RETAIL, INC. shall observe at all times confidentiality of the information relative to all reports or cases on sexual harassment.