

# MESCO PHARMACEUTICALS LTD

## Sexual Harassment Policy

### Purpose

It is the policy of the Company to provide an environment free from harassment for any reason, whether because of age, race, color, religion, gender, creed, national origin, disability, or any other factor, especially sex. Sexual harassment violates an individual's fundamental rights and personal dignity, is unlawful, and will not be tolerated by the Company. The Company considers sexual harassment in all its forms to be a serious offense.

### Definition

Sexual harassment is unwanted sexual attention of a persistent or offensive nature made by a person who knows, or reasonably should know, that such attention is unwanted. Sexual harassment includes sexually oriented conduct that interferes with an employee's job performance and creates an intimidating, hostile, or offensive working environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, an employee a reward if the employee complies with a sexually oriented request;
- Threatening, directly or indirectly, to retaliate against an employee if the employee refuses to comply with a sexually oriented request;
- Denying, directly or indirectly, an employee an employment-related opportunity if the employee refuses to comply with a sexually oriented request;
- Engaging in sexually suggestive physical contact or touching another employee in a way that is unwelcome;
- Engaging in explicit language, gestures, or indecent exposure;
- Making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances;
- Deliberately creating an overall offensive environment, including use of vulgar language, displaying, storing, or transmitting sexually explicit photographs or other materials, and the telling of sexual stories.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

Employees are prohibited from harassing other employees whether or not the incidents of harassment occur on Company property and whether or not the incidents occur during working hours.

Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment typically involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment.

Consensual sexual or romantic relationships between employees are deemed unwise and are strongly discouraged if one employee has supervisory authority over the other employee.

### **Responsibilities**

If employees believe that they have been subject to sexual harassment or any unwanted sexual attention by anyone (e.g., a coworker, Directors or other person), they should:

1. Make their unease and/or disapproval directly and immediately known to the alleged harasser;
2. Complete an Incident Report form; and
3. Report the incident immediately to the Managing Director. If that individual is responsible for the harassment, report the conduct to the Board of Directors.

Employees should feel free to raise concerns and make reports without fear of reprimand. It is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a sexual harassment complaint. All incidents of sexual harassment or inappropriate sexual conduct must be reported regardless of their seriousness. Alleging harassment without following these procedures might be considered evidence of a malicious intent on the part of the complainant.

## **Resolution**

Employees often can stop or prevent sexual harassment by immediately and directly expressing their disapproval of an individual's sexually oriented attention or conduct. In many cases, an informal warning by the Managing Director to an alleged harasser, combined with appropriate follow-up supervision and monitoring of the employee's behavior might be sufficient to prevent or stop sexual harassment. In certain instances if the employee is uncomfortable addressing the director the Board may be approached directly.

If this approach does not stop the harassment, a thorough and impartial investigation of all complaints will be conducted in a timely and appropriate manner. The investigation will be conducted by the Managing Director or the employee's immediate supervisor. Any employee of the Company who has been found to have sexually harassed another employee or visitor will be subject to disciplinary action up to and including termination.

## **Confidentiality**

All inquiries, complaints and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. However, the identity of the complainant usually is revealed to the accused and witnesses. All individuals contacted in connection with a complaint will be counseled that any information pertaining to the complaint shall be held in confidence.