



Non-Discrimination and Anti-Harassment Policy  
**Energy Absolute Public Company Limited (EA) and Subsidiaries.**

## INTRODUCTION

Energy Absolute Public Company Limited (EA) and Subsidiaries have realized and appreciated the advantages of utilizing personnel's different and varied ideas, abilities, and experiences as a key force in driving the organization sustainably. The Company, therefore, encourages a working atmosphere with mutual respect, the ability to coexist based on differences without discrimination, and harassment and various forms of harassment, and has established a discrimination and harassment policy as a guideline in order to maintain smooth operation. This Policy will be a supplement to the Human Rights Policy that was formerly enacted on May 1st, 2020, following the "Code of Conduct", the law, the declaration, and international standards that The Company abides by.

In order to establish a great and safe workplace to work in, The Company will take actions to prevent and protect employees at all levels from any type of discrimination and harassment, including sexual harassment. In case there is an incident where employees are harassed in the workplace and/or during working hours, The Company will conduct a fair investigation into the situation for all parties concerned.

## SCOPE

This Policy shall be applied to EA Group and its subsidiaries

## DEFINITIONS

- **EA Group** means Energy Absolute Public Company Limited (EA) and Subsidiaries.
- **Employee** means Employees at all levels of the Company.
- **Discrimination** means any different treatment or discrimination or special treatment to an individual or a group of people on the basis of personal characteristics on race, nationality, skin colour, ethnicity, family background, belief, religion, social status, sexual orientation, gender, age, physical stature or disability, spoken language, political belief including marital status or any particular features causing discriminatory incidents.
- **Harassment** means behaviour which is considered unwelcome, offensive,



discriminatory, threatening and hostile ( by the harassed Employee) which unreasonably disrupts another person in his/her work. The behaviour may not be intentionally done by the offender

but it has impact on the harassed employee physically and mentally. It can either be sexual or non-sexual.

#### Form of Harassment

- **Verbal** : saying sarcastically, bully, joking, jesting, teasing, instigate, wrong accusation, verbally assaulting words.
- **Non Verbal / Gesture**: staring, leering, impolite hand gesturing, whistling.
- **Physical** : bullying, unnecessarily patting / touching the other's body, showing pornographic materials, sending threaten messages, any acts that cause the harassed employee to be ashamed, humiliated, or discriminated.

Workplace means operational facilities, for instance:

- Office, Plant, Factory etc.
- Place of Company's functional events
- Place of work assigned for a business mission
- Place of conference or training

This applies throughout the course of a business mission, for instance:

- During business trip
- During business telephone conversation
- During any use of electronic devices for business purpose

#### IMPLEMENTATION

To prohibit discrimination in the zero-tolerance approach and harassment in any forms within the organization, the Company has set the guideline as follows:

##### 1. Recruitment and Selection

- No discriminatory wording in job vacancy advertisement.
- Recruitment and selection shall not be discriminatory on the basis of race, ethnicity, nationality, family background, skin colour, belief, religion, social status, sexual orientation, gender, age, physical stature, disability, spoken language, marital status or any particular features causing discriminatory incidents. It shall only be on

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qualifications required for the job vacancy.

- Salary, welfare and working condition offered must be fair to all candidates on the same standard of the vacant position.
- Application and supporting documents must be kept confidential, not disclosed to unconcerned persons and the user of those documents must be identified.
- Any psychometric test and pre-employment medical check-up must be related to working requirements.

## 2. Human Resources Development

- Development programme must be equally arranged and not discriminatory for all employee depending on their training required for the current position and for his/her career progression.
- Approval for training must be no discrimination.
- Awareness raising programmes of the requirements in this Policy shall be developed and promoted to all employees through training.

## 3. Performance Appraisal

Performance appraisal guidelines must be clear, transparent, and based on actual performance including behaviour conform to the Company's values (EA's DNA). The appraisal process should be conducted in order to mutually reflect upon the appraisal results.

## 4. Employee's Compensation

Compensation and promotion must be in accordance with applicable policy, on the basis of transparency and accuracy under the same standards.

## 5. Transfer, Exit

- Transfer process must be equally fair in careful consideration given to career progression opportunities and without discrimination.
- Dismissal from the Company must be on the ground of the performance measured as inadequate to the Company's standards and remaining unchanged despite opportunity given for his/her improvement and follow-up efforts by the Company or disciplinary actions causing dismissal or health problems based on medical doctor's diagnosis, or any other reasons which are not regarded as discrimination.



## Reporting guidelines when encountering discrimination and harassment incidents

1. The victim notifies the offender to stop the action immediately.
2. If the offender ignores and continues, the victim must report to his or her direct supervisor or the supervisor's head, or the Human Resources Vice President as appropriate by specifying the offender's name, date, time and location of the incident, and details relating to the action that may constitute discrimination and harassment along with attaching various evidence (if any). The victim must sign their name and provide address and contact for further information in the allegation letter. However, in the case when the offender is the Human Resources Vice President or legal authorities, the victim shall report directly to the Deputy Chief Executive Officer, the Chief Executive Officer, or Chairman of the Audit Committee.
3. Within 7 days of receiving the written report, the Human Resources Vice President contacts the victim, accused, and witnesses (if any).
4. Vice President from Human Resources establish a fact-finding committee of not less than 4 persons, which consists of the following.
  - Assistant Vice President level or above from the defender's Business unit
  - Assistant Vice President level or above from any other Business unit not involved in the incident
  - Vice President level from Human Resources
  - At least 1 legal employee participates in the investigation of the fact-finding committee, in case the action is within the scope of committing an offense under criminal law or other laws, which must be carried out according to the law.

In this regard, the establishment of a fact-finding committee shall be completed within 2 business days after the action in Clause 3.

If it is a complaint with the Human Resources Vice President or legal authorities, the victim shall report to the Deputy Chief Executive Officer, the Chief Executive Officer, or the Chairman of the Audit Committee of Energy Absolute Public Company Limited.

5. The investigation committee investigates and collects facts, witnesses, and evidence then summarizes the results of the investigation, considers disciplinary action against the offender within 7 days, and notifies the offender and victim in a writing document. If the process cannot be completed within 7 days, the investigation period will be extended.





The fact-finding committee must make a memorandum explaining the cause and necessity, including specifying the expected time of completion.

6. In case when the investigation committee summarized that the offender's action is disciplinary violations that require action according to work regulations that are effective since January 1st, 2021, or any other regulations that The Company will announce to enforce, amend, add and be effective in the future; the Vice President of Human Resources shall enforce and comply with such regulations and any action to suppress the discriminatory action or harassment, immediately.
7. In case when the investigation committee summarized that the offender's action is an offense that has to be taken legally, the issue shall be reported to the Chief Executive Officer and the Audit Committee immediately.
8. The offender and victim who make complaints of harassment will be protected appropriately. The information will be kept confidential to avoid any negative impact from such a report unless it is necessary to disclose the information to deal with legal action according to Clause 7.
9. The first appeal in the case when the offender or victim is not satisfied with the result of the consideration under Clause. 5, a complaint must be submitted to the Vice President of Human Resources within 7 days from the date of acknowledgment of the consideration result. If the offender or victim fails to file a complaint within the time limit, it shall be deemed that the complaint is final. In this regard, the rights of the offender or the offender will not be deprived of further proceedings under other laws.
10. In case when cases of discrimination action or harassment are not fixed or suspended according to Clause 6, the victim shall report to a superior supervisor at a higher level to report the issue to the Chief Executive Officer of Energy Absolute Public Company Limited within 7 days from the date of receiving the notification of the investigation result from the fact-finding committee to implement the highest disciplinary action against the offender.
11. For the second appeal, in case the offender or victim is still not satisfied with the result of the consideration under Clause. 9, a complaint must be submitted to the Chairman of the Audit Committee, Energy Absolute Public Company Limited via email: "chairman.audit.com@energyabsolute.co.th" within 7 days from the date of receiving the notification of the investigation results to report the issue into consideration at the Audit Committee meeting. The results of the audit committee's consideration are deemed final.
12. In the case of the victim blaming others without facts, bullying, or insulting others, which causes damage to others, those who do this will be subject to disciplinary action at the highest level, which is the termination of employment.



13. The Company considers that complaints are troubles of employees, which is the duty of The Company to investigate and find out the facts and solve or alleviate all the trouble. Therefore, The Company assures employees and related parties that such complaints will not cause any harm or negative effect to the employees and related persons, except in the case that fall under Clause 12 above.

(Porntip Sangchan)

Vice President of Human Resources Department

1 May 2021