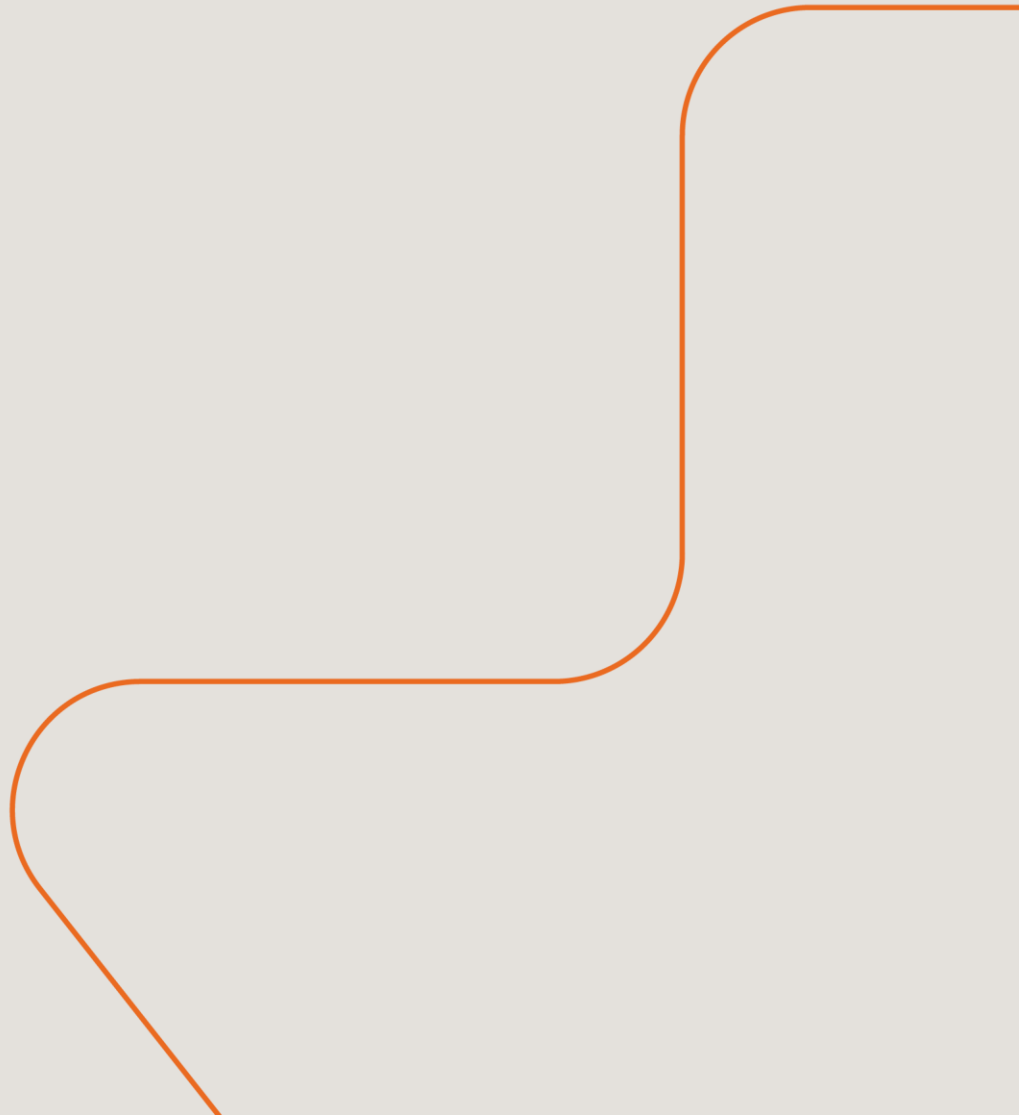




Almarys 

EQUAL OPPORTUNITY POLICY

ENL Limited



Document Summary

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1. COMMITMENT

- 1.1. Almarys (as defined below) recognises that, as a humane and caring employer, it has a moral and legal duty to ensure that its employees, in the course of their work, are treated, and treat one another, with dignity and respect, free from any form of abuse, discrimination, violence or harassment.
- 1.2. In line with **our Code of Ethics**, we at Almarys:
- promote fair, respectful, ethical and equal treatment of our employees;
 - provide an environment that fosters positivity, harmony and respectful behaviours;
 - do not directly or indirectly support unfair behaviour by ignoring what is happening around us; and
 - contribute to a working environment that is free of abuse, harassment, discrimination and other undignified behaviours.
- 1.3. The purpose of this Policy is, to *inter alia*:
- minimise the risk of employees being subjected to discrimination by implementing reasonable mitigating measures;
 - promote recruitment and selection, employment, training and development, traineeship, internal promotion, transfers, and remuneration practices with respect thereto, based on merit; and
 - ensure that working conditions and HR practices and processes are in line with current legislations with regards to equal opportunity and with measures against discrimination in employment and occupation.
- 1.4. Almarys requires the highest standards of conduct from its employees and from Third Party/ies acting in association with and/or on behalf of Almarys, so that they also respect the commitments set out in this Policy.

2. APPLICABILITY

- 2.1. The implementation of this Policy shall be in accordance with the mandatory provisions of the Equal Opportunities Act in Mauritius and any other applicable legislations, namely the Workers' Rights Act 2019 (as amended).
- 2.2. The implementation of this Policy shall be in accordance with the mandatory provisions of the Equal Opportunities Act in Mauritius and any other applicable legislations, namely the Workers' Rights Act 2019 (as amended).

3. DEFINITION(S) AND INTERPRETATION

3.1. In this document:

- any reference to one gender shall include the other gender;
- ‘we’ or ‘our’ refer to Almarys and/or any Company; and
- “in the course of the employee’s work” shall include all activities, inside or outside normal working days and hours, in which the employee is involved as a result of his work or training.

3.2. For the purposes of this Policy, the following words shall have the following meanings:

“**Act**” means the Equal Opportunities Act in Mauritius, as amended from time to time.

“**Associated Company/ies**” means any company related to, or associate of, ENL Limited and “related” shall be construed in accordance with the Companies Act 2001 while “associate” shall mean those companies disclosed as associates in the audited financial statements of ENL Limited.

“**company**” means ENL Limited or an Associated Company to which this Policy applies.

“**discrimination**” means to discriminate directly, indirectly or by means of victimisation on the basis of status, as prohibited under the Act.

“**direct discrimination**” or to “**directly discriminate**” shall mean such discrimination prohibited under the Act when an individual is treated less favourably based on his/her status, irrespective of whether or not the discriminator is aware of the discrimination or considers the treatment to be less favourable.

“**indirect discrimination**” or to “**indirectly discriminate**” shall mean such discrimination prohibited under the Act when an individual is treated less favourably based on his/her status and the discriminator imposes or proposes to impose a condition, requirement or practice on that person that is not justifiable in the circumstances, as compared to other persons. Such discrimination is irrespective of whether or not the discriminator is aware of the discrimination or considers the treatment to be less favourable.

“**discrimination by victimisation**” or to “**discriminate by victimisation**” shall mean such discrimination under the Act when an individual is treated or threatened to be treated less favourably or detrimentally based on that person providing or proposing to make any complaint, allegation, provide any evidence, assist in any enquiry and/or any proceedings under the Act.

“**Almarys**” or the “**Group**” means ENL Limited and its Associated Companies to which this Policy applies.

“**merit**” means the individual ability and fitness for employment and is made up of the following three linked elements:

- talent,
- competence and
- willingness and desire to work, of the employee or prospective employee.

“**employee(s)**” means all workers within a Company and includes all categories of employees and workers employed on an indeterminate or determinate duration, including full- time, part-time, casual workers and trainees under an apprenticeship, traineeship/training scheme.

“**status**” means age, caste, colour, creed, ethnic origin, impairment, marital status, place of origin, political opinion, race, sex or sexual orientation; and in relation to sections 10 and 11 of the Act, includes criminal record.

“**Third Party/ies**” refers to the Company’s agents, contractors, sub-contractors, partners, shareholders and officers acting in association with, for or on behalf of the Company.

4. SCOPE AND RESPONSIBILITIES

- 4.1. As per the Act, no Company shall discriminate, whether directly, indirectly and/or by victimisation, against any employee and/or other person in the process of recruitment, training, selection for employment and in respect of employment. Determining whether a person has committed discrimination under the Act bears no consideration to the underlying motives of the alleged discriminator.
- 4.2. The Company shall, with a view to promoting equality among its employees, and taking into consideration the Company’s resources and circumstances in general, take such measures as may be required to –
 - 4.2.1. ensure that working conditions are suitable to all employees without regard to status or any other characteristic protected by law;
 - 4.2.2. facilitate gainful employment and parenthood;
 - 4.2.3. ensure that no employee receives less favourable treatment than another and that opportunities for employment, training, promotion and transfer are accessible to all eligible candidates irrespective of their status;
 - 4.2.4. ensure that terms and conditions of employment are not discriminatory in nature;
 - 4.2.5. undertake that selection for employment, promotion, transfer and training as well as access to benefits, facilities and services will be on a fair and equitable basis irrespective of status and shall be based solely on merit;

- 4.2.6. ensure that managers and supervisors in key decision-making positions are trained on the discriminatory effects that certain provisions, practices, requirements, conditions, and criteria can have on team members, and the importance of being able to justify decisions to apply them;
- 4.2.7. take measures for complaints about discrimination in the course of employment to be regarded seriously, including resulting disciplinary actions;
- 4.2.8. provide for opportunities for employment to be advertised internally and externally, and, save where a genuine occupational requirement or statutory exception applies, all applicants will be welcomed, irrespective of their status, and
- 4.2.9. ensure that the commitments under this Policy are adhered to by its employees and Third Parties, acting in association with, for or on behalf of the Company.
- 4.3. It is the responsibility of all Group's employees and, in particular, managers and supervisors as well as human resources representatives to ensure that any known incident of unacceptable behaviour, including any discrimination, is promptly dealt with and corrective action is taken.
- 4.4. Managers and supervisors as well as human resources representatives have the added responsibility to:
 - 4.4.1. lead by example;
 - 4.4.2. clearly explain to and remind all employees and Third Parties dealing with the Company, of their responsibility under the present Policy;
 - 4.4.3. create and perpetuate a positive working environment/culture in which discrimination does not occur; and
 - 4.4.4. ensure a prompt adherence to the present Policy.
- 4.5. In addition, the Company shall ensure that the following non-exhaustive measures are implemented:
 - 4.5.1. Recruitment and Selection

Subject to exceptions under the Act, the Company shall ensure that:

- I. all its employees involved in the recruitment and selection process of job candidates and who deal with persons in employment and performance management, are familiar with this Policy;
- II. all job opportunities in the Company shall be advertised both internally and externally, at least 5 days before the promotion or selection exercise, as the case may be, is carried out;
- III. Job adverts, whether internal or external or via any media must not indicate or appear to indicate an intention to unjustifiably discriminate on grounds of status;
- IV. job descriptions should not overstate any duties that are not really required from candidates;
- V. all job applicants shall be welcomed irrespective of their status, unless otherwise is permitted under the Act;

- VI. all recruitment and selection shall be conducted objectively and on the applicant's suitability for the job position as well as on his ability to meet the job requirements. Any distinction, exclusion or preference in respect of a particular occupation based on the inherent requirements of the occupation shall not be deemed to be discrimination;
- VII. a candidate shall be selected, recruited and employed based on the merit of that person and not on his status; and
- VIII. Where a member of the selection panel involved in the recruitment and selection process is acquainted in any manner to an applicant, he will disclose his relationship to the other members of the selection panel during the screening process.

4.5.2. People in employment

The Company shall ensure that:

- I. any opportunities for promotion, benefits, compensation and any other related issues are applied on an objective basis – giving consideration, as far as practicable, to qualifications, merit, experience, performance and seniority; not on one's status.
- II. any transfer within Almarys shall be objective and with reasonable justification and will be documented for future reference.
- III. employees under disciplinary charge/s shall be given a fair treatment in accordance with the provisions of section 64 Protection against termination of agreement of the Workers' Rights Act 2019 (as amended) annexed as Annexure 1.

4.5.3. Training & Development

The Company shall ensure that:

- I. all employees are strongly encouraged to discuss their career prospects and training & development needs with their immediate superior/line manager.
- II. opportunities for training & development and job/career promotion are communicated and made available to all employees on a fair basis irrespective of status.

4.5.4. Sponsorships for Professional or Academic Qualifications or Sports or Other

The Company shall ensure that there is no discrimination based on status regarding employees who apply for a sponsorship to undertake a chosen qualification or participate in a sport event or complete any other achievement.

5. PROCEDURE FOR DEALING WITH ALLEGED DISCRIMINATION UNDER THIS POLICY

5.1. Discouraging any case of discrimination

- 5.1.1. Reports on alleged discrimination may be channeled through the below mentioned process.
- 5.1.2. In accordance with Almarys' Code of Ethics, the employee may consult the Ethics Officer prior to deciding on a course of action.

5.2. Reporting the Matter

- 5.2.1. Where a person feels that he is a victim of a case of alleged discrimination within Almarys and wishes to report the matter to the Company, he is encouraged to promptly report the case, including in writing, to his immediate superior/line manager and/or to the human resources representative, if the person is an employee or otherwise, to the Company's general manager and human resources representative.
- 5.2.2. Where an employee reports a case of alleged discrimination to his supervisor/line manager only, the latter should promptly seek the guidance of the human resources representative about how to handle the matter.

5.3. Speak Up – the Group's whistleblowing platform

- 5.3.1. To ensure the effectiveness of Almarys' Code of Ethics, the codes of conduct, and core values, and encourage accountability at all levels, Almarys centralises the management of whistleblowing alerts and malpractice reporting into a single, accessible reporting channel, for employees and third parties.
- 5.3.2. The Group's online reporting channel, Speak Up, is available to all stakeholders and can be accessed through-
 - a link on the Group Companies' websites, as well as on ERConnect and MyExperience
<https://er.whispli.com/speakup>
 - QR codes displayed in emails, on websites and in various locations within Group Companies.



- 5.3.3. Speak Up allows anonymous alerts which will be processed as far as practicable. However, employees are encouraged to identify themselves when making an alert as admissibility of the alert may be impacted or an investigation may be limited without the source of information.
- 5.3.4. Speak Up allows for ongoing communication with the whistleblower including, if deemed necessary, the request for additional information from the whistleblower.
- 5.3.5. Please consult the Speak Up Policy for more details.

5.4. The Process

Step 1: Enquiry

- 5.4.1. An enquiry shall be promptly conducted by the Company and appropriate actions will be taken wherever applicable.
- 5.4.2. The person reporting the case of alleged discrimination should provide sufficient information on the incident and describe:
 - I. the specific conduct/behaviour/act perceived as discrimination;
 - II. the date(s) and time;
 - III. the location;
 - IV. the full set of circumstances under which it took place;
 - V. the identity of the alleged discriminator/s;
 - VI. whether and in which circumstances the person made it clear to the alleged discriminator/s that the said conduct/behaviour/act was inappropriate;
 - VII. any witness(es) to the incident; and
 - VIII. anyone else to whom the incident has been related.
- 5.4.3. Witness(es) if any will be called to provide information in relation to what they witnessed of the incident.
- 5.4.4. As far as possible, alleged discriminator/s will be called to provide his/their version of the perceived discrimination.
- 5.4.5. Statements and information gathered during the enquiry are internal and will be kept confidential unless processing such as disclosure is required or is permissible under law.

Step 2: Take Appropriate Action

- 5.4.6. Following the enquiry, the Company shall take appropriate action with regards to the outcome of the enquiry undertaken, in accordance with any requisite delays as per law.
- 5.4.7. Based on the enquiry, the Company will review the matter and decide whether:
 - I. the matter is closed;
 - II. to initiate disciplinary proceedings or any other action in accordance with law; or
 - III. to advise the person having reported the case of alleged discrimination as to any other course of action.

- 5.4.8. Should the victim of alleged discrimination wish to resolve his complaint with respect to alleged discrimination in a discreet manner, the following informal process may be followed, where agreed between the said victim and his immediate superior/line manager or between the said victim and his immediate superior/line manager and the human resources representative, if the person is an employee or otherwise, the Company's general manager and human resources representative.

The Informal Process

- 5.4.9. The informal process aims at resolving the complaint through the provision of advice and counsel in a discreet manner and exploring the possibility of a mediation between the parties involved.
- 5.4.10. With the assistance of the immediate superior/line manager and/or the human resources representative (or anyone designated by the latter), the complaint will be discussed discreetly among the concerned parties with a view to resolving the reported case of alleged discrimination.

The Formal Process

- 5.4.11. Should the above-mentioned informal process not be elected, or be unsuccessful, the Company shall at its discretion with a view to protecting the rights of the employee, where the matter is not closed, take appropriate action.
- 5.4.12. Such action may include but is not limited to:
- I. disciplinary actions,
 - II. transfer/relocation,
 - III. counselling sessions and/or medical consultations,
 - IV. leaves being taken,
 - V. legal proceedings,
 - VI. any other action deemed appropriate by the employer.
- 5.4.13. The parties shall be informed of the decision/s taken.
- 5.4.14. Should the whole issue end up in a court of law or before any competent tribunal, then, the person who made the complaint must make himself available to give testimony.
- 5.4.15. Should anyone feel that they cannot report any act of discrimination to the Company under this Policy, the Act allows them to report the matter to the Equal Opportunities Commission (established under the Act) within 12 months of the alleged discrimination.

6. VIOLATION OF THIS POLICY

- 6.1. Any breach of this Policy and of the related legal provisions in relation to a case of alleged discrimination may lead to appropriate disciplinary action and/or the matter being reported to the Equal Opportunities Commission/the Police/the Ministry of Labour.
- 6.2. Failure to comply with Section 5 of The Workers' Rights Act 2019 (as amended) regarding discrimination in employment and occupation is an offence and is punishable with a fine and imprisonment.
- 6.3. Any false or misleading information and/or frivolous claims in respect to a case of alleged discrimination and/or any retaliation or threat of retaliation against any person making a complaint or assisting in any complaint or subsequent investigation, will be considered as a violation of the present Policy and may lead to appropriate disciplinary action, which may include dismissal for misconduct and/or legal proceedings.

7. REVISION OF THE POLICY

- 7.1. The Policy shall be reviewed and updated in accordance with amendments to mandatory legal provisions and on a periodic basis to ensure it remains relevant to Almarys. The revised version of the document will be submitted to the Board of ENL Limited for approval and once approved will automatically apply to the Associated Companies within Almarys to which this Policy applies.
- 7.2. Requests for revision or amendments to this document must be submitted to the **Group Compliance Function** for review and subsequent updates. A list of authorised changes to the Policy will be summarised in the revision history as shown on the second page.

Annexure 1: Extract from section 64 Protection against termination of agreement, subsections (3), (4), (5) and (7), of the Workers' Rights Act 2019 (as amended):

(3) Before a charge of alleged misconduct is levelled against a worker, an employer may carry out an investigation into all the circumstances of the case (...).

(4) Where an investigation carried out under subsection (3) discloses a suspected misconduct, the employer may formulate a charge against the worker.

(5) Where the employer decides to hold a disciplinary hearing, he shall, at the request of the worker, provide him with such information or documents as may be relevant to the charge.

(7) Where the opportunity afforded to a worker to answer any charge made against him (...) is the subject of a disciplinary hearing, he may have the assistance of –

- a representative of a trade union or a legal representative, or both; or
- an officer, where he is not assisted as specified in paragraph (a).