

ANTI GENDER-BASED VIOLENCE & SEXUAL HARASSMENT POLICY

1. Policy Statement

Eastern Produce Kenya Limited (EPK) (the “Company”) seeks to provide a safe, respectful, and dignified working environment free from all forms of Gender-Based Violence and Harassment (GBVH), including sexual harassment, cyber harassment, sexual violence, domestic violence, physical, psychological, and economic abuse, coercion, intimidation, retaliation, bullying, and abuse of power. The Company recognises GBVH as a serious violation of human rights and a life-threatening health, safety, and protection concern.

Gender Based Violence, Harassment (GBVH) of any form or nature will not be condoned regardless of an individual’s level of seniority, length of employment, or value to the Company; and regardless of whether the conduct was or is considered acceptable in other workplaces, cultures, or settings. All managers, employees, consultants, service providers, and other persons who have dealings with the Company have the right to be treated with dignity.

The Company recognises that GBVH may also occur outside the workplace, including in domestic or private settings and in company-provided housing. While the Company does not seek to regulate employees’ private lives, it has a duty of care to take reasonable measures to prevent and respond to GBVH where it affects the workplace, employees’ safety or wellbeing at work, or the Company’s operations.

2. Purpose

This policy seeks to:

- Affirm the Company’s commitment to preventing and addressing all forms of GBVH;
- Define all forms of GBVH in line with national and international standards and best practice;

- Establish clear and accessible reporting and investigation mechanisms in line with the Organizational Grievance Mechanism Standard Operating Procedures (OGM SOPs).
- Establish accountability and protection mechanisms; and
- Promote a culture of dignity, respect, and consistent total rejection for all forms of GBVH.

3. Scope of Application

This policy applies to all persons engaged in or connected with the Company's operations, including:

- a) All employees regardless of their contractual status whether permanent or fixed term;
- b) Third parties who may be impacted by the Company's operations (e.g. local community members, partner growers, any visitors, or family members staying within company-provided accommodation, students on attachment or internship, consultants, contractors, suppliers, volunteers).

The policy covers GBVH occurring in the workplace or work-related situations, including:

- a) All work-related activities, including field assignments, training, conferences, business meetings, company-related social events, and company-related travel;
- b) Conduct occurring online or outside working hours where there is a work-related connection, including domestic or intimate-partner violence that affects the workplace, employee safety, wellbeing, or the employee's ability to perform their role.

The Company expects all employees and third parties interacting with employees or present on Company premises to adhere to the standards set out in this policy.

4. Legal Framework

This policy is guided by the following legislation and international standards:

- Constitution of Kenya, 2010;
- Employment Act, Cap 226;
- Sexual Offences Act, Cap 63A;

- Protection Against Domestic Violence Act, Cap 151;
- Occupational Safety and Health Act, Cap 236A;
- The Computer Misuse and Cybercrimes Act, Cap 79C;
- Data Protection Act, Cap 411C;
- ILO Convention No. 190 on violence and harassment in the world of work; and Recommendation No. 206 on violence and harassment; and
- UN Guiding Principles on Business and Human Rights.

5. Definitions

Gender-Based Violence and Harassment (GBVH) refers to a range of harmful acts or threats of harm directed at an individual or a group of individuals based on their gender, that aim at, result in, or are likely to result in physical, sexual, psychological, emotional, or economic harm.

Sexual harassment is defined under Section 6 of the Employment Act as occurring where an employer, a representative of the employer, or a co-worker: directly or indirectly requests an employee for sexual intercourse, sexual contact, or any other form of sexual activity that contains an implied or express promise of preferential treatment in employment, a threat of detrimental treatment in employment, or a threat about the present or future employment status of the employee; uses language whether written or spoken of a sexual nature; uses visual material of a sexual nature; or shows physical behaviour of a sexual nature which directly or indirectly subjects the employee to behaviour that is unwelcome or offensive to that employee and that by its nature has a detrimental effect on that employee's employment, job performance, or job satisfaction.

Sexual harassment means any unwanted and inappropriate conduct of a sexual nature. The unwanted nature of sexual harassment distinguishes it from behaviour that is welcome and mutual. A single incident may constitute sexual harassment. Unwanted conduct is sexual harassment if the recipient has made it clear that the behaviour is considered offensive, and/or the perpetrator should have known that the behaviour is regarded as unacceptable.

For purposes of this Policy, sexual harassment also includes any unwanted and inappropriate conduct of a sexual nature, whether or not it meets the specific elements set out in Section 6 of the Employment Act.

6. Forms of Gender-Based Violence and Harassment

This Policy covers, but is not limited to, the following:

a. Sexual Harassment

Persistent or unwelcome sexual advances, requests for sexual favours, or other verbal, non-verbal, or physical conduct of a sexual nature, including conduct by a person in a position of authority who knows, or reasonably ought to know, that such conduct is unwelcome, constitutes sexual harassment where it creates an intimidating, hostile, or offensive work environment; or is made a condition of employment or employment-related decisions.

Prohibited conduct includes a wide range of subtle or overt behaviours, including but not limited to:

- Physical conduct of a sexual nature, including all unwanted physical contact ranging from touching to sexual assault, attempted rape, and rape, including attempted or actual kissing, fondling, petting or pinching, groping, hugging, and invading another's personal space;
- Verbal forms of sexual harassment, including unwelcome innuendoes, taunting, suggestions and hints, sexual advances, comments with sexual overtones, sex-related jokes or insults, unwelcome graphic comments about a person's body, unwelcome enquiries about a person's sex life, unwelcome whistling, derogatory or patronising name-calling, and telephone calls with sexual overtones;
- Non-verbal forms of sexual harassment, including unwelcome gestures, indecent exposure, and the unwelcome display of sexually explicit pictures and objects;
- Quid pro quo harassment, occurring where a supervisor, member of management, or co-staff member undertakes or attempts to influence the process of employment, promotion, training, discipline, dismissal, salary increments, or other benefits in exchange for sexual favours; and
- Sexual favouritism, where a person in a position of authority rewards only those who respond to their sexual advances, while other deserving employees who do not submit to such advances are denied promotions, merit rating, or salary increases.

b. Sexual Violence

Any sexual act that involves coercion, force, or abuse of power against another person's will, including acts where consent is not given or cannot be freely and knowingly given due to age, disability (including physical or mental illness), intoxication, unconsciousness, or any other condition that impairs the capacity to give free and informed consent. This includes sexual assault, rape, attempted rape, defilement, incest, forced prostitution, and slavery or trafficking for sexual exploitation.

c. Physical Violence

The use or threat of physical force resulting in harm, injury, or fear of harm. This includes beating, strangling, pushing, burning, pinching, slapping, hair-pulling, and the use of weapons. This also includes denying medical care, including access to family planning methods, or forcing alcohol or drug use.

d. Psychological or Emotional Violence

Acts that cause emotional harm including humiliation, intimidation, threats, or controlling behaviour, coercion, confinement, verbal disrespect and degradation, and extortion. This also includes bullying or repeated hostile behaviour that demeans, humiliates, or intimidates a person based on gender.

e. Economic Violence

Deprivation of economic resources, unfair control over employment opportunities, or misuse of financial power based on gender.

f. Abuse of Authority or Power

Use of position, influence, or authority to exploit, intimidate, or coerce another person based on gender.

g. Harmful Traditional Practices

These include Female Genital Mutilation (FGM), Intersex Genital Mutilation (IGM), Early Marriage, and Forced Marriage.

h. Domestic Violence

Violence against a person, or threat of violence or of imminent danger to a person, by any other person with whom that person is, or has been, in a domestic relationship.

i. Bullying and Cyber Harassment

Repeated or unreasonable behaviour directed at a person that intimidates, humiliates, undermines, or creates a hostile or offensive environment. Bullying may occur in person or through digital or electronic means (cyberbullying), including emails, messaging platforms, social media, or other online communication channels related to work. This includes sending sexually explicit messages, images, videos, or repeated unwanted communication of a sexual nature through electronic media including blogs, text messages, e-mails, WhatsApp, social networking sites, message boards, or instant messaging.

7. Reporting a Complaint

Every person has the right to raise a complaint of GBVH without fear of retaliation, victimisation, or adverse consequences. Any person who experiences, witnesses, or becomes aware of GBVH is encouraged to report the matter as soon as possible through any of the following channels:

- Operational-level Grievance Mechanism (Tweguu Akase Tier 1): 0800721616 (toll free) or 0711712222 email; grievance@easternproduce.co.ke
- Independent Human Rights Mechanism (Tweguu Akase Tier 2): 0800721815 (toll free) or 0113479693 or email independent@tweguuakase.co.ke;
- Whistle Blowing / Confidential Email: confidential@easternproduce.co.ke ;
- Nearest police station.

All reporting channels are equally valid. Individuals should not feel obligated to file their complaints with their immediate supervisor first before using any other channel listed above. While no fixed reporting period has been established, prompt reporting is strongly encouraged. Individuals may also choose to address a concern directly with the individual who engaged in the conduct, but they are not required to do so.

8. Complaint Processing Procedure

i. Immediate Response

Upon receipt of a complaint through any of the designated reporting channels, the complaint shall be formally registered under Tweguu Akase Tier 1 or Tier 2. Any complaint received directly by Tweguu Akase Tier 2 will be investigated as per their confidential and independent processes and in line with their Standard Operating Procedures (SOPs).

Where the Company has been notified of a Complaint it will seek the Complainant's consent to either refer the matter to the Tweguu Akase Tier 2 or investigate it Tier 1 level. The Grievance Mechanisms shall at all times maintain the confidentiality, safety, and protection of the complainant or victim.

ii. Assessment of Complaint

Following registration, the matter shall be assessed and classified as:

a) Minor GBVH Complaint

This refers to conduct that is isolated or one-off in nature; has limited impact on the complainant; does not involve physical violence, coercion, or threats; does not involve abuse of authority or a significant power imbalance; and can reasonably be resolved through internal intervention. E.g Inappropriate comments, jokes, or remarks of a gendered or sexual nature; unwelcome verbal advances or suggestive language; non-physical conduct that causes discomfort but does not create immediate risk; or minor boundary violations that cease once addressed.

Where a complaint is assessed as minor and suitable for internal resolution, it shall, with the consent of the complainant, be handled under Tweguu Akase Tier 1. Such resolution may include but not limited to facilitated dialogue, mediation, or supported communication between the parties, with the assistance of trained personnel.

b) Serious GBVH Complaint:

This refers to conduct that Involves physical, sexual, or psychological harm or threat thereof; is repeated, persistent, or escalating; involves coercion, intimidation, or abuse of authority/power imbalance; causes significant harm, trauma, or safety risk to the complainant; may constitute a criminal offence under Kenyan law; or poses

reputational, legal, or operational risk to the Company. E.g Sexual assault, attempted assault, or physical violence; sexual harassment involving coercion, threats, or quid pro quo; repeated harassment despite prior warnings; stalking, intimidation, or threats; or exploitation of vulnerable persons.

Where a complaint is assessed as serious, it shall be referred to Tweguu Akase Tier 2 for further investigation, subject to the complainant's informed consent. Where such consent is not granted, the Company shall, within the limits of the law, take appropriate internal protective and administrative measures.

iii. Investigations

All investigations shall be conducted under either Tweguu Akase Tier 1 or Tier 2, as applicable, in accordance with the relevant grievance handling procedures, and shall include consideration of witness accounts and all available supporting evidence to ensure a fair, objective, and thorough process.

Where the alleged perpetrator is:

- a) an employee, where deemed necessary (and in compliance with the appropriate company policy and legislation) shall be placed on suspension on full pay pending the outcome of investigations;
- b) a third party (contractor, consultant, partner grower, supplier etc), where deemed necessary, shall have their services suspended pending the outcome of the investigations.

The parties to the complaint shall be informed of the outcome of the investigations, subject to confidentiality requirements.

Where the investigation establishes that GBVH has occurred:

- a) the employee shall be subjected to disciplinary proceedings in accordance with the Company's Disciplinary Policy; or
- b) Where the perpetrator is a third party, appropriate action shall be taken in line with the terms of the applicable contract, which may include termination of services, requiring the contractor to investigate the matter, or removing the individual from the Company's premises or operations.

9. Protection of Complainants, Witnesses and Participants

The Company strictly prohibits any form of retaliation against any individual who reports GBVH or participates in an investigation of a GBVH complaint. Retaliation constitutes a serious breach of this Policy and shall be subject to disciplinary action, up to and including summary dismissal.

If the Company becomes aware or is requested to by the independent human rights mechanism, it shall take all reasonable steps to protect complainants, witnesses, and support persons from intimidation, retaliation, discrimination, or any adverse treatment arising from the reporting of concerns in good faith or participation in an investigation. Equally, any employee who is wilfully and falsely accused of GBVH shall be protected against victimisation and unfair treatment.

10. Referral to External Authorities

Where the reported conduct may constitute a criminal offence, the Company shall advise and, where appropriate, support the complainant to report the matter to the police or other competent authorities. The Company may also report such matters to law enforcement, subject to the complainant's informed consent, unless there is a legal obligation to do otherwise or where necessary to ensure safety, compliance with the law, or the protection of others. Nothing in this Policy prevents a complainant from reporting the matter directly to law enforcement authorities at any time.

11. Conduct in Company-Provided Accommodation

This Policy shall apply to all Company-provided accommodation and any residential facilities associated with the Company's operations. Employees and all other persons residing in or visiting such premises are required to uphold respectful conduct and refrain from any form of GBVH.

Any act of GBVH occurring within Company-provided accommodation shall be addressed in accordance with this Policy and may result in appropriate disciplinary or corrective measures. Where the perpetrator is a third party, the Company shall take appropriate action, including removal of the perpetrator from the premises and any further measures in line with applicable contractual or legal provisions.

12. Confidentiality and Data Protection

All reports will be handled confidentially. Any person handling the reporting or investigation of a GBVH concern is required not to disclose the name of a complainant, witnesses, or the circumstances related to the complaint to any person, except where disclosure is necessary for the purpose of investigating the complaint or taking disciplinary measures.

All personal data collected during reporting and investigation will be handled lawfully in accordance with the Kenya Data Protection Act, Cap 411C. Employees' and complainants' rights to privacy are respected, and data is accessed or shared only by authorised personnel for legitimate purposes.

13. Record-Keeping

The Company shall maintain accurate and confidential records of all GBVH complaints, investigations, measures taken, and outcomes under this Policy. Access to such records shall be restricted to authorised personnel and retained in accordance with legal and organisational requirements.

14. Training and Awareness

The Company shall promote awareness of this policy and the prevention of GBVH through appropriate training and communication. This includes:

- Induction training for new employees;
- Periodic awareness programmes for employees and supervisors;
- Communication of reporting mechanisms and support services;
- Sensitisation of contractors and other relevant stakeholders;
- Display of this policy on Company notice boards.

15. Accountability and Responsibilities

Employees: All employees shall uphold dignity, respect, and non-violence in the workplace. Employees must refrain from engaging in any form of GBVH, comply with this Policy, report incidents or concerns in good faith, and cooperate with investigations where required.

Management and Supervisors: Management and supervisors are responsible for promoting a safe and respectful work environment, preventing and addressing GBVH

within their areas, raising awareness of this Policy and reporting channels, and responding promptly to concerns raised.

Human Resources: Human Resources and designated Safeguarding Focal Points shall oversee the implementation of this Policy, including receiving and managing complaints, coordinating investigations and support services, ensuring confidentiality, maintaining records, and monitoring trends.

Contractors, Suppliers and Business Partners: All third parties engaged by the Company shall be made aware of this policy and they and their employees shall be required to comply with it and to cooperate with any investigations or corrective measures arising from such incidents.

16. Coordination with Other Company Policies

This policy shall be read together with other relevant Company policies and procedures, including:

- a) The Disciplinary Policy;
- b) The Whistleblowing Policy;
- c) The Operational-level Grievance Mechanism (Tweguu Akase); and
- d) The Human Rights Policy.
- e) Employee Code of conduct and ethics

Where a matter falls within the scope of more than one policy, the Company shall determine the most appropriate Policy to apply.

17. Policy Review

This policy shall be reviewed biennially or earlier in case of substantive legal changes to ensure effectiveness and continued alignment with legal and international standards.

Approved by the Board of Directors, August, 2026.