
Micro Focus Human Resources Department

Anti-Harassment and Anti-Bullying Policy

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For those countries that require consultation with works councils or other employee representatives, this is not intended to provide country-specific complete information and in no way reflects that final decisions have been made at a country level. With respect to such countries, final decisions are subject to prior consultation with works councils and other employee representatives, as required, and in compliance with local laws.

Statement of Intent:

Micro Focus seeks to provide a work environment where employees are treated with respect, dignity and consideration. This commitment is built upon a framework of policies and practices designed to ensure fairness in the recruitment, development and retention of employees. Micro Focus has formulated this policy on harassment together with guidelines on its implementation and made it fully available to all employees. This policy does not form part of any employee contract of employment and Micro Focus may amend it at any time or depart from it where we consider appropriate. Harassment of people at work is a feature of discrimination and procedures to deal with harassment are an integral part of any equal opportunities strategy.

Scope:

This policy establishes standards for Anti-Harassment & Anti-Bullying, which are applicable throughout the Micro Focus group of companies worldwide. These standards apply regardless of any lower standards as a result of local customs, cultures or laws. Please note, where local law should apply a higher standard than that higher standard will apply. Any such prohibited conduct by non-Micro Focus employees, such as, clients, visitors, suppliers, contractors, or third parties will not be tolerated and prompt and appropriate action will be taken.

Policy:

Micro Focus believe that each employee shall be treated with dignity and shall not suffer harassment, physical or mental punishment or other forms of abuse. Harassment or bullying of any sort is not acceptable to the Company. Micro Focus believe harassment or bullying at work to be a serious issue and we aim to eliminate it from the workplace. It is important that if you are the recipient or witness of harassing behavior, that you feel encouraged to come forward.

Micro Focus aims to provide a working and learning environment which will be stimulating and supportive and free of unlawful discrimination. Harassment can seriously worsen working and social conditions for employees. Bullying or harassment of employees by visitors to the organization will not be tolerated. Micro Focus has agreed a procedure for dealing with complaints of harassment. Any incidents of harassment will be regarded extremely seriously and may be grounds for disciplinary action including dismissal.

Micro Focus's anti-harassment and anti-bullying procedures may be referred to on the intranet or in the Human Resources Department.

Defining Harassment:

Harassment can be a source of great stress to an individual. Harassment takes many forms, occurs on a variety of grounds and may be directed at one person or many people. In general terms it can be described as unwanted behavior which a person finds intimidating, upsetting, embarrassing, humiliating or offensive. It is essential to remember that it is not the intention of the perpetrator that is key in deciding whether harassment has occurred, but whether the behavior is unacceptable by normal standards. It is also important to distinguish sexual harassment from sexual relationships freely entered into and acceptable to those involved. All employees of Micro Focus, are responsible for helping to ensure that individuals do not suffer any form of harassment, and that they are encouraged and supported in any legitimate complaint.

There is no one checklist as harassment is often specific to the person, relating to his or her feelings of respect and dignity. It is a question of whether they feel intimidated, or actions of others disrupt harmonious working. It may consist of behavior taking place over a period of time or a single incident. A general definition of harassment is that it is unwanted conduct affecting the dignity of men and women in the workplace. It may

be related to age, sex, race, disability, religion, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient.

Sexual and racial harassment have well-established definitions and definitions of disability harassment and of bullying are also given below. Harassment can also have a specific meaning under certain laws (for instance if harassment is related to sex, race or disability, it may be unlawful discrimination).

Sexual harassment:

Sexual harassment is a form of sex discrimination. It always involves unwanted conduct of a sexual nature which emphasizes sexual status over status as an individual, colleague or student.

It can be: physical, verbal or non-verbal, ranging from intimate contact, suggestive remarks or compromising invitations to aggressively foul language or unwanted demands for sex; offensive behavior or abuse relating to HIV or AIDS, homophobic remarks or jokes; threats to 'out' lesbian, gay or bisexual employees or students; or displays of sexually suggestive or degrading pictures in the work place.

Sexual harassment occurs when any such behavior creates an intimidating, hostile or offensive environment for employment, for study or for social life. Any behavior that makes the recipient feel unjustifiably viewed as a sexual object is liable to cause offence, ***even if offence is not intended.***

Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as sexual harassment by one person may not seem so to another. The defining features, however, are that the behavior is offensive to and unwanted by the recipient and would be regarded as sexual harassment by any reasonable person.

Racial harassment:

Racial harassment may be defined as any hostile or offensive act or expression (or series or combination of such acts) against a person, relating to color, race, nationality, or ethnic or national origins. It also includes incitement to commit such an act. Such behavior includes derogatory name-calling, insults and racist jokes, racist graffiti, verbal abuse or threats, physical attack or ridicule of an individual for cultural differences.

Racial harassment occurs when any such behavior creates an intimidating, hostile or offensive environment for employment, study or for social life. Racial harassment can occur ***even if offence is not intended.***

Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as racial harassment by one person may not seem so to another. The defining features, however, are that the behavior is offensive to and unwanted by the recipient and would be regarded as racial harassment by any reasonable person.

Disability harassment:

Disability harassment may be defined as any hostile or offensive act or expression against a person because of their disability or learning difficulty. It also includes incitement to commit such an act. Such behavior includes, as well as physical attack, derogatory name-calling, insults and jokes, verbal abuse or threats, and actions which humiliate, demean or ridicule a person because of their disability. Disability harassment occurs when any such behavior creates an intimidating, hostile or offensive environment for employment, study or for social life. Disability harassment can occur ***even if offence is not intended.***

Employees shall be made aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as disability harassment by one person may not seem so to another.

The defining features, however, are that the behavior is offensive to and unwanted by the recipient and would be regarded as disability harassment by any reasonable person.

Bullying and general harassment:

Bullying and general harassment is a similar misuse of power or position. It may include persistent and unfair criticism or condemnation, humiliation, be offensive, intimidating, malicious or insulting behavior, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient and the undermining of an individual's ability and confidence. In a working and learning environment bullying usually takes the form of irrational and unfair verbal assaults, but physical violence can be involved.

Bullying occurs when any such behavior creates an intimidating, hostile or offensive environment for employment, study or for social life. Bullying can occur ***even if offence is not intended.***

Employees should be aware that differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as bullying by one person may not seem so to another.

Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority such as a manager or supervisor) or involve groups of people. It may be obvious or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Any difficulty in defining what constitutes racial, sexual or disability harassment, or bullying, should not deter employees from complaining about behavior, which causes them distress. Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation or publicity.

Micro Focus will respect the particular sensitivity of harassment complaints and their consequences as well as the need for the utmost confidentiality. Harassment and bullying can range from extremes such as violence, to less obvious forms like ignoring someone.

Whatever the form, harassment will be unwanted behavior which is unwelcome and unpleasant.

Forms of harassment include:

- physical contact
- jokes, offensive language, gossip, slander, sectarian songs and letters
- posters, graffiti, obscene gestures, flags, bunting and emblems
- isolation or non-cooperation and exclusion from social activities
- coercion for sexual favors and pressure to participate in political/religious groups
- intrusion by pestering, spying and stalking.
- spreading malicious rumors, or insulting someone by word or behavior (particularly on racial, sexual or disability grounds)
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone — picking on them or setting them up to fail
- exclusion or victimization
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances — touching, standing too close, the display of offensive materials
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.
- verbal or physical threats and intimidation
- persistent negative comments
- humiliating someone in front of others

- unjustified, persistent criticism
- offensive or abusive personal remarks
- constantly changing work targets in order to cause someone to fail
- reducing someone's effectiveness by withholding information
- ostracism
- picking on one person for criticism when there is a common problem
- not giving credit where it is due
- claiming credit for someone else's work
- belittling someone's opinion
- making false allegations
- monitoring work unnecessarily and intrusively
- undervaluing work done
- removing areas of responsibility without justification
- imposing unfair sanctions

Procedure:

It is recognized that informal channels can be the most effective means of preventing or stopping harassment.

Employees who feel they have been subjected to or witnessed any of the behaviors listed above are requested to immediately report the behavior by reporting the incident to their manager, HRBP, member of the Executive Team, at compliance@microfocus.com or at www.microfocus.ethicspoint.com. When a formal complaint is lodged, it will be thoroughly and fully investigated. Micro Focus will respect the particular sensitivity of harassment complaints and their consequences as well as the need for the utmost confidentiality. Employees should not be deterred from making a complaint because of embarrassment or fear of intimidation or publicity.

Management Responsibility:

Managers have a responsibility towards all their employees to maintain a standard of professional conduct between colleagues and to investigate complaints in a professional way. They must be proactive and take steps to deal with harassment or bullying, whether or not it has been formally reported.