



GRIEVANCE\COMPLAINTS PROCESS

MARCUS LIBYA underlines its commitment to the international standards in force in terms of Human Rights and, more particularly, the principles of the Universal Declaration of Human Rights.

Furthermore, MARCUS LIBYA strengthens its commitment by adhering to the universal principles of the United Nations which will serve as a guideline and code of conduct for the company in the context of its professional activities.

Purpose and scope

1 The purpose of this procedure is to provide a way to resolve grievances in a fair and timely manner and to promote good working relationships between employees themselves, the company's business and the surrounding environment, whether people or nature.

2 It is designed to deal with grievances arising directly from an employee's employment or the company's labor practices. Therefore, all aggrieved parties (internally/externally) have the right to file a grievance.

WHY HAVE IN PLACE A PROJECT-LEVEL GRIEVANCE MECHANISM?

- . Helps to identify and address grievances early, preventing escalation.
- . Part of stakeholder engagement process.
- . Communication and monitoring channel.
- . Right to remedy under UDHR.

Principles

This procedure is based on the following principles which aim to enable positive resolution of grievances.

1. Timeliness

Managers will treat grievances as high priority recognizing that early intervention in addressing the concerns of complainants and seeking early resolution is advantageous to all parties. Every reasonable effort will be made by all parties to resolve grievances informally in the first instance, balancing the need to resolve issues quickly with the need to ensure that they are investigated properly. All parties must make every effort to make themselves available for meetings as part of this process. Time limits referred to during the procedure will be the norm, but in exceptional circumstances can be altered provided that all parties agree.



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2. Confidentiality

Grievances will be treated as confidential and sensitive by all parties. The nature of the grievance should not be shared by either party with people outside the process except where advice is being sought.

3. Training and support

Managers involved with investigating and hearing grievances will be trained in these procedures. If the complainant is an employee he/she may seek advice and support from HR at all stages, and the employee should be notified where HR will be attending a meeting. Parties will be invited to attend hearings at all stages of the procedure.

4. Equality and diversity

At all stages proper consideration should be given to the equality and diversity implications of the case and needs of the individuals involved. This is to ensure that the process is managed in a fair and equitable way, and reasonable adjustments implemented where applicable.

5. Fairness

Remedies should not conflict with the human rights and the labor law in the state of Libya.

Where at any stage either party considers that the grievance cannot be resolved in a timely manner, or either party are not satisfied with the actions taken, this will be referred to the next stage.

The complainants/opponents should be acknowledged of their right of appeal in case the remedies/solutions taken are not satisfying for them

And the company propose to use a Mediator or an expert (third party) and involve them followed the acceptance of opponents.

6. Transparency

Where a grievance is made against an individual, then she/he will be informed of this fact and have the right to see the details of the grievance.

7. Communication

The manager will regularly keep the main parties who are involved in a grievance informed of progress and, where applicable, the outcome of the grievance specific to their involvement.



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MARCUS LIBYA defined two types of complaints:

- 1- Internal complaints
- 2- External complaints

Internal complaints can be split into two groups

- A- Internal company (employees)
- B- As part of a contract, emanating from:
 - Customer
 - Subcontractor

External complaints:

Are generated by a Civilians \businesses \Public institutions \NGOs (external or non-relevant to the project), for the acts of the activities of the company or the project. In which led to near-miss or other types of incidents.

1- Internal complaints

In the context of internal complaints, we will have as a common thread the following mechanism which seems to us to be a logical and coherent path:

- The company's desire to take into account everyone's grievances, thus helping to strengthen relationships with stakeholders
- Promote early identification and resolution of concerns
- Reduce the probability that complaints will turn into disputes, disputes, incidents affecting security or issues likely to alter the current project or contract.

Thanks to dialogue, to the extent that it is broad, permanent and supportive, potential areas of concern will be addressed as early as possible in order to prevent complaints.

A complaints resolution mechanism is designed to deal with grievances, however we will favor dialogue to find a solution and thus defuse a situation which could become critical.

Upstream, good management of concerns will promote dialogue with stakeholders and vice versa.

A- Employee complaint

Employees can file grievances when:

- They were victims of workplace harassment.
- Their health and safety have been compromised.
- They witnessed poor supervisor and/or management behavior
- Unfair changes were made to the employment contract.
- Policy guidelines are violated.



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- There is a conflict between colleagues, or with management.
- Violation of principles of company\ human rights code of conduct.
- Unfair sanctions\disciplinary applied to employees.
- Any other wrongdoings not mentioned.

***MARCUS LIBYA** also recognizes that each case is different and that this list is subject to change, depending on the definition filed in the grievance complaint form.*

Filing a grievance.

*Within the framework of **MARCUS LIBYA**, when filing a grievance, the employee has the opportunity to report their complaint(s) by The various ways that **MARCUS LIBYA** provide in the **whistleblowing** channels. Once the complaint has been submitted to management, the employee will be received by one of the members of management to present their grievances.*

Management will take note of the employee's grievances based on their preliminary report.

After study of the grievances by all management, the employee will be invited to participate in a second meeting with the aim of responding to the grievances and finding a solution that will suit all stakeholders.

Corporate Responsibilities.

MARCUS LIBYA is responsible for:

- To accept and fully investigate the grievance complaint.
- To ensure that the grievance is resolved within a time period appropriate to the seriousness of each case.
- To treat all parties fairly throughout the grievance process.
- To respect the non-retaliation policy when the employee files a complaint against management.
- To organize mediation meetings with the employee.
- To practice a high level of confidentiality throughout the grievance process.
- To accept and investigate all grievances.
- To ensure that the final decision is implemented.
- To maintain accurate and complete records of each grievance.

Liability of the complainant

Abusive use of the complaints mechanism may be subject to a disciplinary sanction which may go as far as termination of the employment contract, where applicable for serious misconduct.

Any improper use may also be subject to legal action on the basis of defamation, in accordance with the rules of law applicable locally.

Confidentiality

Employees are required to sign a confidentiality agreement in the working contract which prevents them from discussing the grievance before and after its resolution. All parties are prohibited from discussing the matter with any other employee of the Company.

MARCUS LIBYA will ensure in particular that the identity of the author of the report of a grievance, the facts subject to the grievance and the identity of the persons concerned will be kept strictly confidential. In the



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event that, for the strict purposes of processing the grievance, these elements should be communicated to a third party, this third party will be subject to the same reinforced confidentiality obligation.

In this case, elements likely to identify the author of the grievance may only be disclosed with the latter's consent, except disclosure to the judicial authority.

In any event, the identity of the author of the complaint cannot be communicated to the person implicated by the complaint.

The author of the complaint is also subject to a reinforced obligation of confidentiality, both with regard to the filing of the complaint and the content thereof. Any breach of the above-mentioned obligation of confidentiality would be likely to result in termination of the employment contract, where applicable for serious misconduct.

Protection of the complainant

The good faith use of the complaints mechanism, in accordance with the rules described above, cannot expose the author of the complaint to disciplinary sanction or any other retaliatory measure of whatever nature.

Any unfavorable treatment, any retaliation, direct or indirect, on the part of any employee or member of MARCUS LIBYA against an employee who has made a complaint within the framework of the complaints mechanism will give rise to a disciplinary sanction which may go as far as termination of the employment contract, where applicable for serious misconduct.

Disciplinary measures

This Code of Conduct in correlation with the declaration of intent to respect human rights applies to all staff of MARCUS LIBYA and its partners. They are required to read it.

Depending on its seriousness, any breach may be subject to:

- Either an appropriate corrective measure,
- Either a disciplinary sanction which may go as far as dismissal for serious misconduct,

And this, without prejudice to legal proceedings which could, where applicable, be implemented by MARCUS LIBYA.

B- Complaints from a customer or subcontractor in the context of a contract or project

In the event that the complaint comes from a customer or a subcontractor, the approach will be similar in that dialogue will be favored in order to find a solution that suits all parties.

Meetings will be organized between the management of the stakeholders which will systematically be the subject of minutes establishing the responsibilities of each person in the context of the grievance(s).

2- External complaints

Complaints may be generated when the company MARCUS LIBYA is involved in an incident or accident that could result in material\environment damage and/or bodily injury.

In this context, MARCUS LIBYA employees must always wear their company IDs where they can be identified and related to their company, the person(s) from MARCUS LIBYA involved in the incident or



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accident will establish a dialogue with the aim of defusing a situation which could worsen.

Obviously, depending on the seriousness of the event, security and personal assistance measures will be taken.

Following this, the MARCUS LIBYA staff involved in the incident or accident will provide a whistleblowing card\Brochure (in English and in the local language) containing the contact details of whom the complainant can contact in order to hear their grievances.

The procedure for receiving the complaint will remain as per the whistleblowing channels, and the following considerations will be taken:

- The complainant(s) will be received by a managing member of the company in order to receive and hear the complainant's grievances.
- Where possible, the complainant will be asked for a written record of their grievances. If this is not the case, MARCUS LIBYA will take note of the complainants' grievances.
- A phase of dialogue will be undertaken between management and the complainant and/or his representative in order to find a solution that suits the stakeholders.
- If legal measures are taken, particularly in the context of personal injury, MARCUS LIBYA will undertake, depending on its involvement and responsibility, to comply with the legal decision.

Once a resolution to the complaint has been agreed or a decision to close the case has been made, the final step will be implementing the resolution, monitoring the results and concluding the complaint.



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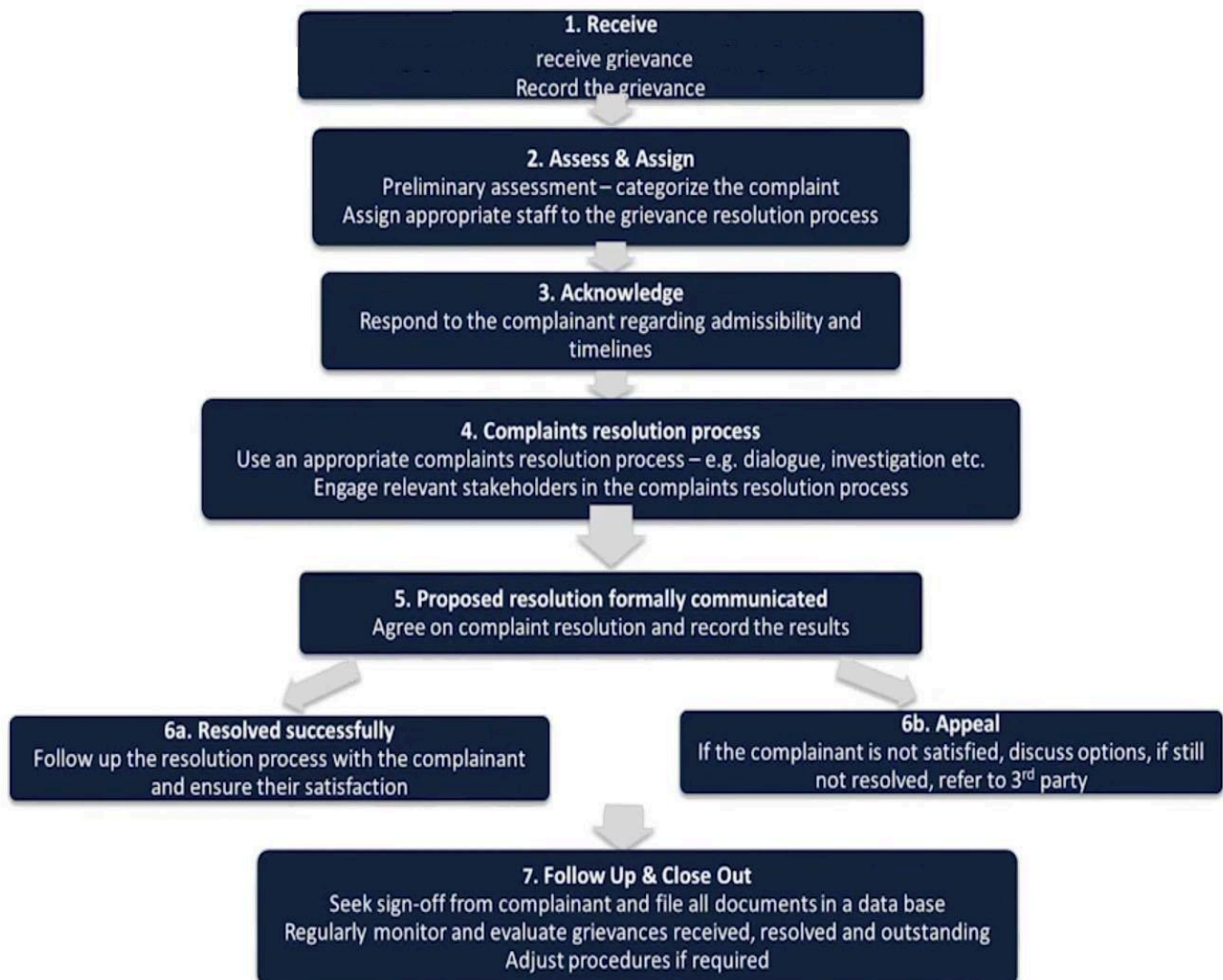
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Processing Grievance\complaints:

The process of receiving complaints and grievances (whether internal or external) will be in the following format shown in the flow chart:

GRIEVANCE MECHANISM STEPS





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1- Receive:

With respect of all principles of this policy mentioned above,,

The first stage will be receiving complaints and grievances from various sources, whether internal or external, through the available and activated channels for receiving complaints and grievances as stated in the whistleblowing policy.

And receiving complaint\ grievance can be divided into two categories:

- Informal :

An informal grievance is where the complainant has raised a problem or made a complaint verbally, and is happy for the employer to deal with the matter informally, where this approach is usually limited to minor grievances.

- Formal:

A formal grievance is where the complainant puts the matter in writing whether it's in a letter, email, or in a formal phone call where he\she disclose the willing of raising a formal complaint\ grievance, in response to which an employer should follow their formal grievance procedures. A formal approach will be required for more serious or ongoing complaints, for example, where an informal approach has not worked, or even for minor issues but the complainant would prefer the matter to be dealt with formally.

And it's the duty and role of the Complaint\Grievance officer to be the first in order to receive all the Formal complaints\ Grievances through various channels, and to asses and assign the right authority to resolve the complaint\grievance.

The second stage will be documenting complaint/grievance for subsequent action.

2- Assess and assign :

Based on the type of complaint submitted, these complaints and grievances are evaluated and classified in terms of:

1- Scope of the complaint/grievance:

First, the main stakeholders in the complaint/grievance, its scope and limits must be identified to facilitate assigning the task of resolving this problem to the appropriate responsible person, where the scope of the complaint/grievance can be identified in:

- Clients complaint/grievance (between employees or between employees and their supervisors or managers in the company).
- Complaint/grievance in the work project (between employees or their supervisors or managers and the clients).
- External complaint/grievance (between the company and external parties)

2- Impact of the complaint/grievance:



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Also here, it is necessary to identify who are the main stakeholders affected by the complaint/grievance and also the solutions based on it:

- Small Internal impact (does not go beyond the scope of employees, supervisors and managers and has no impact on the performance and services provided).
- Medium\Big Internal impact on the project that affects the performance or the services provided by the company and affects the company's reputation (between the company and customers)
- Small external impact (between the company and external affected parties).
- A significant external impact that could lead to legal accountability and be considered a crime.

These determinants are analyzed and the complaint/grievance is referred to the appropriate responsible person based on the scope and impact,

And the following table shows the responsibility to lead the investigation and the resolution:

SCOPE \ IMPACT	INTERNALLY	WITH CLIENTS	EXTERNALLY
SMALL	HR	HR \ INTERNAL AUDIT	CEO
MEDIUM	INTERNAL AUDIT	INTERNAL AUDIT \ CEO	CEO
BIG	INTERNAL AUDIT \ CEO	CEO	CEO \ BOARD OF MEMBERS

3- Acknowledge :

Within **10 calendar days** of a concern being raised, MARCUS LIBYA will write the following information to the complainant:

- Acknowledgement that the concern has been received (within 24Hrs).
- How MARCUS LIBYA proposes to deal with the matter.
- Any initial enquiries made.
- Any further information needed from the complainant.
- Any further investigations that will take place.
- Estimated timeline to provide a final response.
- If the complainant report has been dismissed, the reasons for its dismissal.



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If urgent action is required, it will be taken before any investigation is conducted. Concerns will be investigated as quickly as possible. The seriousness and complexity of any complaint may have an impact on the time taken to investigate a matter. The amount of contact between the persons considering the issues and the whistle-blower will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, MARCUS LIBYA will seek further information from the whistle-blower. MARCUS LIBYA will take steps to minimize any difficulties which the whistle-blower may experience as a result of raising a concern. MARCUS LIBYA accepts that the whistle-blower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, MARCUS LIBYA will inform the whistle-blower of the outcomes of any investigation.

4- Complaint resolution process :

After sorting the complaint, analyzing its type and importance (scope & impact), and assigning the appropriate person to express an opinion and propose the appropriate solution to the complaint, we must now work on collecting the facts, evidence and proofs that will support the final outcome of the decision.

- Dialogue

A phase of dialogue will be undertaken between management and the complainant and/or his representative in order to find a solution that suits the stakeholders.

- Investigation:

an investigation should aims to:

- Determine if there is a case to answer.
- Ensure fair treatment for everyone involved.
- Gather evidence from all sides.
- Help the employer make informed decisions.

Key Stages of an Investigation:**Organizational Preparation:**

- Decide if an investigation is necessary.
- Define what needs to be investigated.
- Choose an investigator.
- Keep the matter confidential.



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Investigator's Preparation:

- Draft an investigation plan.
- Identify sources of evidence.
- Arrange meetings.

Handling Investigation Meetings:

- Conduct interviews.
- Record meeting details.
- Address reluctant witnesses.

Gathering Evidence:

- Collect witness statements, written records, and physical evidence.

With respect to international human rights and Libyan civil law and the Libyan labor law, the adopted resolution should be selected and announced to the decision makers in MARCUS LIBYA to approve and implement.

5- Proposed resolution formally communicated :

After the decision is taken and approved by the authorized decision makers, each according to his authority, the results of the investigation are circulated to the parties involved with these results. Care is taken to ensure that feedback is received from all parties and whether the parties are satisfied with the results of the investigations and the decision taken? Or is there an objection and the need to appeal?

6-

A- Complaint\ Grievance resolved successfully :

In this case, and after implementation of the remedies, the case can be closed and the documents related to the complaint/grievance can be saved in records.

with caution and in a proper way, the company must follow up with the complainant and ensure that he is completely satisfied with the decisions taken, and to ask for a written waiver if possible.



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B- Complainant requests for Appeal :

The company must understand the complainant's objection to the prescribed corrections, and try to explain and defend the validity of the decision as much as possible without arbitrariness or bias, and confirm that the corrective action was in accordance with disciplinary standards, regulations and laws.

And listen to the solutions proposed by the complainant and the extent of their applicability and fairness.

If he still believes that this decision is unfair, he can appeal and conduct investigations again in a manner that does not lead to sympathy and bias.

The procedures followed for the complaint/grievance are, but the task must be assigned, if possible, to another official to decide on the decision this time.

In the event that the complainant is not satisfied with the decision taken after the appeal, and if possible, the company can offer to seek the assistance of a neutral party to express an opinion on this issue

7- Follow up & close out :

Corrective actions should not only be for the sake of satisfying the complainant or solving an existing problem, but also to avoid future problems and ensure that preventive measures for job errors are properly applied, and that performance monitoring and work indicators reflect the actual outputs of the work. The results of the corrections should be shared with the company's senior management and it should be discussed whether any part of the executive regulations should be amended to ensure the safety of employees and the full fulfillment of their rights, as well as the safety of the surrounding environment, and to ensure performance with all possible efficiency and effectiveness.

Approved by:

Mohammed Ali

MARCUS LIBYA CO.