



EGCO Human Rights Training 2023



18 October 2023

Objectives

Increase employee awareness and understanding of relevant terminologies and trends related to **business and human rights (BHR), discrimination and harassment, and diversity, equity, and inclusion (DEI)**

Ensure employees are equipped with the knowledge and skills to support **corporate policies, procedures, and strategies** related to BHR, discrimination and harassment, and DEI

Communicate **existing corporate resources and channels** employees can access if they need additional information/support, would like to provide inputs/feedback, or report suspected non-compliance

Agenda

Introductions, Pre-Training Survey, and Housekeeping

13.00
to
13.15

Part I: Business and Human Rights (BHR)

- What are human rights and why should businesses care about them? (13.15 – 13.30)
- What are the key human rights issues in the power sector? (13.30 – 13.45)
- Group Exercise (13.45-14.15)
- How is EGCO upholding its responsibility regarding human rights? (14.15-14.30)

13.15
to
14.30

B R E A K

Part II: Eliminating Discrimination and Harassment and Moving Towards Diversity, Equity, and Inclusion (DEI)

- Why should businesses care about discrimination and harassment? (14.45 – 15.00)
- What incidents count as discrimination and harassment? (15.00 – 15.20)
- What can businesses do to eliminate discrimination and harassment?
What is EGCO doing? (15.20 – 15.30)
- How can we move towards DEI? (15.30 – 15.45)

14.45
to
15.45

Recap, and Post-Training Survey

15.45
to
16.00

Human Rights Moment

UN General Assembly declares access to clean and healthy environment a universal human right



Thairath Plus

สมัชชาใหญ่ UN ประกาศให้ 'การเข้าถึงสิ่งแวดล้อมที่ดี' เป็นสิทธิมนุษยชน เพิ่มพลังให้การต่อสู้ด้านสิ่งแวดล้อม

เมื่อวันที่ 28 กรกฎาคมที่ผ่านมา สมัชชาใหญ่แห่งสหประชาชาติลงมติเห็นชอบและประกาศว่า การเข้าถึงสิ่งแวดล้อมที่สะอาด ดีต่อสุขภาพ และยั่งยืน (clean, healthy and sustainable environment)...

Aug 7, 2565 BE



The World Economic Forum

The UN just declared a new human right

The United Nations General Assembly has declared the ability to live in "a clean, healthy and sustainable environment" a human right for...

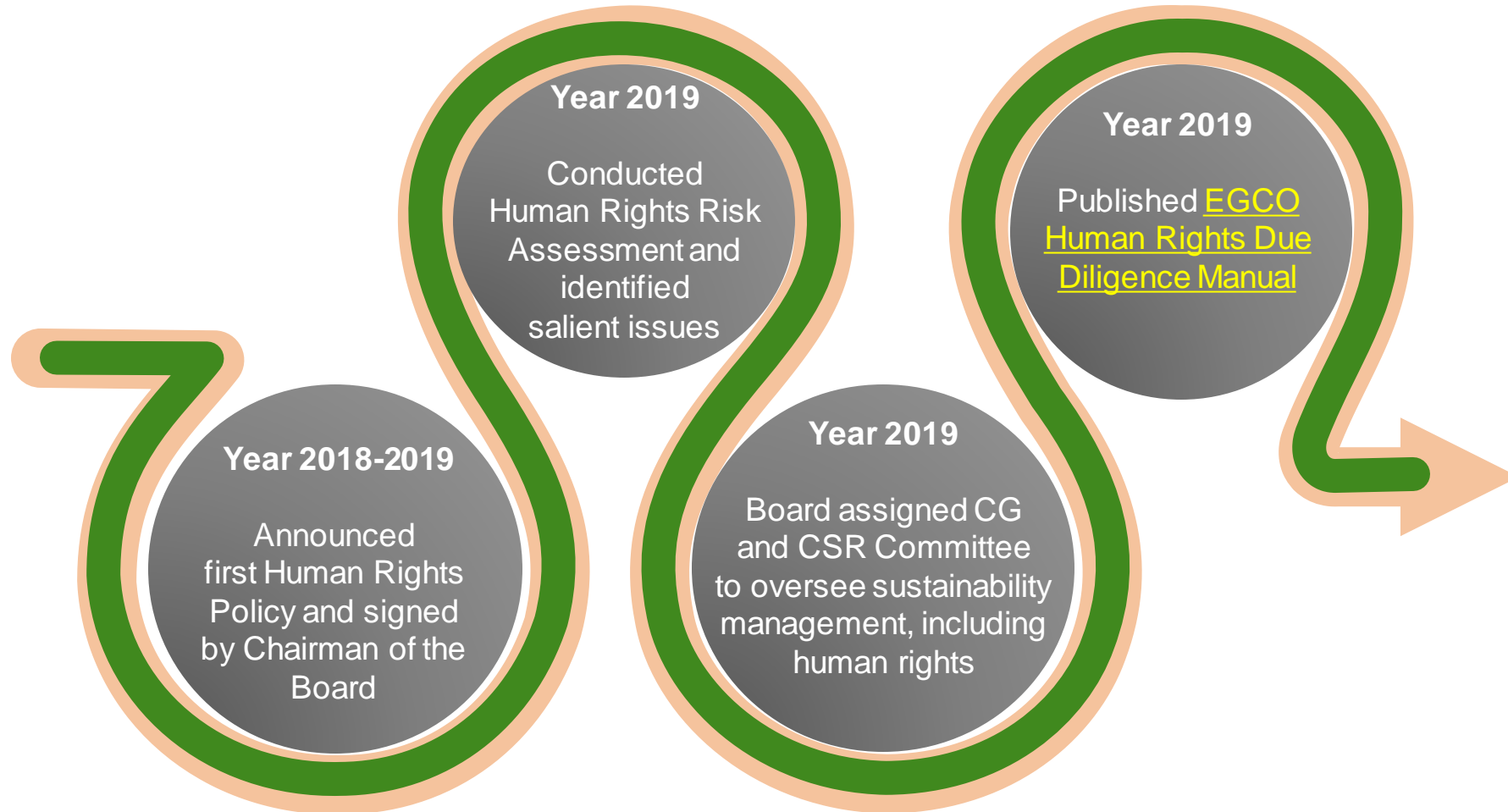
Aug 9, 2565 BE





Introductions and Housekeeping

EGCO Human Rights Journey



Pre-Training Test (10 Mins)

True or False:

An example of a business and human rights issue is a business purchasing raw materials from a supplier that uses forced labor.

[TRUE]

True or False:

The UNGPs are guiding principles for governments – not businesses – to implement.

[FALSE]

True or False:

The UNGPs outline that businesses should: establish a policy commitment to respect human rights, assess actual and potential impacts, integrate findings and take appropriate action, track and communicate performance, and remediate adverse impacts.

[TRUE]

True or False:

An example of discrimination is unequal pay between men and women.

[TRUE]

True or False:

Harassment can be verbal or physical, but not through emails.

[FALSE]

If you observe or suspect an incident of discrimination or harassment at EGCO, you can report it through <https://www.egco.com/th/whistle-blowing> or send email to

1. The Board of Directors: directors@egco.com
2. The Audit Committee: auditcommittee@egco.com
3. The President: ceo@egco.com

[TRUE]

Introductions (5 Mins)



Mentimeter to share
background of participants:

1. Rank familiarity with
BHR on scale of 1-5

2. Rank familiarity with
discrimination and
harassment on
scale
of 1-5

3. Rank familiarity with
DEI on scale of
1-5

4. Word cloud:
Expectations

How important are Human Rights?

How important are human rights to a company?



- Strengthen good relationships with stakeholders
- Create a good image, reputation and gain the trust from the public
- Increase risk management potential to create more attractiveness to the investors
- Increase competitiveness and create financial and social returns

How important are human rights to employee?



- Create good engagement and morale both in terms of working conditions, safety, and hygiene for employees
- Enhance the environment and well-being for employees
- Create positive impact on recruit, motivate, and retain employees which can increase human resource capabilities

Stakeholder expectations of responsible business conduct regarding human rights are steadily increasing.

CHRB
Corporate Human Rights Benchmark

AMNESTY INTERNATIONAL

The Guardian

HUMAN RIGHTS WATCH

GREENPEACE

Close scrutiny and investigations by the media and civil society

Employees and consumers are valuing corporate responsibility

German Supply Chain Law (2021)

EU CSDD

Regulators are implementing legislation to align with the UNGPs

Thailand National Action Plan on BHR

Dow Jones Sustainability Indexes

INVESTOR ALLIANCE FOR HUMAN RIGHTS
AN INITIATIVE OF ICRR

Our approach to engagement with companies on their human rights impacts

BlackRock
Investment Stewardship

Human rights criteria are being integrated into investment and purchasing decisions

If they are unable to demonstrate their respect for human rights, businesses may face impacts including but not limited to:

Reputational damage

Inability to attract and/or retain talent

Loss of customer trust and revenue

Noncompliance with the law

Reduced competitiveness

Reference: [UNDP \(2021\)](#); [Submittable \(n/d\)](#); [Medium \(2020\)](#);

Housekeeping



**Phones on
silent or buzz**



**Participation and
Questions**



Safe Space



Part I: Business and Human Rights

What are human rights? Why should businesses care about human rights?

Human rights are rights entitled to all human beings.

Although the concept of equality and dignity for all human beings has long existed in human history, the signing of the ***Universal Declaration of Human Rights (UDHR)*** on 10 December 1948 marks the first global human rights declaration signed by countries across the globe.

“Internationally recognized human rights” are understood to be, at a minimum, the human rights contained in:



Reference: *UNGP Reporting Framework; Castan Centre for Human Rights Law, International Business Leaders Forum, and Office of the United Nations High Commissioner for Human Rights (2008)*

The following human rights are internationally recognized.

1. Right to life
2. Right to liberty and security
3. Right not to be subjected to slavery, servitude, or forced labour
4. Right not to be subjected to torture, cruel, inhuman, and/or degrading treatment or punishment
5. Right to recognition as a person before the law
6. Right to equality before the law, equal protection of the law, non-discrimination
7. Right to freedom from war propaganda, and freedom from incitement to racial, religious, or national hatred
8. Right to access to effective remedies
9. Right to a fair trial
10. Right to be free from retroactive criminal law
11. Right to privacy
12. Right to freedom of movement

13. Right to seek asylum from prosecution in other countries
14. Right to have a nationality
15. Right of protection for the child
16. Right to marry and form a family.
17. Right to own property.
18. Right to freedom of thought, conscience, and religion.
19. Right to freedom of opinion, information, and expression
20. Right to freedom of assembly.
21. Right to freedom of association.
22. Right to participate in public life
- 23. Right to social security, including social insurance.**
- 24. Right to work.**
- 25. Right to enjoy just and favorable conditions of work**
- 26. Right to form and join trade unions and the right to strike**

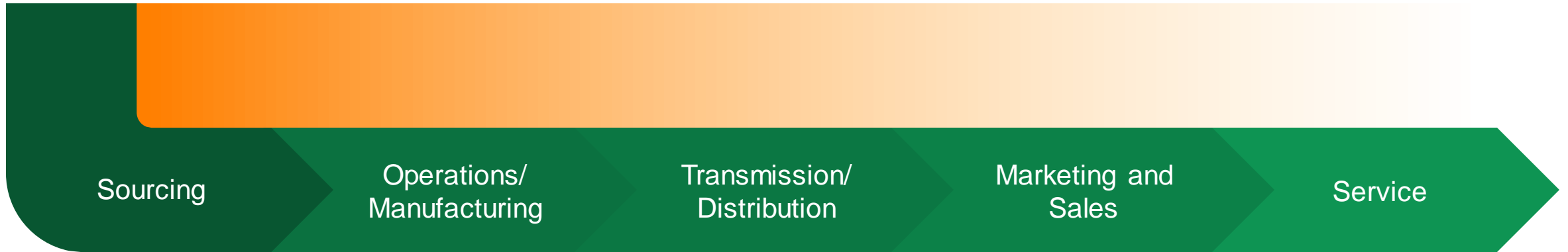
27. Right to an adequate standard of living
28. Right to health
29. Right to education
30. Right to take part in cultural life, benefit from scientific progress, material and moral rights of authors and inventors
31. Right to self-determination
32. Right of detained persons to humane treatment
33. Right not to be subjected to imprisonment for inability to fulfill a contract
34. Right of aliens due process when facing expulsion
35. Rights of minorities

Reference:
Universal Declaration on Human Rights
International Covenant on Civil and Political Rights
International Covenant on Economic, Social and Cultural Rights
International Finance Corporation



Mentimeter Exercise 1:

What human rights impacts do you think businesses create?



Right not to be subjected to slavery - Sourcing from suppliers using forced or bonded labor

Right to life - Operations that pose life-threatening safety risks to workers or communities

Right to enjoy just and favorable conditions of work - Requiring excessive working hours

Right to life - Manufacture and sale of products with lethal flaws

Right to privacy - Failure to protect confidentiality of customer data

Right to work - Supporting employment

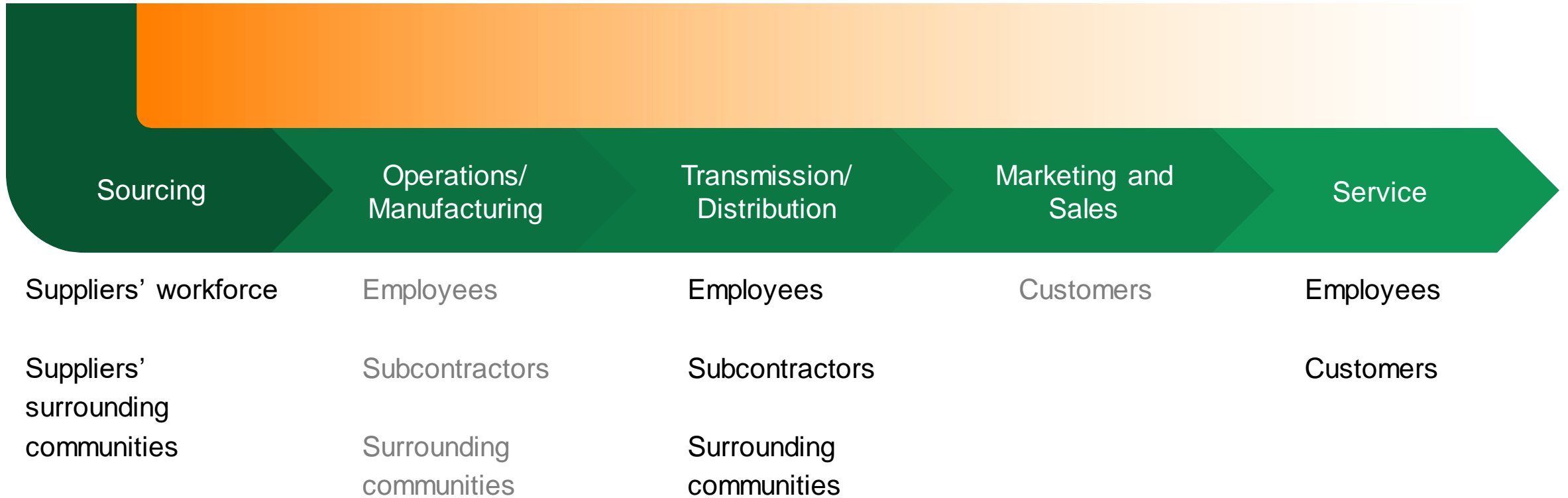
Right to form and join trade unions - Prohibiting employees from joining trade unions

Right to health - Sale of products that are hazardous to the health of end users or customers

Freedom from discrimination - Gender discrimination in hiring practices

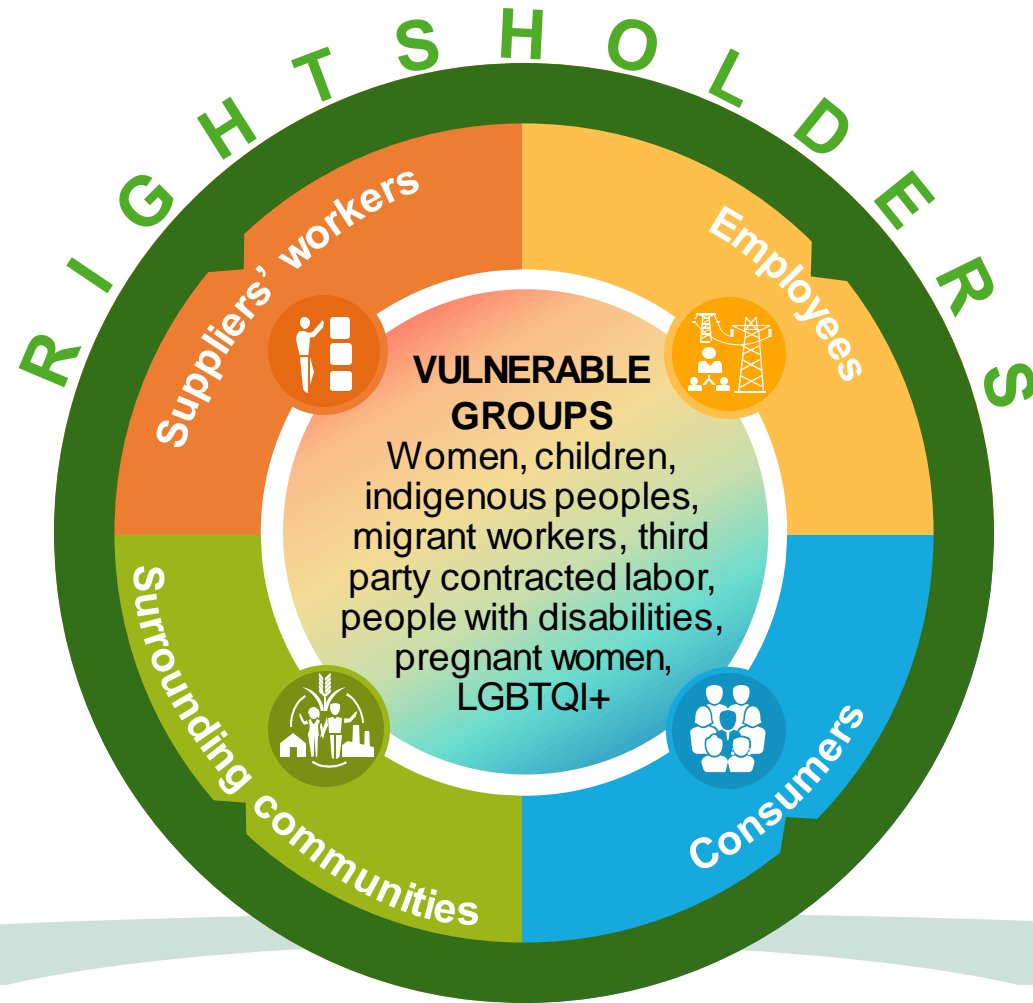
Reference: UNGP Reporting Framework (2015); Castan Centre for Human Rights Law, International Business Leaders Forum, and Office of the United Nations High Commissioner for Human Rights (2008); UNGC;

Throughout its activities, businesses can affect many groups of people.



Reference: [UNDP \(2021\)](#)

“Rightsholders” are those whose rights may be infringed upon by business operations.

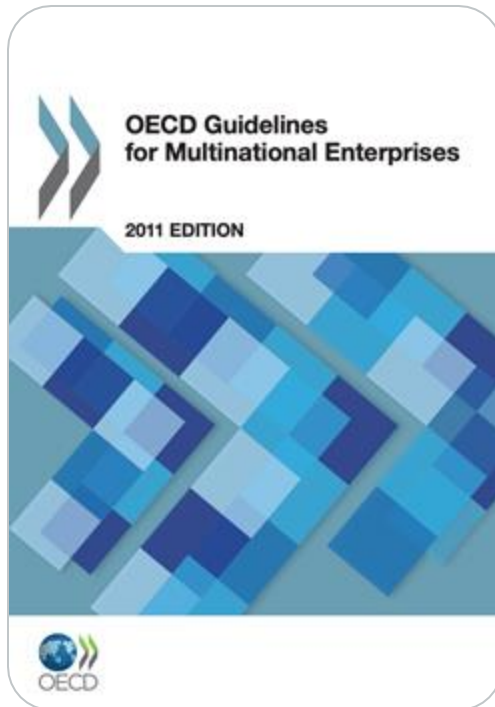


Reference: [UNDP \(2021\)](#)

In response, the international community developed standards to promote responsible business conduct.

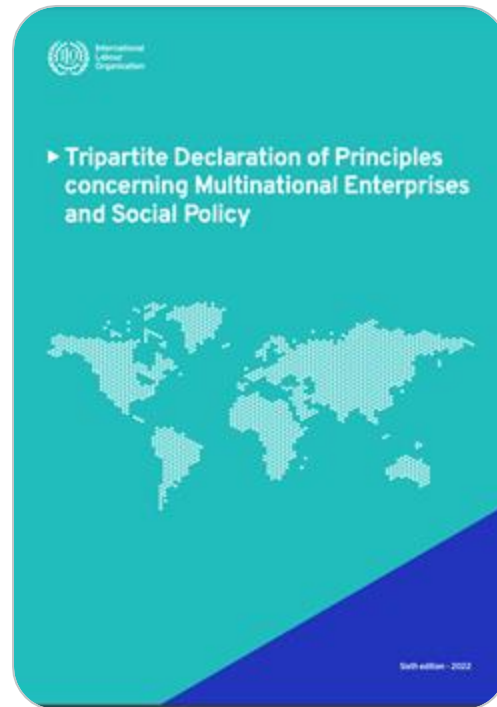
1976

OECD Guidelines for Multinational Enterprises



1977

ILO Tripartite Declaration of Principles Concerning MNEs and Social Policy



2000

UN Global Compact



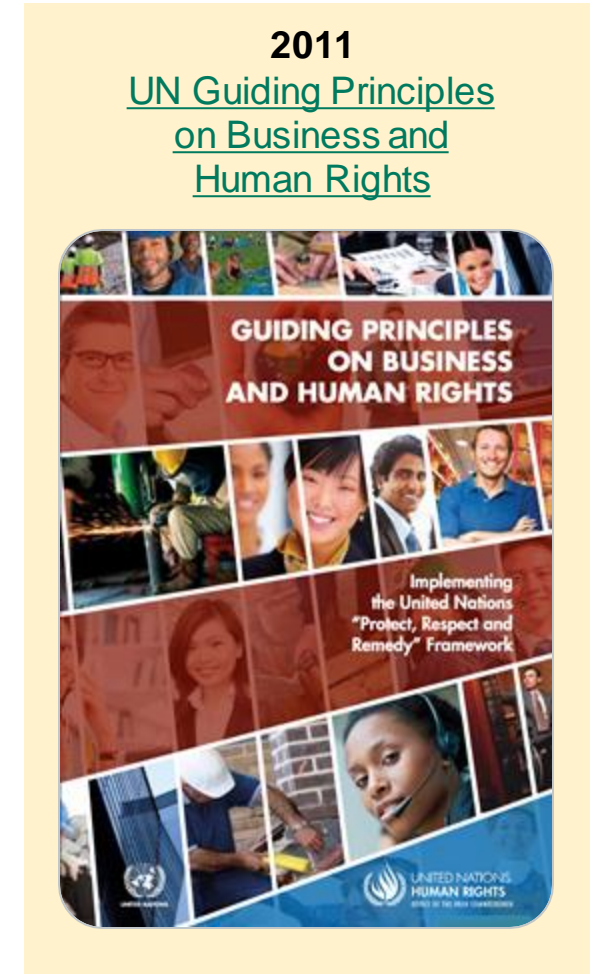
2006

IFC Performance Standards



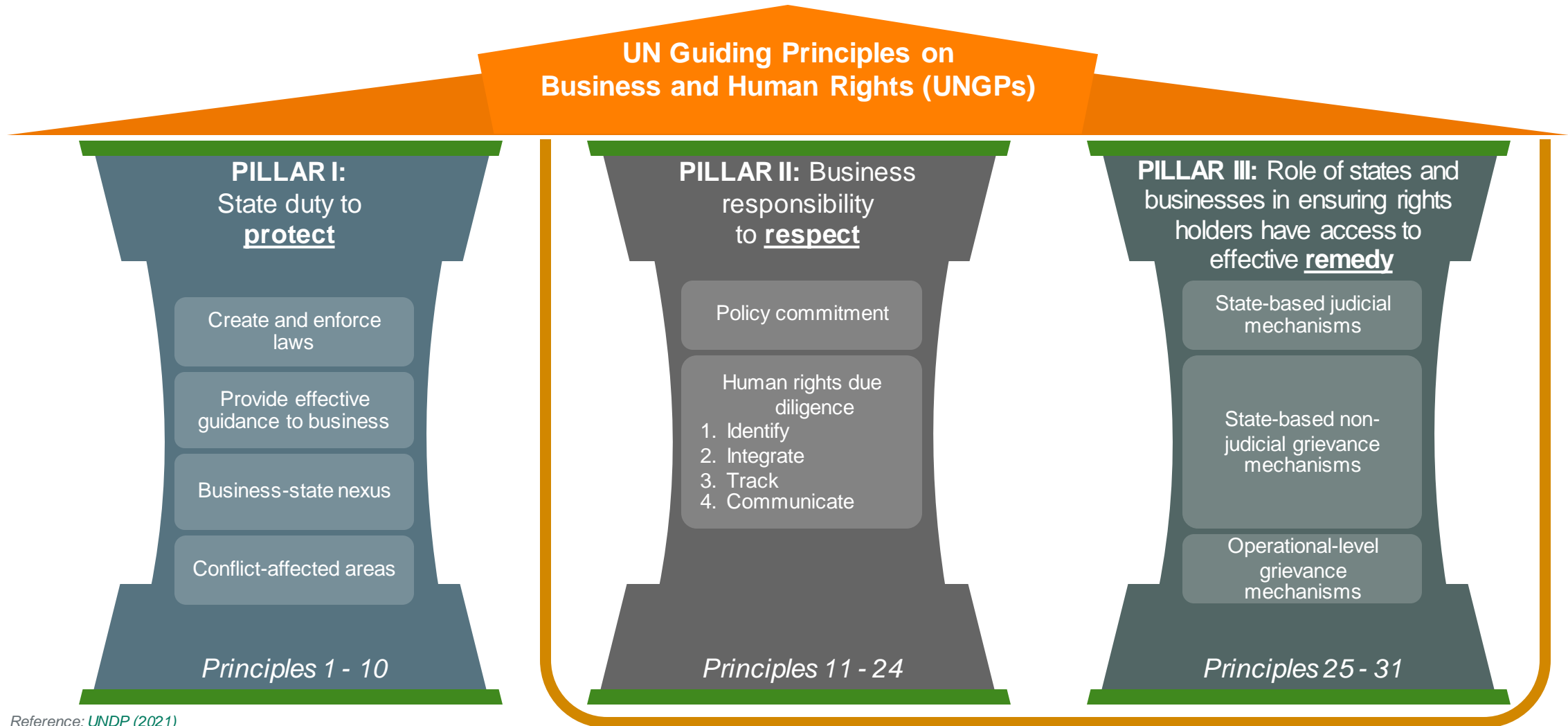
2011

UN Guiding Principles on Business and Human Rights



Reference: *UNGP Reporting Framework; Castan Centre for Human Rights Law, International Business Leaders Forum, and Office of the United Nations High Commissioner for Human Rights (2008)*

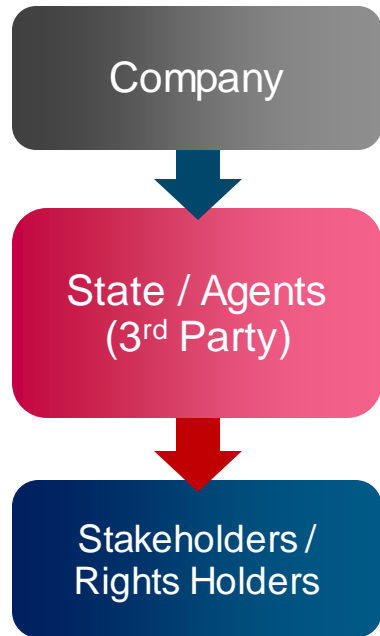
The UNGPs include 31 principles under three pillars - Protect, Respect, and Remedy.



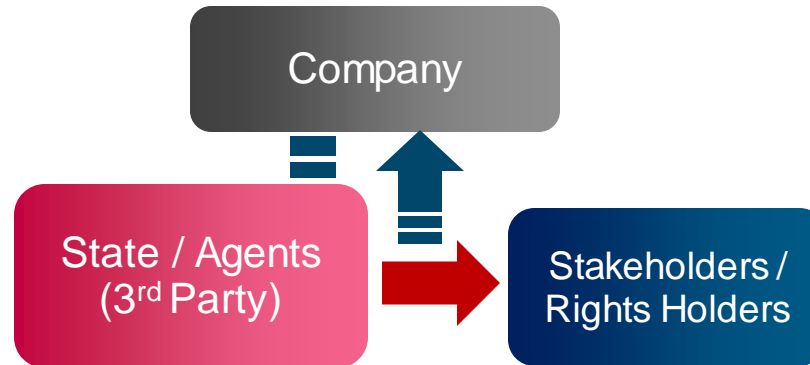
Reference: [UNDP \(2021\)](#)

Businesses should account for human rights impacts from their activities and business relationships.

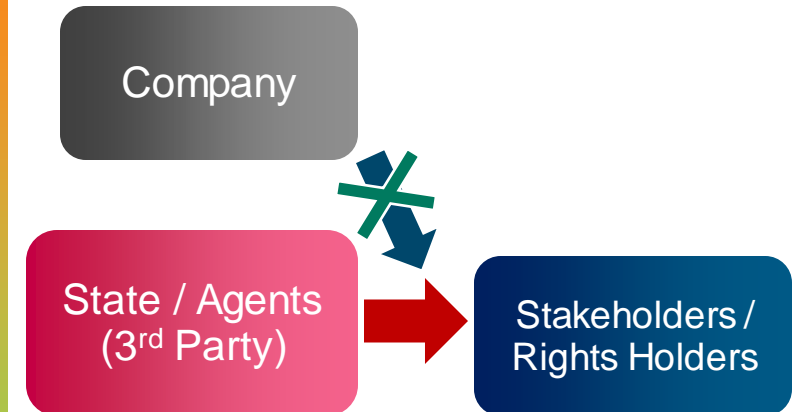
Direct Complicity
A company assists a state in violating human rights



Beneficial Complicity
A company benefits directly from human rights abuses committed by a state or its agents



Silent Complicity
A company fails to challenge systemic human rights violations, whether or not these relate to its business




 Assists/Supports/Promotes

 Violates human rights

 Benefits

   Involved

 No monitoring/preventive measures

Reference: [Clapham and Jerbi \(2001\): International Commission of Jurists \(2008\):](#)

The UNGPs outline the actions businesses should take to demonstrate respect for human rights.



Reference: [UNDP \(2021\)](#)

In the power sector, stakeholders have human rights expectations related to:

1. Emergency Response and Community Safety
2. Bribery and Corruption
3. Health and Safety
4. Employee Discrimination & Harassment (Connects to DEI)
5. Collective Bargaining
6. Land Acquisition & Resettlement
7. Local Community Livelihoods
8. Security Forces
9. Vulnerable Consumers
10. Grievance Mechanism and Right to Remedy



Reference: [BSR \(2017\)](#)

Case Study 1 – Xe Pian-Xe Namnoy Hydropower Project

Community property rights, safety, and livelihoods

Business Impact

- Revenue
- Reputation
- Cost (Remediation/ Fines, Others etc.)
- Affected Rights Holder
- Employee
- Community
- Supplier & Contractor
- Customer

Incident

- Since the early stages of the project, the Xe Pian-Xe Namnoy Hydropower Project caused adverse human rights impacts on communities. Local Nya Heun ethnic communities were **forcefully relocated** between 1996 and 2001 to make way for the dams that were planned at the time. Communities had no say in where they were resettled, and faced food security concerns in the resettlement site.
- Later as the project construction proceeded, the project affected the **fisheries-based livelihoods and food security** of ethnic communities living downstream.
- In July 2018, one of the dams collapsed, **killing at least 71 people and displacing more than 14,400**.
- Throughout the process, communities were **not consulted and there was a lack of meaningful complaint mechanisms**.

Human Rights Violation

- 1. Right to life
- 6. Right to equality before the law
- 8. Right to access to effective remedies
- 17. Right to own property
- 27. Right to an adequate standard of living
- 35. Rights of minorities



Reference: [International Rivers \(1999\)](#); [Inclusive Development International and International Rivers \(2019\)](#); [Radio Free Asia \(2022\)](#)

Case Study 2 – UK Consumers Protest Energy Prices

Vulnerable consumers and access to energy

Business Impact

Revenue

Reputation

Cost (Remediation/
Fines, Others etc.)

Affected Rights Holder

Employee

Community

Supplier & Contractor

Customer

Incident

- In 2011, the UK Office for National Statistics recorded an increase in deaths over winter. The Fuel Poverty Action Group and other citizens attributed this to an **increase in electricity costs which have created severe impacts on low income groups.**
- In response, the Fuel Poverty Action Group staged a **“die-in” outside the headquarters of EDF Energy**, one of the “big six” energy companies in the UK.
- More recently in 2022, the Don’t Pay campaign in UK is also **calling out energy companies for profiting while citizens and vulnerable consumers are struggling to make ends meet.** Through the campaign, more than 193,000 people have pledged to “strike” from paying their energy bills.



Human Rights Violation

27. Right to an adequate standard of living

Reference: [The Guardian \(2011\)](#); [Global Justice \(2011\)](#); [The Guardian \(2022\)](#); [Don't Pay UK \(2022\)](#)

Case Study 3 – Sexual Harassment at Exelon

Employee discrimination and harassment

Business Impact

Revenue

Reputation

Cost (Remediation/
Fines, Others etc.)

Affected Rights Holder

Employee

Community

Supplier & Contractor

Customer

Incident

- In 2019, leaked documents showed that sexual harassment was found in Exelon. The allegations concerned the Senior Vice President for State Relations, who had committed **sexual harassment to several female employees.**
- The case resulted in **reputational impacts on Exelon.**
- In 2023, discrimination in the power and utilities sector continues to be recorded. The International Energy Agency (IEA) reports that women are underrepresented and underpaid in the energy sector, significantly more-so than in the non-energy sector.



CRAIN'S CHICAGO BUSINESS

Crain's Daily Gist

Crain's Daily Gist: Harassment allegations at Exelon

One of Illinois' most politically potent corporations is having a #MeToo moment.

Human Rights Violation

6. Right to equality and non-discrimination

Reference: [Utility Dive \(2018\)](#); [Chicago Business \(2019\)](#); [International Energy Agency \(2023\)](#)

Case Study 4 – Fatality due to electrocution

Employee health and safety

Business Impact

Revenue

Reputation

Cost (Remediation/
Fines, Others etc.)

Affected Rights Holder

Employee

Community

Supplier & Contractor

Customer

Incident

- In 2015, an electrician at Duke Energy in Florida was electrocuted by more than 10,000 volts and later died from injuries.
- The U.S. Department of Labor's Occupational Safety and Health Administration conducted an inspection and found Duke to be **responsible for the fatality, and penalized the company a total of \$90,000.**
- Duke was charged with **failure to enforce safety standards despite knowing that workers bypass safety protocols to conduct testing.**



Human Rights Violation

1. Right to life
25. Right to enjoy just and favorable conditions of work

Reference: [U.S. Department of Labor \(2015\)](#)

Case Study 5 – EPBiH Breaks Agreement

Collective bargaining

Business Impact

Revenue

Reputation

Cost (Remediation/
Fines, Others etc.)

Affected Rights Holder

Employee

Community

Supplier & Contractor

Customer

Incident

- In Bosnia, the state-owned Elektroprivreda BiH (EPBiH) power utility company had plans to switch to renewable energy sources and cut the number of employees from 7,200 to 5,200.
- Due to changes in working conditions, the Company and workers participated in collective bargaining and had an **agreement that was agreed in May 2021.**
- In November 2021, the Company imposed new regulations that **directly violated the agreement and resulted in lower wages.**
- In response, **thousands of workers participated in a strike.**



Bosnian coal miners halt work, protest against lower wages

Human Rights Violation

- 20. Right to freedom of assembly
- 21. Right to freedom of association

Reference: [ITUC \(2022\)](#); [Reuters \(2021\)](#)

Emerging Issue 1 – Human Rights and Climate Change

BBC

โลกร้อน : ย้อนมองปี 2021 ปีของคลื่นความร้อน ไฟป่า ภัยแล้ง และ น้ำท่วมใหญ่

ย้อนไปเมื่อเดือน ก.พ. มีขี้น้ำไทยเสนอข่าวที่ชาวต่างชาติพากันออกไปเล่นสเก็ตน้ำแข็งกันอย่างสนุกสนานหลังจากอากาศที่เป็นทะเลจุดเยือกแข็งนานต่อเนื่องหลายวัน ทำให้แม่น้ำ ลำคลอง ทะเลสาบ...



Dec 13, 2564 BE

TNN Online

โลกร้อนสุดเป็นประวัติการณ์ เกิดสภาพอากาศสุดขั้วทั่วโลก

องค์การอุตุนิยมวิทยาโลก หรือ WMO เผยว่าอุณหภูมิโลกเพิ่มขึ้นเป็น 1.15 องศาเซลเซียสแล้วสำหรับ 8 ปีที่ผ่านมา นับตั้งแต่ปี 2014 จนถึง 2022 โลกร้อนสุดเป็นประวัติการณ์...



Dec 19, 2565 BE

Spring News

ภัยพิบัติสภาพอากาศจากทั่วโลกช่วงปีใหม่ 2023 สะท้อนปัญหา Climate Change

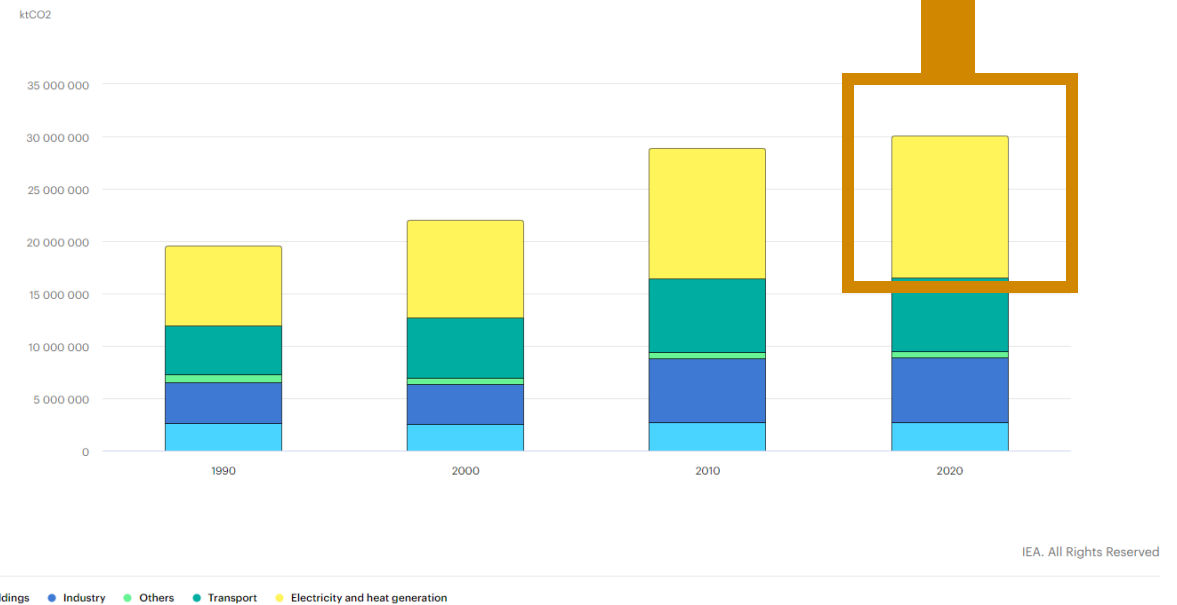
ขั้วเดิมตาม...ปัญหา Climate Change มันกำลังหนักหน่วงทะเลลงโลกมากขึ้นทุกวัน และมันกำลังสุกกลับ! เหตุการณ์เหล่านี้เกิดทั่วทุกมุมโลก.



Jan 5, 2566 BE

Electricity and heat is the largest contributor to global greenhouse gas emissions.

Global CO2 emissions from fuel combustion by sector with electricity and heat separated, World



Reference: [BSR \(2017\)](#), [BBC \(2021\)](#), [TNN Online \(2022\)](#), [Spring News \(2023\)](#), [International Energy Agency \(2020\)](#), [Al Jazeera \(2021\)](#)

Emerging Issue 2 – Conflict-Affected Areas

- Raw materials used by the industry, such as coal, uranium, gas, and biomass, may be sourced from **conflict-affected or high-risk areas**.
- In these areas, there may be high human rights risks related to **child labor, forced labor, working conditions, security risks, and abuse of local communities**.

Ukraine



Zaporizhzhia nuclear power plant workers subjected to forced labour by Russian forces, say trade unions

The ILO expresses grave concerns about civilian casualties and the severe impact of the Russian Federation aggression on workers and employers who risk their lives to continue working and operating.

In Afghanistan, coal mining relies on the labor of children

December 31, 2022 - 5:02 AM ET

By Arezou Rezvani, Fazelminallah Qazizai, Claire Harbage



TORONTO STAR

STAR INVESTIGATION

Energy companies got rid of their stakes in a Myanmar gas field accused of funding war crimes. So why did a Canadian-owned firm buy in?

The purchase by an MTI Energy subsidiary raises questions about the effectiveness of Canada's sanctions against violent regime, observers say.

Reference: [BSR \(2017\)](#), [NPR \(2022\)](#); [International Labour Organization \(2023\)](#); [Toronto Star \(2023\)](#)

Frequently Asked Questions

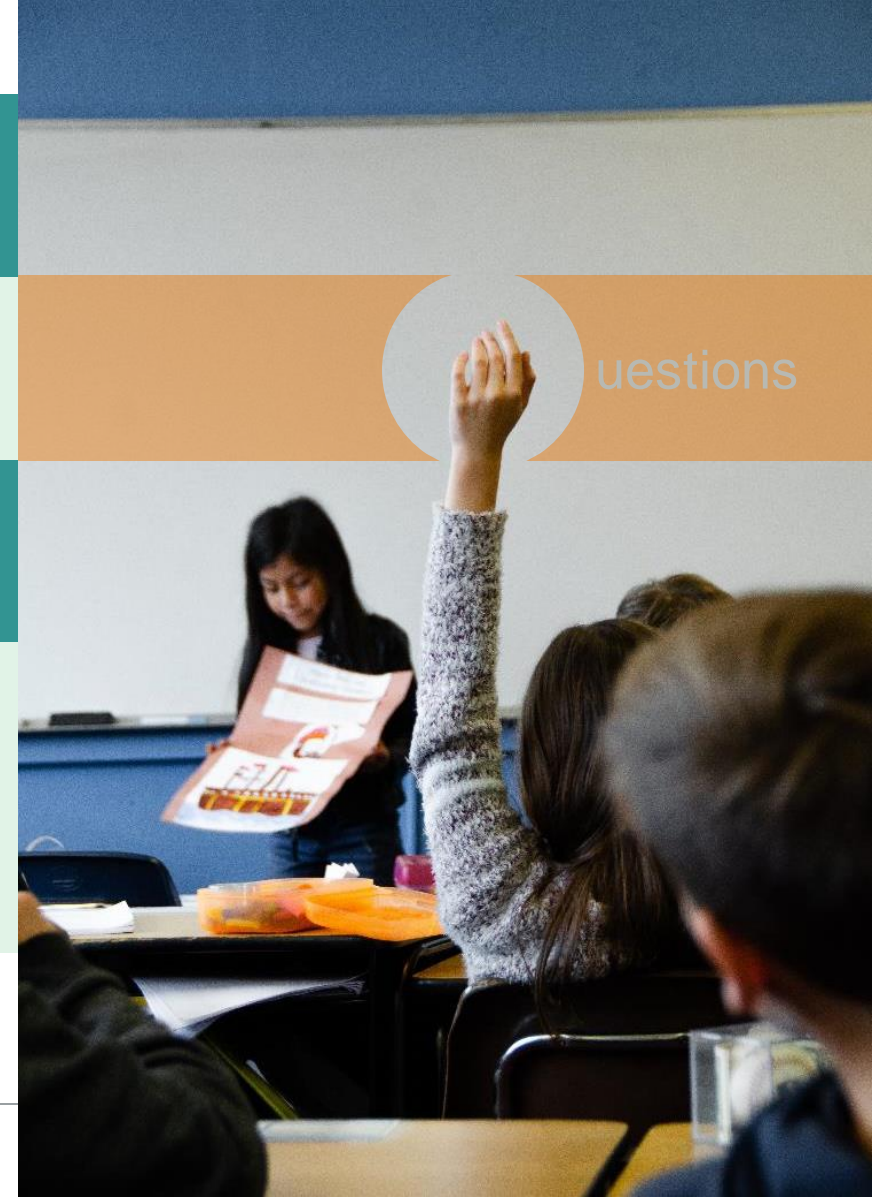
1 - The company's supplier is based in Thailand. Due to local and cultural contexts, does it mean certain human rights are irrelevant?

A: One of the key principles of human rights is that it is universal. This means that regardless of location, nationality, gender, race, ethnicity, skin color, religion, language, or other status, all individuals should access these human rights.

2 - My company follows all local laws and ask our stakeholders do the same. By default, does this mean we respect human rights?

A: Although complying with local laws can mean that human rights are being respected in certain situations, it is not always the case. Laws in certain countries may not meet international human rights standards, or in some instances may conflict with human rights standards. Where local laws conflict with international human rights standards, the UNGPs state that businesses should aim to respect the highest international human rights standards.

Reference: [OCHR \(2014\)](#); [International Organisation of Employers \(2021\)](#)



Group Exercise (30 Mins)

Identifying and Mitigating Human Rights Issues

Through this exercise, you will test your knowledge and understanding of business and human rights issues and try identifying and mitigating them. You will be given different scenarios and roles.

1. Split into 4 groups.
2. Read the scenario.
3. Within each group, split into Rightsholders and Corporate Team and discuss:
 - A) Which human rights issues may be present?
 - B) Which mitigation measures would you propose?
4. Come back together as one group and discuss your results. Remember to speak from your roles!
5. Assign one presenter to share back to the room.

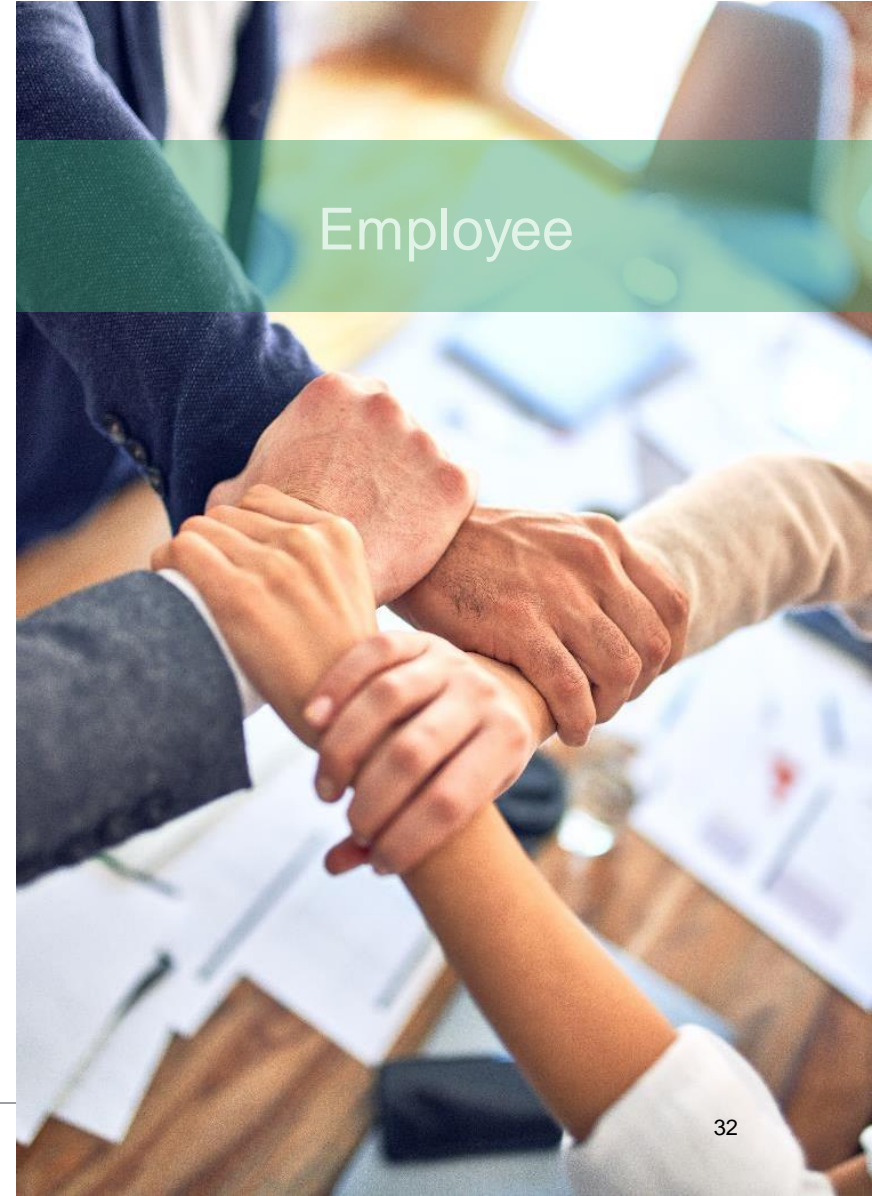


Participants taking on the role of rightsholders should consider:

How might the perspective of rightsholders differ to your own perspective?

Group 1 – Employee

Company A is a large power producer that employs over a thousand employees. Its core business activities include sourcing raw materials such as coal, operating power plants, and distributing electricity. Its supporting functions are typical of other companies, such as HR, IT, and Government Affairs.



Rightsholder Group – Employee

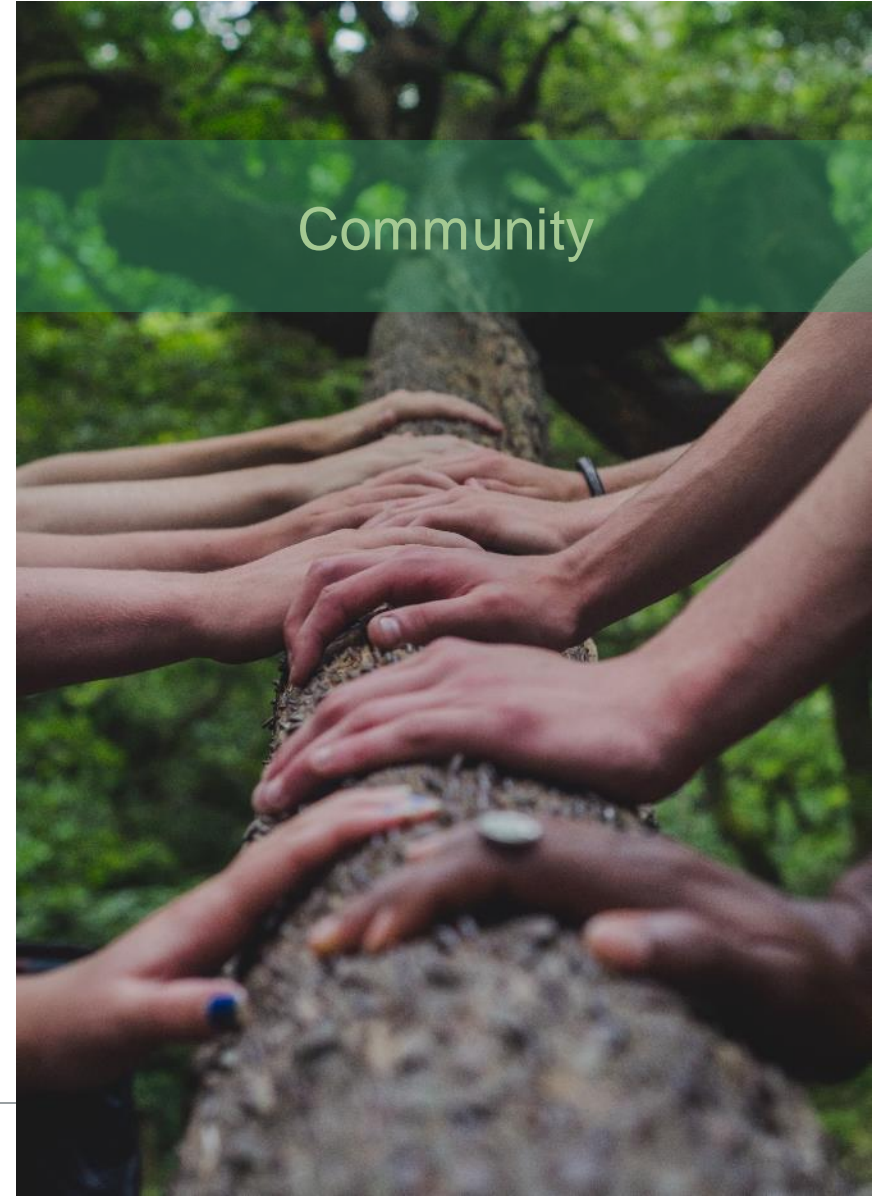
- What issues might you be concerned that may violate employee rights during operations?
- What concerns would you like the company to implement mitigation measure?

Corporate Team

What measures could you take to minimize risks for employees as well as your company? (Can be considered from the mitigation measures that the company has in place or think of additional measures)

Group 2 – Community

Company A is planning to expand its operations and open a new coal power plant in Cambodia. The location under consideration is near a group of local communities. So far, Company A has hired a consulting firm to organize community consultation and prepare an environmental and social impact assessment.



Rightsholder Group – Community

- What issues might you be concerned that may violate community rights during expand its operations and open a new coal power plant?
- What concerns would you like the company to implement mitigation measure?

Corporate Team

What measures could you take to minimize risks for communities as well as your company? (Can be considered from the mitigation measures that the company has in place or think of additional measures)

Group 3 – Sub-Contractors

Company A is planning to expand its operations and open a new coal power plant in Cambodia. Following obtaining the necessary approvals, Company A hired construction subcontractors to start working on its operational site.

Rightsholder Group – Sub-Contractors

- What issues might you be concerned that may violate Sub-Contractors rights during operations?
- What concerns would you like the company to implement mitigation measure?

Corporate Team

What measures could you take to minimize risks for sub-contractors as well as your company? (Can be considered from the mitigation measures that the company has in place or think of additional measures)



“EGCO promotes and encourages respect of human rights throughout the company.”



Human Rights Policy

The Electricity Generating Public Company Limited

As a leading company that sustainably generates electric power in Thailand and abroad, the Electricity Generating Public Company Limited, or EGCO, promotes and encourages respect of human rights throughout the company. EGCO also expects executives and employees in all levels to respect human rights of all stakeholders in order to ensure that the basic rights of all stakeholder groups are respected equally.

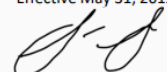
This Human Rights Policy applies to all companies where EGCO has management control. Additionally, the Policy encourages joint ventures, business partners, suppliers, and all stakeholders to be aware of and act in alignment with the principles expressed in this Policy:

1. Adherence to this Human Rights Policy in all business activities in alignment with the United Nations Universal Declaration of Human Rights (UNDHR) and the Core Conventions of the International Labour Organization (ILO Conventions).
2. Conducting all business activities while avoiding directly and/or indirectly creating adverse impacts towards the human rights of rights holders, such as employees, communities, stakeholders of suppliers and business partners, and customers.
3. Upholding human rights and the human dignity of all rights holders equally.
4. Inspecting human rights issues in all of its business activities, including direct impacts from own operations and impacts that EGCO may be involved in or have a role in supporting in every area of operation.
5. Communicating and ensuring understanding for all stakeholders in its business value chain, including subsidiaries, joint ventures and suppliers and business partners.

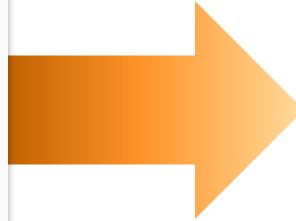
EGCO’s Management shall continuously drive and support all necessary activities to achieve the results outlined above by the policy.

For your acknowledgement and comply accordingly

Effective May 31, 2019



(Mr. Witoon Kulcharoenwirat)
Chairman of the Board of Directors



Commitment to respect human rights

- Human trafficking
- Forced labor and Child labor
- Freedom of Association
- The right to collective bargaining
- Equal remuneration
- Discrimination
- Other rights

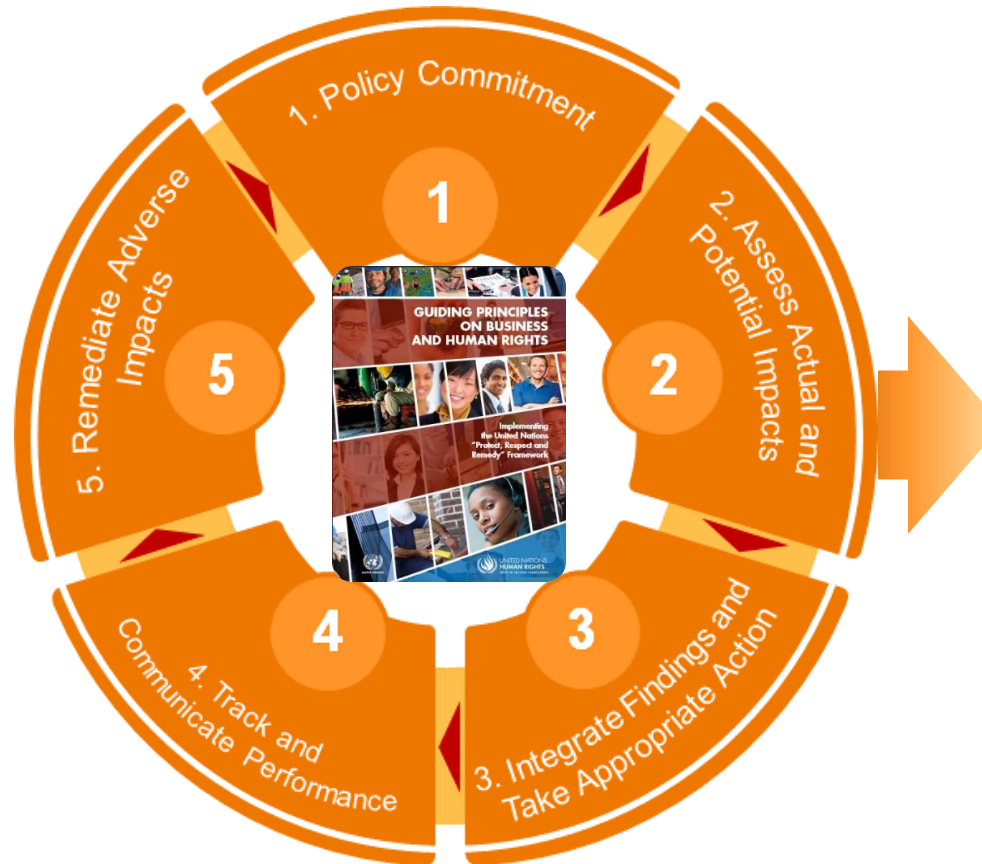
In accordance with international standards

- UDHR
- UNGP
- UNGC
- ILO

Scope of the human rights policy

- EGCO and Subsidiaries
- Suppliers
- Joint ventures

EGCO Human Rights Due Diligence



EGCO Human Rights Due Diligence Process

EGCO Group has conducted and reviewed the human rights risk assessment and due diligence on annual basis. By doing so, EGCO is able to identify human rights risks and prevent them throughout its business activities, where both internal and external stakeholders are involved.

The conduct of the risk assessment and due diligence is guided by the UN Guiding Principles on Business and human Rights (UNGP) to assess actual and potential impacts.

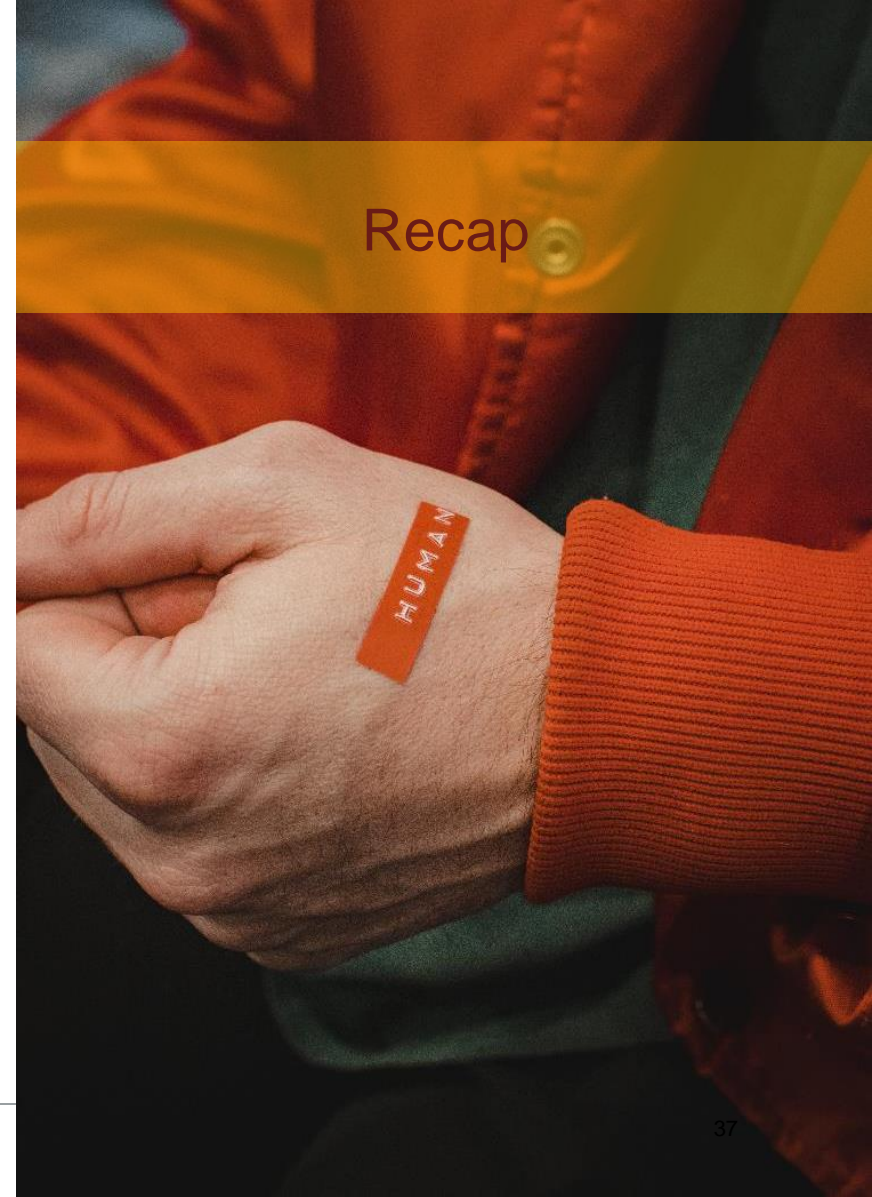


Source: EGCO One Report 2020 p.128

Reference: [UNDP \(2021\)](#)

Recap

- Businesses are facing **increasing expectations to demonstrate respect for human rights across their business activities and relationships.**
- Businesses may affect the **human rights of different rightsholders**, such as employees' working conditions, supplier safety, or community living standards.
- **Discrimination and harassment in the workplace** is one of the human rights risks that may be present in EGCO's business activities and relationships.





Break (15 Mins)



Part II: Discrimination and Harassment

Defining Discrimination and Harassment

DISCRIMINATION

Differential treatment based on race, color, sex, religion, and other defined, characteristics that has the effect of undermining equality of opportunity or treatment

Putting up a job post that specifies females-only

Showing preferential treatment to coworkers of the same political opinion

Making sexual comments to a female colleague

Bullying a supervisee because of their religion

Making racist comments

Verbally harassing a colleague

Throwing objects at a supervisee

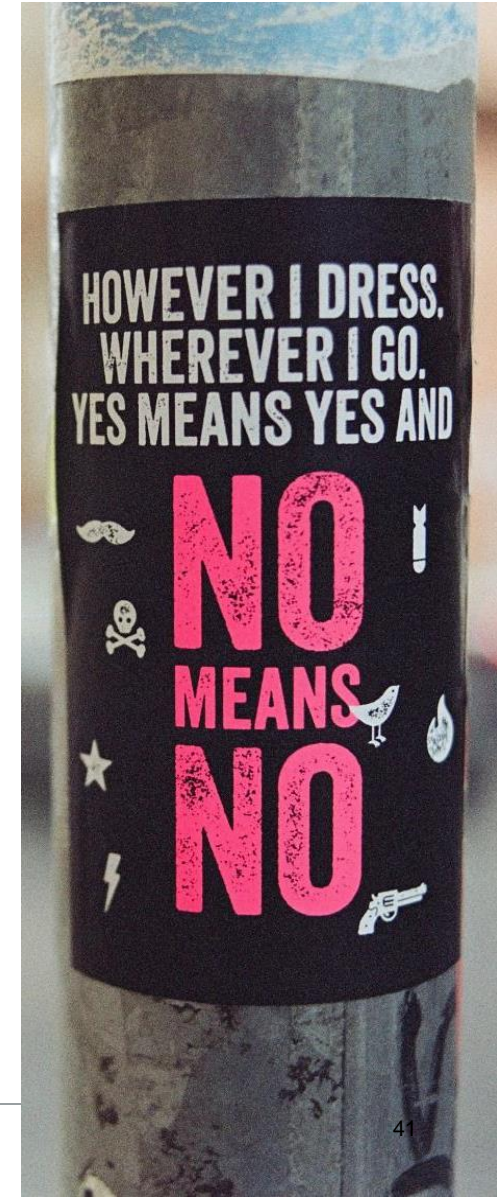
HARASSMENT

A range of unacceptable behaviors and practices that result in physical, psychological, sexual, or economic harm

Reference: [ILO C111](#); [ILO C190 Guide](#)

Why care about discrimination and harassment in the workplace?

- **Legal obligations and litigations:** Discrimination and harassment both count as a violation of human rights. In Thailand, there currently exists laws that prohibit discrimination and harassment, such as the Gender Equality Act B.E. 2558 (2015) and the Labour Protection Act B.E. 2541 (1998). In the future, there may also be additional laws introduced to support Thailand aligning with international standards of practice.
- **Investor expectations:** Through a number of studies in the past several decades, diversity, equity, and inclusion (DEI) have been correlated with positive financial performance. Discrimination and harassment directly undermine DEI. Investors are integrating DEI and discrimination and harassment into their investment decisions, as shown through the DJSI.
- **Reputation:** Social expectations regarding maintaining a diverse and inclusive workplace are increasing. Failure to address discrimination and harassment can compromise ability to attract and retain talent.
- **Productivity and performance:** Discrimination and harassment can undermine employee productivity and performance.

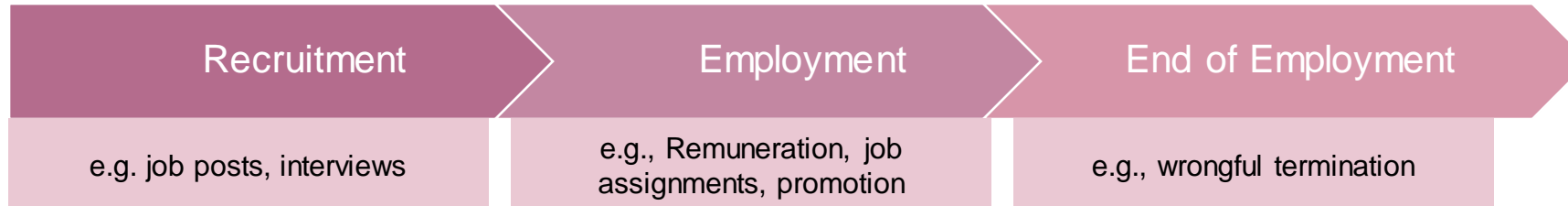




Discrimination

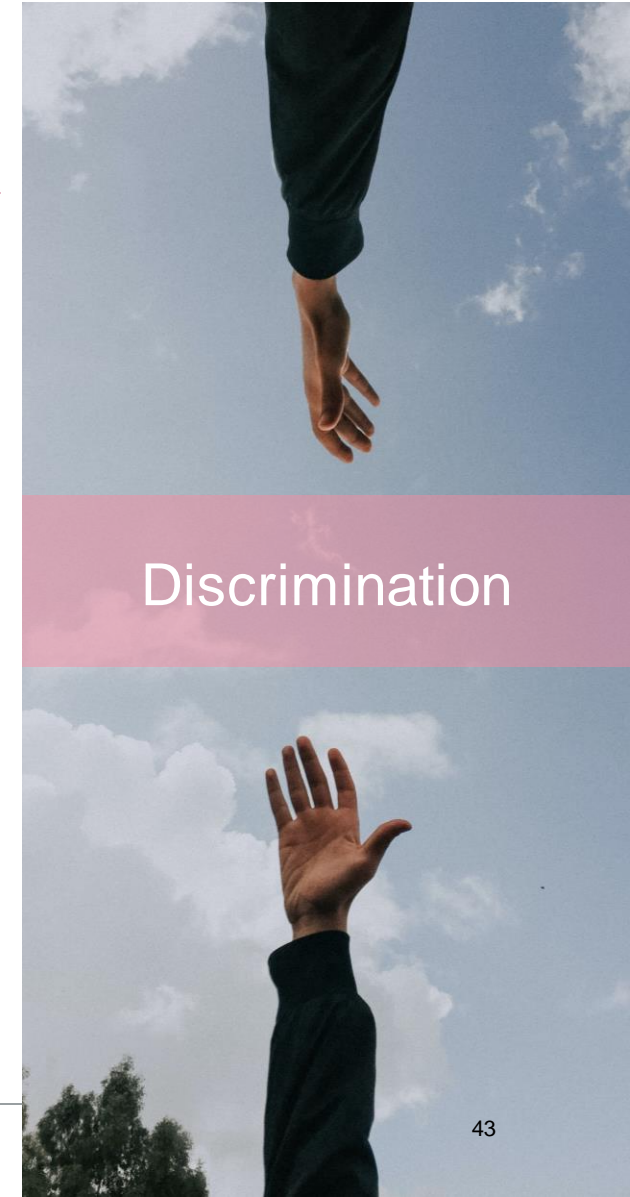
Understanding discrimination

- Discrimination can occur throughout the employment cycle.



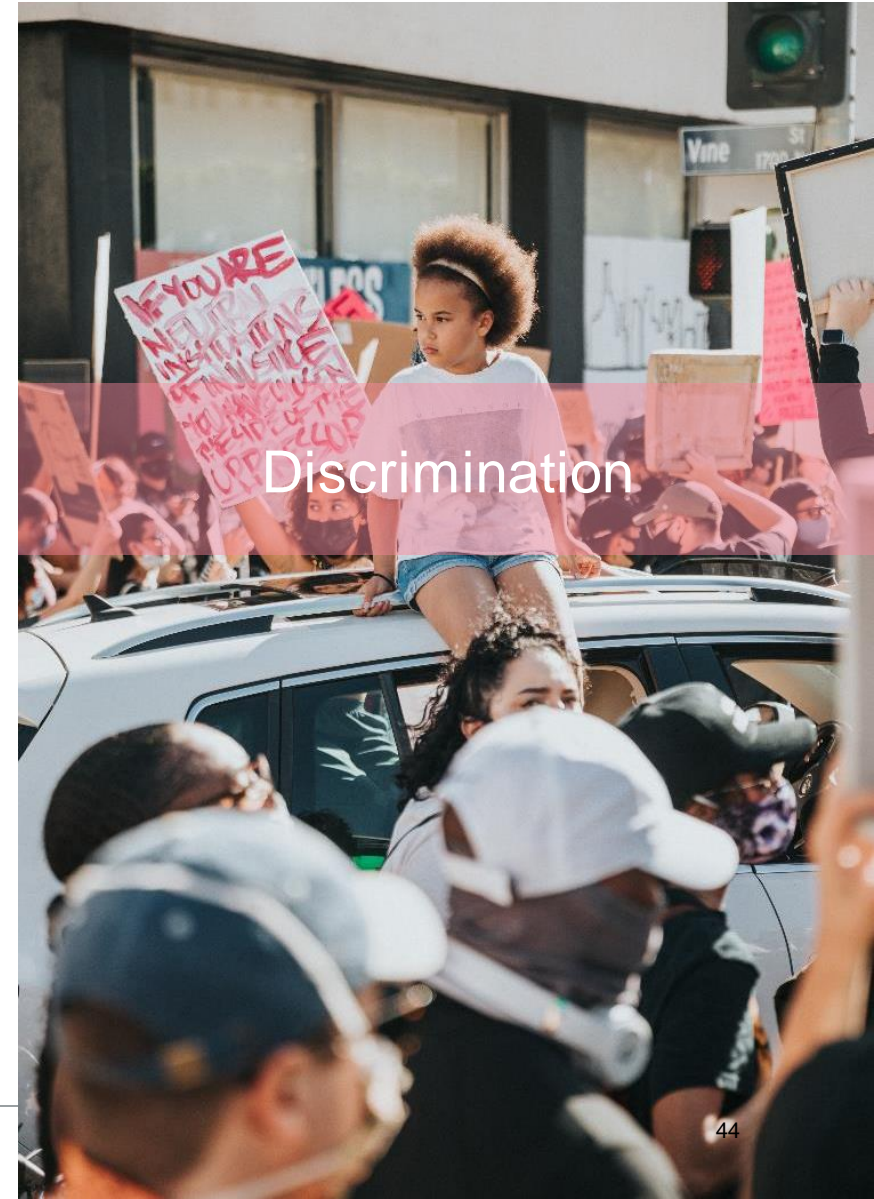
- Discrimination can be on the basis of race, color, sex, religion, political opinion, national extraction or social origin.
- Discrimination can be positive or negative, but overall result in the undermining of equal opportunity in the workplace.
- Discrimination can be either direct or indirect.
 - Direct: Unequal treatment stems directly from laws, rules, or practices making an explicit difference on one particular ground. For example: “men only” job advertisements
 - Indirect: Situations, rules, and practices which appear neutral, but which in practice lead to disadvantages. For example: requiring all employees to work one full weekend a month

Reference: [ILO \(2022\)](#)



Understanding discrimination

| Counts as Discrimination | Does Not Count as Discrimination |
|---|--|
| Job advertisement specifies gender or age preference (direct) | Job advertisement specifies skills needed |
| Recruitment criteria for Board of Directors includes political opinion (direct) | Recruitment criteria for Board of Directors favors women to meet gender parity target in Board |
| Pay is unequal between men and women (direct) | Pay is unequal between colleagues with different years of work experience |
| Refusing to allow women returning from maternity leave to work part time or flexible hours (indirect) | Providing special working hours for persons with disability |



Discrimination

Reference: [ILO \(2022\)](#)

Bias and Discrimination

- A range of types of biases can lead to discrimination. Researchers and psychologists have documented over 150+ types of cognitive biases.
- Not all bias and discrimination are conscious.

System 1 Thinking:
Unconscious, quick



System 2 Thinking:
Conscious, analytical

Reference: [Kirwan Institute for the Study of Race and Ethnicity \(2022\)](#)

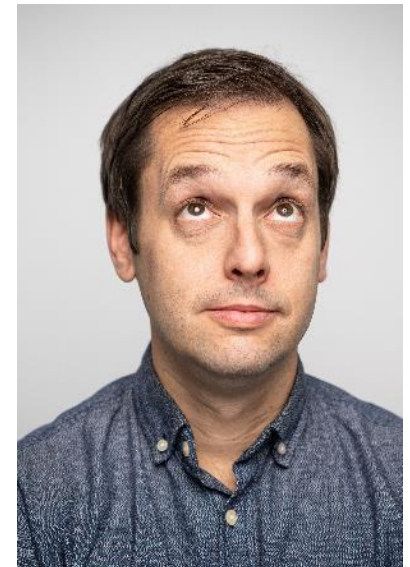
Types of Biases

| Types of Biases | Definition | Examples |
|-------------------|--|---|
| Affinity bias | Tendency to give preferential treatment to those whom people perceive to be members of their own groups | A recruiter preferring candidates who share the same religion; a supervisor who favors team members who share the same political opinion |
| Confirmation bias | Searching for, interpreting, and recalling information in a way that confirms one's preconceived notions | A supervisor believes left-handed people are more creative than right-handed people. Whenever the supervisor meets people who are left-handed and creative, the supervisor notes that his belief is true. However, he does not notice right-handed people who are creative. |
| Conformity bias | Tendency to change opinions or behaviors to match that of the bigger group | A panel of four managers is deciding between two candidates. One person thinks Candidate A is better than Candidate B, but the remaining three lean towards Candidate A, so that person is swayed and votes like others. |
| Stereotyping | Associating group membership with differing traits and abilities | “Men are better at math and science.” “Millennials are lazy.” |

Reference: [Kirwan Institute for the Study of Race and Ethnicity \(2022\)](#)

Mentimeter: Identify which biases are present.

| | Affinity Bias | Confirmation Bias | Conformity Bias | Stereotype | Not a bias |
|---|---------------|-------------------|-----------------|------------|------------|
| A female manager heads a team of five male workers and one female worker. She favors the female team member and promotes her first although the performance is the same across the team. | | | | | |
| An American intern joins a team. The manager of the team comments that “Americans are hardworking” and immediately assigns the intern a challenging job that was previously assigned to a Thai employee. | | | | | |
| Employee A has just joined the company. His coworkers tell him that his manager is “crazy” and he believes it. A day later, Employee A is called by the manager to report on what he is planning to work that week. Employee A thinks this must be because the manager is paranoid. | | | | | |



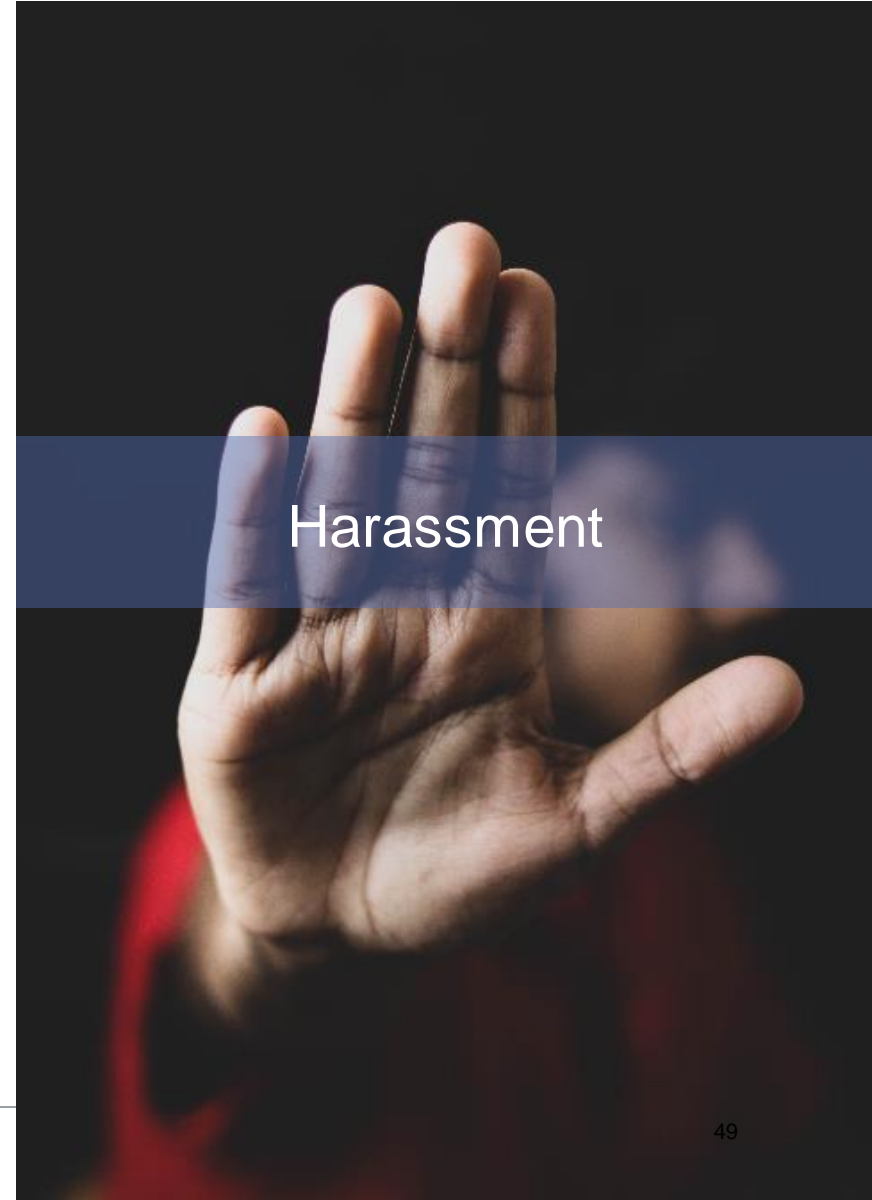


Harassment

Understanding harassment

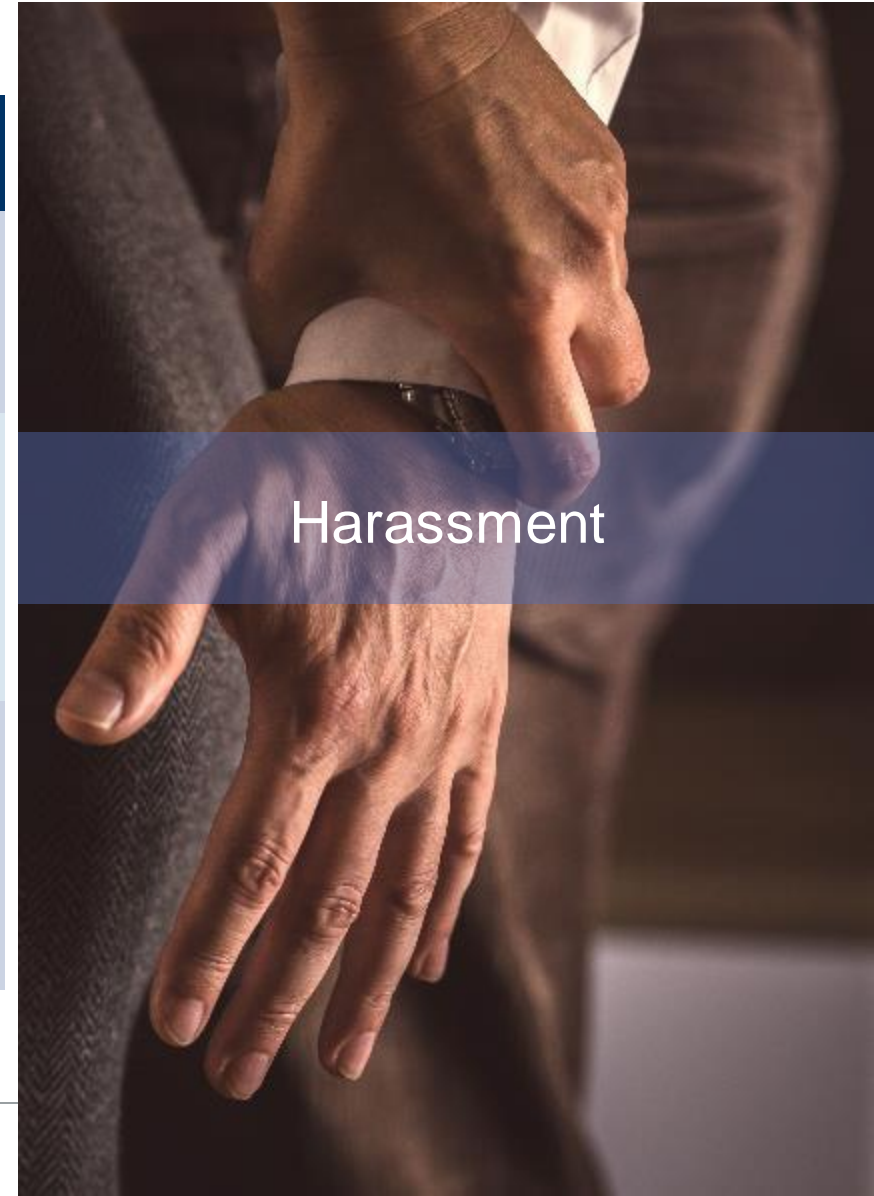
- “Harassment covers a broad range of unacceptable and unwelcomed actions and behaviors that aim at, result in, or are likely to bring harm to an individual and create a hostile environment.” – ILO (2022)
- Types of harassment:
 - Verbal, written, or online: Making disrespectful comments, sending an insulting email
 - Physical: Assault, such as pushing, grabbing, shoving, tripping, slapping, biting, or throwing an object
 - Psychological and social: Yelling, humiliating, threatening, making fun of subordinate or co-workers, making derogatory comments, deliberately changing work hours or schedules to inconvenience particular workers, excluding a co-worker
 - Sexual: Sexual assault, rape, unwelcome physical contact, asking intrusive questions about an employee’s private life or body, making insulting comments or jokes, asking for a sexual favor in exchange for a promised job or promotion, sharing or displaying sexually explicit pictures
- Harassment in the workplace can come from both internal and external sources:
 - Internal: Supervisors, managers, coworkers
 - External: Customers, clients

Reference: [ILO \(2022\)](#)



Understanding harassment

| Counts as Harassment | Does Not Count as Harassment |
|--|--|
| Repeatedly removing tools required for the employee to perform their job | Setting reasonable performance goals, standards, and deadlines |
| A supervisor who repeatedly declines to invite a team member of another sexual orientation to staff meetings | Deciding not to select a worker for promoting, following a fair and documented process |
| A supervisor who verbally lashes out at a team member | Informing a worker about unsatisfactory work performance and implementing disciplinary actions |



Reference: [ILO \(2022\)](#)


Case Study 1 – Sexual Harassment by Colleague

| Type | Incident |
|----------------------------|--|
| Verbal, written, or online | <ul style="list-style-type: none"> A journalist who works at a Thai media agency shared that at work, she was <u>repeatedly approached on a daily basis by a male colleague</u> who kept offering to send her home because he knew her home address. At work trip, the male colleague who had been drinking approached her. She tried to run away and he <u>tried to block her exit</u>, but she escaped. She reported that, “No one could do anything, because he’s a pooyai”. |
| Physical | |
| Psychological and social | |
| Sexual | |
| Source | |
| Internal | |
| External | |





Reference: [Khaosod English \(2020\)](#)

Case Study 2 – Islamaphobia at the Workplace

| Type | Incident |
|----------------------------|---|
| Verbal, written, or online | <ul style="list-style-type: none"> A London-based charity reported that Muslim employees are being bullied and harassed at work because of their religion. One male employee said one of his colleagues <u>“physically pulled on his beard” and referred to him as “Jafar”</u> – the main antagonist in the Disney film Aladdin. One female employee said a colleague placed <u>bacon in her lunchbox</u>. |
| Physical | |
| Psychological and social | |
| Sexual | |
| Source | |
| Internal |  |
| External | |

Reference: [BBC \(2022\)](#)

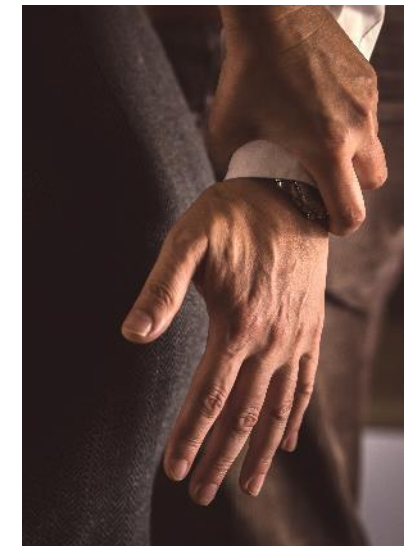
Case Study 3 – Physical Harassment in Supply Chains

| Type | Incident |
|----------------------------|---|
| Verbal, written, or online | <ul style="list-style-type: none"> A construction worker was <u>physical harassed by his employer after his employer was unsatisfied with the work.</u> <div data-bbox="614 725 772 748" style="margin-top: 20px;">  Matichon </div> <div data-bbox="614 772 1735 862" style="margin-top: 10px;"> <p><u>ก.แรงงาน เคลียร์! เคสนายจ้างทำร้ายลูกจ้าง ได้เงินเยียวยาพร้อมเริ่มงานที่ใหม่</u></p> </div> <div data-bbox="614 891 1735 968" style="margin-top: 10px;"> <p>ก.แรงงาน เคลียร์! เคสนายจ้างทำร้ายลูกจ้าง ได้เงินเยียวยาพร้อมเริ่มงานที่ใหม่. วันนี้ (25 เมษายน 2566) นายสุชาติ ชมกลิน...</p> </div> <div data-bbox="614 991 835 1022" style="margin-top: 10px;"> <p>Apr 25, 2566 BE</p> </div> <div data-bbox="1768 722 1956 911" style="float: right; margin-top: 20px;">  </div> |
| Physical | |
| Psychological and social | |
| Sexual | |
| Source | |
| Internal | |
| External | |

Reference: [Matichon \(2023\)](#)

Mentimeter: Identify type of harassment.

| | Verbal | Physical | Psychological/Social | Sexual | Not harassment |
|--|--------|----------|----------------------|--------|----------------|
| After a team member fails to meet a deadline, the manager yells that the team member is “stupid” and throws a stapler at the team member. | Yellow | | | | |
| There is a new team member who has dark skin. A coworker calls the team member “Blackie” as a nickname. The coworker also deliberately holds back information on meetings from the new team member, resulting in the team member missing meetings. | Yellow | | Yellow | | |
| Employee A is tasked with welcoming a group of investors at a dinner. During this dinner, a male investor asks to send Employee A home. When she denies, he follows her to her car and asks again. | | | | Yellow | |





Preventing and Eliminating Discrimination and Harassment

What can you do to prevent and eliminate discrimination and harassment in the workplace?

- **Leading ourselves** – Demonstrating inclusive behaviors by being a role model and holding others accountable. Be aware of your biases and be mindful, respectful, curious, and supportive of colleagues' differences.
- **Leading others** – Seek out approaches and different perspectives from people with differing views. Self-audit with colleagues you always go to for advice to ensure that their own biases aren't influencing you. Call in and/or call out instances of discrimination and/or harassment.
- **Leading the organization** – Challenge perceptions that are made without supporting evidence. Analyze assumptions that someone is/isn't the right person for a team, workgroup, or position. Report incidents of discrimination and harassment.

Reference: *ERM (internal)*

Discrimination
and
Harassment
in the workplace



Tips: Calling Out vs Calling In

| | For incidents that are extremely harmful and need to be stopped immediately, consider CALLING OUT | For incidents that may have been unintentional or a result of lack of awareness, consider CALLING IN |
|-------------------------------|---|--|
| Definition | When we need to let someone know their words or actions are unacceptable and will not be tolerated; when we need to interrupt in order to prevent further harm | When there is an opportunity to explore deeper, when we are seeking to learn more, focused on reflection |
| Strengths/ Limitations | + Stops the incident immediately - Might alienate the person | + Allows opportunity for reflection and encourages mindset changing - May not immediately stop the incident |
| Examples | <p>“I need to push back against that. I disagree. I don’t see it that way.”</p> <p>“That’s not our culture here. Those aren’t our values.”</p> <p>“I need to leave the room if the conversation is going to continue down this road.”</p> | <p>“I’m curious. What was your intention when you said that? How might the impact of your words/actions differ from your intent?”</p> <p>“What sort of impact do you think your decisions/comment/action might have on others?”</p> <p>“What criteria are you using to measure/assess...?”</p> |

Reference: [Tufts University](#)

What is EGCO doing to prevent and eliminate discrimination and harassment?

- Policy: Included in Human Rights Policy and [Diversity and Inclusion Statement](#)
- Human rights risk assessment covers discrimination and sexual harassment issue
- Capacity Building: Organizing regular training for all employees on discrimination and harassment
- Any experienced, observed, or suspected incident of discrimination and harassment should be reported immediately
- Whistleblowing Channels : <https://www.egco.com/th/whistle-blowing> or

Whistleblowing Channels



- The Board of Directors directors@egco.com
- The Audit Committee auditcommittee@egco.com
- The President ceo@egco.com



The Board of Directors, the Audit Committee or the President
Electricity Generating Public Company Limited
EGCO Tower 222 Vibhavadi Rangsit Rd.,
Tungsonghong, Laksi, Bangkok, Thailand, 10210

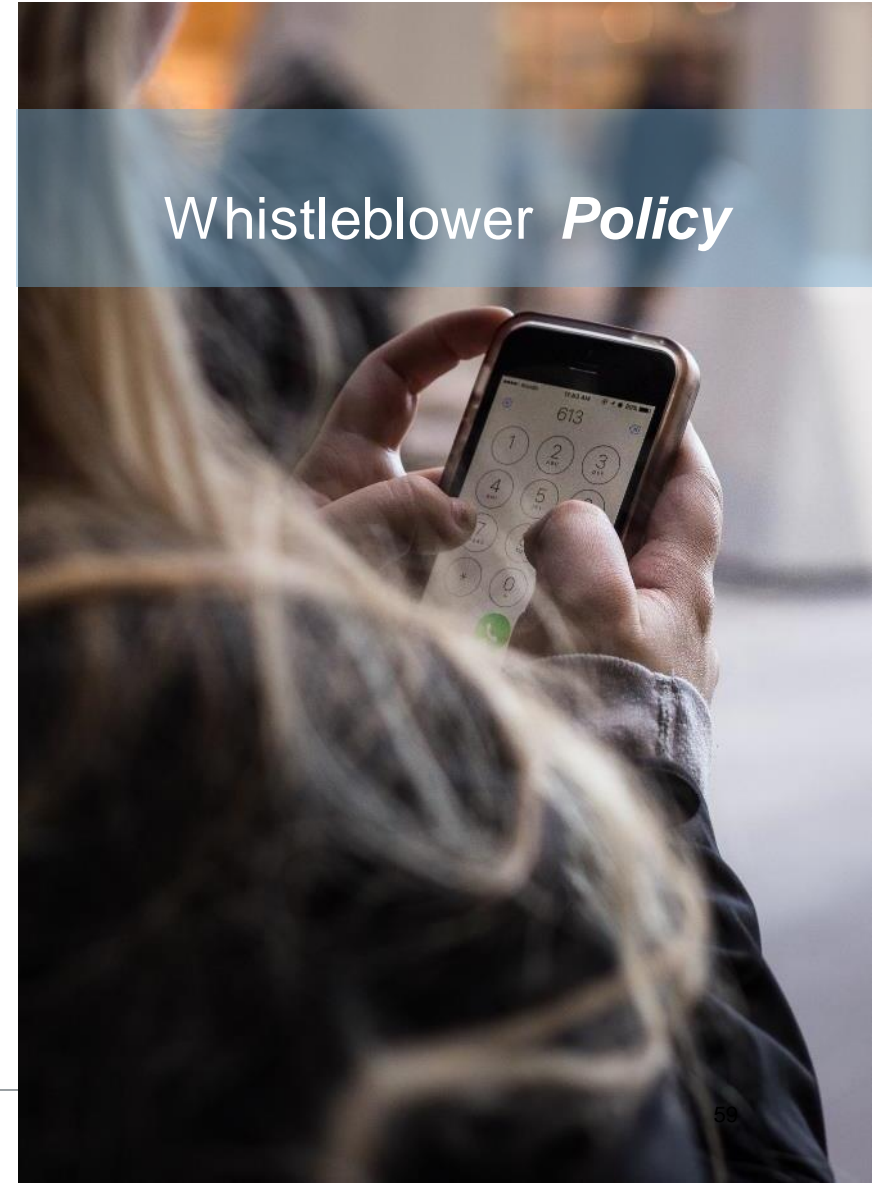


If you wish to submit a whistleblowing form,
please fill in below.

Whistleblower Policy

- Complaints can be submitted by employees as well as third parties.
- Complaints should specify: information of the whistleblower (if choose to not be anonymous), information of the alleged, submission date, detailed information of the complaint, evidence (if any).
- EGCO is committed to protection of the whistleblower, including guaranteed confidentiality unless required by the law. No personnel should be demoted, published, or given retaliation or unfair acts.
- EGCO is also committed to protect the alleged who is not yet proven guilty by providing a fair trial.

Reference: [EGCO Whistleblower Policy](#)



Whistleblower *Policy*

Whistleblower Process

1. Registration of complaint with Internal Audit Division through <https://www.egco.com/th/whistle-blowing>

or

Whistleblowing Channels

- The Board of Directors directors@egco.com
- The Audit Committee auditcommittee@egco.com
- The President ceo@egco.com

The Board of Directors, the Audit Committee or the President
Electricity Generating Public Company Limited
EGCO Tower 222 Vibhavadi Rangsit Rd.,
Tungsonghong, Laksi, Bangkok, Thailand, 10210

If you wish to submit a whistleblowing form,
please fill in below.



2. Preliminary review by Internal Audit Division.
3. Investigation committee appointed. Internal Audit Division shall inform the whistleblower regarding reception of the complaint.
4. Once investigation is completed, whistleblower will be informed.
5. Results reported to Board of Directors for approval of disclosure in Annual Report.

Remarks: EGCO is committed to protection of the whistleblower, including guaranteed confidentiality

Reference: [EGCO Whistleblower Guideline](#)

Information of the Whistleblower

EGCO Group encourages the whistleblower to disclose his/her contact information for the Company to inquire further information and update the investigation progress or result. In case the whistleblower chooses to remain anonymous, the complaint should provide detailed information or evidence which is clear and sufficient for EGCO to conduct further fact-finding.

Anonymous

Full name

Telephone

E-mail

Address

Whistleblowing Complaint Receiver

Whistleblowing Complaint Receiver

Information of the Whistleblowing Complaint

Category

Information of the alleged

Full name

Relation to EGCO Group

Date and Time

Place

Details

Attachment (pdf, docx, jpg not over 1 MB)

เลือกไฟล์



Moving Towards Diversity, Equity, and Inclusion

Moving Towards Diversity, Equity, and Inclusion (DEI)

- By preventing and eliminating discrimination and harassment, we can work together to move the company towards diversity, equity, and inclusion (DEI).
- Breaking down DEI:
 - Diversity: The similarities and differences that exist between people
 - Equity: Fairness or justice that specifically accounts for the needs of individuals
 - Inclusion: The experience people have at the workplace and the extent to which they feel valued for who they are, the skills and experience they bring, and the extent to which they have a strong sense of belonging with others at work
- Traits of a company that has a thriving DEI culture:
 - Company has diverse representation
 - Employees of different groups feel respected, that they belong, and are supported to grow.
 - Employees can be their authentic selves.

Reference: [ILO \(2022\)](#)



Good Practices in Driving DEI

Enel

- Published **Diversity and Inclusion Policy** in 2015 and **Workplace Harassment Policy** in 2019
- Set **People Care and Diversity Management** global unit in 2016, which steers and supervises the adoption of this Policy, using a specific budget to promote initiatives and projects, and **Equal Opportunity Committees** at the local level
- Put in place **targets** such as:
 - Equal representation in internal and external selection processes
 - 40% of women in workforce, including leadership and field positions
 - 100% of people managers complete DEI training
- Implemented **initiatives to support inclusivity**, such as: increase participation of female students in STEM initiatives, activities for employees from different generations to share digital skills and organizational knowledge, initiatives to support accessibility
- **Training and communication** employed to promote employee awareness of biases, harassment, intercultural inclusion, and others



Reference: [Enel Sustainability Report 2022](#), [Enel \(2020\)](#), [Enel North America](#)

Good Practices in Driving DEI

Engie

- Published **Global Policy for Diversity, Equity, and Inclusion** with priority subjects for 2022-2023 defined as gender equality, origins (nationalities, ethical origins, etc.), generations, and disabilities
- Adopted roadmap to be rolled out and managed by a **DEI World Committee**
- Put in place **targets** such as:
 - Pay gap between women and men less than 2% on equivalent positions at the Group level, by 2030
 - 50% share of women in management positions by 2030
- Implemented **initiatives to support inclusivity**, such as: establishment of networks for employee groups, promoting the EDGE Certification in Diversity and Inclusion, include SOS number for female victims of domestic abuse on energy bills
- **Training and communication** employed to promote employee awareness through online DEI training programs, Sexual Harassment and Sexist Action Guide
- **Continuously measures indicators** of diversity, equity, and inclusion and perception through annual engagement survey, tracking spending on diverse suppliers



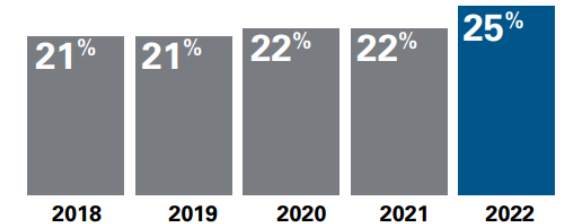
Reference: [Engie Diversity and Inclusion \(2023\)](#)

Good Practices in Driving DEI

Xcel Energy

- CEO signed the **CEO Action for Diversity and Inclusion pledge**
- Oversight of DEI initiatives by **Director of DEI** who also reports to Chief Human Resources Officer and CEO
- Added **incentive-based DEI metric to the annual scorecard** which reflects diverse interview panels, employee feedback on Inclusion Index, and executive sponsorships
- Implemented **initiatives to support inclusivity**, such as: engaging local universities and supporting training for skilled jobs in the energy industry, launching business resource groups
- **Training and communication** employed to promote employee awareness on unconscious bias and microinequities, leader inclusion and diversity, and promoting supplier diversity

Percentage Female Management



Reference: [Xcel Energy Diversity and Inclusion Report 2022](#).

Diversity, Equity, and Inclusion at EGCO

- Non-discrimination included in the **Code of Conduct** and **Human Rights Policy**.
- Committed to target of **30% female managers in revenue generating functions by 2025**.
- **Regularly reports on indicators** such as gender representation in Board and management, and ratio of basic salary and remuneration of women and men
- **Training and communication** to promote employee awareness, including:
 - Short movie about non-discrimination showed in CG Day 2022
 - Diversity and inclusion training
- **Awarded UN Women 2022 Thailand Women’s Empowerment Principles Awards** for transparency, reporting, and initiatives on gender equality.

| Topic: Workforce Breakdown By Gender | | | | | |
|--|-------|-------|-------|-------|-------------|
| (GRI Standards: Diversity and Equal Opportunity 2016, 405-1 Diversity of governance bodies and employees) | | | | | |
| 26. Share of women in total workforce (% of total workforce) | 21.90 | 23.70 | 24.50 | 23.60 | 30% by 2025 |
| 27. Share of women in all management position (junior, middle, and senior management) (% of total management workforce) | 36.10 | 38 | 37.20 | 37.50 | 30% by 2025 |
| 28. Share of women in junior management positions i.e. first level of management (% of total management junior management positions) | 38.40 | 42 | 39.70 | 38.60 | 50% by 2025 |
| 29. Share of women in top management positions, i.e. maximum two levels away from CEO (% of total top management positions) | 23.80 | 24 | 29.40 | 30 | 30% by 2025 |
| 30. Share of women in management positions in revenue-generating functions (excluding support function) (% of all such managers) | 21.40 | 27 | 27.50 | 27.60 | 30% by 2025 |
| 31. Share of women in STEM-related positions (% of total STEM positions) | NA | 50.80 | 53.30 | 56.20 | 50% by 2025 |

Reference: [EGCO Annual Report 2022](#), [EGCO Reporting Center](#)



Recommended Resources

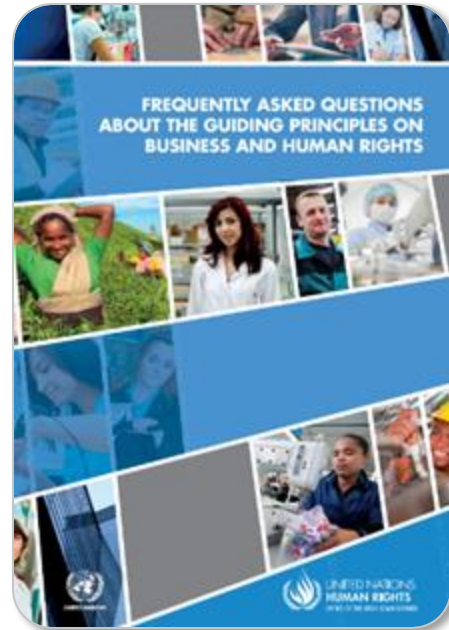
Recommended Resources

Business and Human Rights



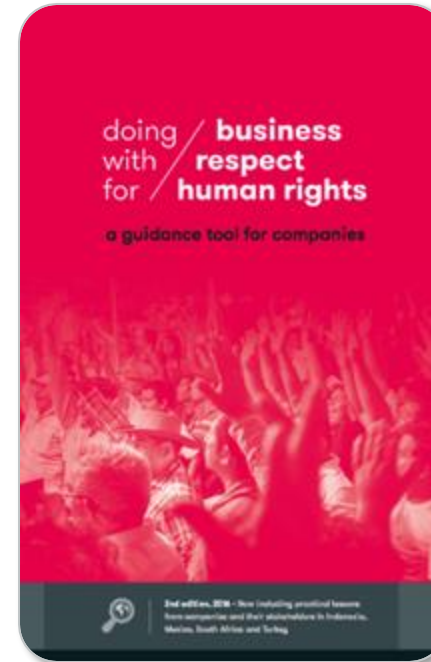
[Human Rights Due Diligence Training Facilitator Guide \(UNDP, 2021\)](#)

- Covers key business and human rights concepts
- Includes resources and materials for trainers to use
- Available in English, Thai



[FAQs about the UNGPs \(OHCHR, 2014\)](#)

- Includes 40 FAQs on UNGPs
- Contains further guidance



[Doing Business with Respect for Human Rights \(Shift, 2016\)](#)

- Comprehensive and digestible guidance on BHR



[Heightened HRDD for Business in Conflict-Affected Contexts: A Guide \(UNDP, 2022\)](#)

- Comprehensive and digestible guidance on BHR

Recommended Resources

Discrimination



[ILO Guidance on Eliminating Discrimination in the Workplace](#)

- Covers key definitions and actions to eliminate discrimination

Discrimination in employment and occupation: general description and bases for discrimination

Question: We found during a supplier audit that the employment contracts with employees contains the following clause: "Company retains the right to transfer the employees upfront." Is this consistent with your standards?

>

Answer: The Workers with Family Responsibilities Recommendation (No. 165) sets out in paragraph 20 the principle that "Family and considerations such as the place of employment of the worker and possibilities of educating children should be taken into account when transferring workers from one locality to another." The idea is a balanced approach between the needs of the enterprise and the worker's/manager's family. The enterprise should be encouraged to take family responsibilities into account to a reasonable extent when transferring managers to new duty stations.

Question: What does the term "discrimination in employment and occupation" mean? >

Answer: "Discrimination in employment and occupation" refers to practices that have the effect of placing certain individuals in a position of subordination or disadvantage in the labour market or the workplace because of their race, colour, religion, sex, political opinion, national extraction, social origin or any other attribute which bears no relation to the job to be performed.

[ILO FAQs on Discrimination in the Workplace](#)

- FAQs dashboard

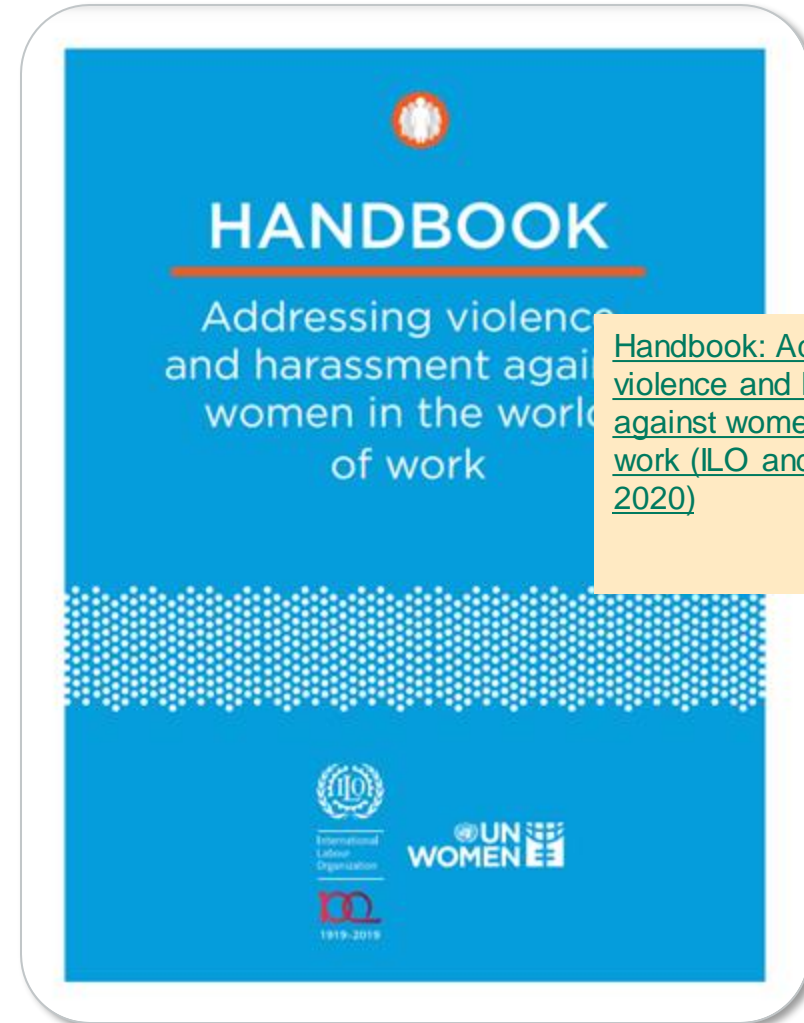
Recommended Resources

Harassment



[Violence and harassment at work: A practical guide for employers \(ILO, 2022\)](#)

- Covers key definitions and actions to eliminate harassment
- Good practice examples



[Handbook: Addressing violence and harassment against women in the world of work \(ILO and UN Women, 2020\)](#)

Recommended Resources

Diversity, Equity, and Inclusion



[Transforming enterprises through diversity and inclusion \(ILO, 2023\)](#)

- Covers key definitions and metrics to measure D&I
- Findings on D&I across the globe
- Good practice examples

▶ Transforming enterprises through diversity and inclusion



Guidelines on Diversity & Inclusion in the workplace:

UN Global Compact Network Italy
Observatory's experience

[Guidelines on Diversity & Inclusion in the Workplace \(UN Global Compact Network Italy\)](#)



Post-Training Survey

Post-Training Test

Google survey form:

1. True or False: An example of a business and human rights issue is a business purchasing raw materials from a supplier that uses forced labor. **[TRUE]**
2. True or False: The UNGPs are guiding principles for governments – not businesses – to implement. **[FALSE]**
3. True or False: The UNGPs outline that businesses should: establish a policy commitment to respect human rights, assess actual and potential impacts, integrate findings and take appropriate action, track and communicate performance, and remediate adverse impacts. **[TRUE]**
4. True or False: An example of discrimination is unequal pay between men and women. **[TRUE]**
5. True or False: Harassment can be verbal or physical, but not through emails. **[FALSE]**
6. If you observe or suspect an incident of discrimination or harassment at EGCO, you can report it through <https://www.egco.com/th/whistle-blowing> or send email to **[TRUE]**
 1. The Board of Directors: directors@egco.com
 2. The Audit Committee: auditcommittee@egco.com
 3. The President: ceo@egco.com

