



ES Training

Employee Handbook

ES TRAINING DMCC | ES TRAINING LTD

INTRODUCTION

This document has been developed as a summary of the company's policies, procedures, working conditions and behavioural expectations, and may be used as a reference to guide employee action in the workplace. It is also a formal reflection of the company's mission, vision, values, strategic goals, and commitment to its employees.

All information reflected in this document is consistent with the company's vision to:

- employ talented individuals whose creativity and imagination will support and contribute to achieving ES's business objectives.
- communicate company standards and expectations in all aspects of employment, including performance.
- value diversity by assuring equal employment opportunities.
- establish workplace relationships that are based on mutual respect.
- treat all stakeholders in a professional and non-discriminatory manner.
- provide safe and adequate working conditions; and
- provide staff with competitive terms and conditions of employment within the workplace market.

ES reserves the right to change the company policies and procedures and thus, the contents of this handbook, at any time and without prior notice. Changes to policies and procedures will be communicated to employees and updated versions of the handbook will be made available on the company's HR Portal.



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All employees are expected to obtain a copy of this handbook from the HR department and to review and become familiar with its contents. A disclaimer indicating that the employee understands the contents of the handbook and will act in accordance with all policies and procedures will need to be acknowledged and agreed to as part of the induction process.

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1. ABOUT ES TRAINING

ES Training is an international English language training centre, teaching English as a foreign language to students from all over the world. At ES Training, we understand that there are many reasons why people choose to study English, and we provide students with a stimulating environment that will help them achieve their learning objectives. In our 10,000sqft state-of-the-art learning facilities ES Training offers a wide selection of both short-term and long-term English language courses, taught by highly qualified and experienced native English-speaking teachers.

Always at the forefront of innovation, ES Training offers our students the latest online learning technologies, having developed our own classroom management system which tracks student's classes, attendance, exams, and progression, as well as providing access to additional online learning resources and free support classes.

The quality of our courses and offer have attracted over 4000 international students from 68 nationalities, making ES the number one choice for EFL studies in the UAE.

2. VISION, MISSION, GUIDING PHILOSOPHY AND GOALS

2.1. Our Vision



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Our vision is to create an international EFL and Pathways College that caters for the individual study needs of global students for both short-term camps as well as long-term EFL and Business programmes.

2.2. Our Mission

ES's mission statement was derived through input from all members of staff as we believe that employee engagement creates stronger loyalty and commitment.

Our mission is to deliver English Language and Business programmes of the highest quality to international students, providing them with the necessary skills to go on to employment and/or further education abroad, and to fulfil their learning objectives in the most efficient and effective manner.

At ES we seek to develop and nurture every student to help them achieve personal growth, personal achievement and their best learning outcome for their circumstances, ability and needs. We strive to create life-changing and long-lasting memories and to help our students make ambitious, well-informed, and broad-minded choices about the way they lead their future lives.

2.3. Our Goals

The goals for ES Training are intended to guide us in fulfilling our vision and mission.

ES Training is a student-focused centre that strives to:



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- Recruit UAE nationals, expatriates, and international students from a variety of ethnic, religious, and social backgrounds who are motivated to learn English as a second language, and further progress by registering for other business and marketing pathway programmes.
- Periodically evaluate our academic departments and vocational programmes to make sure that they meet the personal and professional needs of students; are appropriate and relative to the level of resources; and will further our mission and promote teaching effectiveness.
- Offer students accommodation and welfare provision, recognizing this is an integral part of the student's experience.
- Provide a strong support network outside the classroom to help students adapt to their new foreign environment.
- Support staff development, implementing policies, practices and procedures that foster the growth of knowledge, skills, and competencies of team members.

2.4. Our Values

ES is driven by the following values:

- To educate with the highest standards of ethics and integrity. We want to innovate learning through technology and focus on the student experience.
- We wish to impact results through personalized care and attention to the individual student needs.
- Value and engage employees. Learn, improve, and celebrate.
- Create a culture of warmth and belonging, where students and staff are welcome.



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- Lead the way, challenging the status quo and finding new ways to grow our company, our industry and each other.
- Being present, connecting with transparency, dignity and consideration. Delivering our very best in all we do, holding ourselves accountable for results. We are objective-driven, through the lens of humanity

3. EMPLOYMENT OF STAFF

3.1. Recruitment and Selection

Effective recruitment and selection processes are critical to the successful functioning of ES. Sourcing people with the relevant skills, expertise, and qualifications will support the company in achieving our strategic objectives. Assisting current employees to reach their professional goals through internal promotion and transfer opportunities is important to the company and all staff applying for internal vacancies will be considered first. The company's HR department, in line with the management team, is responsible for determining the relevant grade level and job description, and recruitment decisions will remain at the discretion of management.

ES further remains committed to adopting an unbiased and non-discriminatory approach during the recruitment and selection process.

3.2. Advertisement of Internal Vacancies

All job vacancies will first be posted internally, via the staff What's App group, and on the company's internal CRM portal, to allow current staff the opportunity to apply for positions that could lead to their personal development. Only once internal applicants have been screened and interviewed, and it is determined that there are no successful internal



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applicants, will the vacancies be advertised on ES's company website and other recruitment platforms.

3.3. Internal Job Applications

All job applications are required to be received via a formal process and in direct response to an advertised internal vacancy. Job descriptions will be clear and non-discriminatory. Examples of job-related criteria include assessing the candidate's experience, education, skills, abilities, and knowledge. Statements that a candidate is "overqualified" or "not a good fit" will not be accepted as job-related criteria. Examples of discriminatory factors include race, colour, creed, religion, ancestry, national or ethnic origin, gender, sexual orientation, pregnancy and maternity, gender reassignment, disability and age.

All completed applications are private and confidential and should only be made available to those directly involved in the recruitment and selection process.

Should a member of staff apply for an internal vacancy and be deemed unsuccessful, the reasons for this will be discussed with them as well as any potential training and development opportunities to place them in better stead for future applications.

3.4. External Job Applications

When applying for a vacancy, all candidates will be provided with the relevant job description which will include a list of the key responsibilities and the relevant experience and skills that a successful candidate requires to be considered.



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Successful candidates will be shortlisted and contacted to arrange a mutually convenient date and time.

Applicants will be asked to declare whether they are related to any staff member within ES and, if they are, managers or recruiters will not be permitted to interview a person to whom they are related.

It is company policy not to communicate further with applicants other than those who are shortlisted. A note to this effect is included in the details sent out to applicants. Furthermore, only references for short listed candidates will be requested, if deemed necessary.

All completed applications are private and confidential and should only be made available to those directly involved in the recruitment and selection process.

3.5. Selection Methods

ES seeks to recruit employees based on their ability and the requirements of the post. In doing so, the company strives to ensure that no applicant receives less favorable treatment or is disadvantaged in terms of age, marriage, race, religion, or gender.

In addition to interviews, a range of other selection techniques may be used where necessary and appropriate. In such circumstances, reasonable notice and the relevant information will be given to ensure that candidates have sufficient time and knowledge to



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prepare. Candidates will be asked if they require any reasonable adjustments for the additional selection techniques.

Candidates attending an interview will not usually be reimbursed for any expenses incurred, including travel.

All appointments are made strictly on merit and in relation to the requirements of the job. All interviewed candidates will be notified by email or telephone regarding the outcome of their interview as soon as possible. Unsuccessful candidates' data will be retained for possible future recruitment purposes.

3.6.Offers and Acceptance

Offer letters of employment will be sent in writing to successful candidates, either by email or by hand transmission.

On acceptance of employment in the form of the successful candidate's signed offer of employment the HR Manager will notify the relevant department about the recruit so that appropriate preparations can be made.

New employees recruited in-country who require visa sponsorship will be requested to submit their cancellation documents for visa application and change of status. Out of country recruits will be asked to submit their passport copy, and education certificates (translated and attested) for new employee visa processing (**DUBAI ONLY**).



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A formal contract of employment will be drafted and given to the employee on or before the first day of employment.

3.7. Accommodation for out-of-country recruits (DUBAI ONLY)

Employees who are recruited from outside of Dubai will be given the option to stay at the company's affiliate student hotel and residence, KSK Student Residence in Academic City, for fourteen (14) nights.

This is to afford the employee time to find permanent residence in Dubai.

3.8. Employee Details

Once a candidate has signed the offer of employment, the HR Administrator will notify the relevant departments about the recruit so that appropriate preparations can be made.

3.9. Employee Records

Upon commencement of employment, all new staff will be required to complete an Employee Data Form, containing necessary contact information, insurance details, bank account details, medical and emergency information, etc. The document will be stored as a hard copy in the HR filing system and as a soft copy on the company's CRM database.

The HR Department is the primary custodian of the official employment records of all staff members employed here at ES, both past and present.

It is the responsibility of the employee to notify the HR office of any changes in personal information. As a matter of policy relating to employee personal privacy, we will collect and



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use only that information that is necessary or relevant to the company's operating needs. Internal access will be limited to those who have legitimate business reasons for accessing personal information. Information regarding an employee's home address and telephone number, will not be released unless there is an obvious "need to know" or in case of an emergency.

All reference checks by outside employers requesting information on current or former employees or for verifying employment must be referred to the HR Department, which is the only department authorized to release this information.

3.10. Probationary Period

All new staff will be subject to a probationary period of six (6) months. During the probationary period, performance and suitability for continued employment will be monitored. At the end of the probationary period, a review meeting will occur between the employee and their reporting line manager to discuss their progress. At the end of the probationary period, and subject to a satisfactory report by the appropriate head of section or line manager, employees will be notified in writing that they have successfully completed their probationary period. The probationary period can be extended by up to three months should the individual's line manager consider this appropriate.

4. INDUCTION, ORIENTATION & ONBOARDING

4.1. Policy Statement

Management is committed to offering its employees a properly structured induction, orientation and onboarding programme that will help them to integrate into their role within



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the organization, effectively and productively. All new employees must be made to feel that they are contributing from early on and must be given sufficient information to understand the company, their role within it and what is expected of them.

4.2.Purpose of the Policy

ES is a learning community and is constantly striving to develop a culture of ongoing learning improvement amongst our staff. Welcoming new staff into the school is an important part of the employment process. On the first day of employment, each new member of staff will be given a full induction and orientation by the HR Department and their reporting line manager.

The induction process will include:

- An introduction to the team.
- The provision of a desk, IT equipment, and all relevant work tools.
- Access to, and training on the use of the company's CRM system
- Access to, and training on the use of the company's teaching portal, where applicable.
- A tour of the school's layout and facilities
- The HOD's expectations in terms of targets and KPI's
- Provision of the Employee Handbook and other relevant documents (to be provided by the HR office).

Once an employee has completed the induction process, an induction checklist will be completed, signed off and filed for record keeping.



4.3. Onboarding

Onboarding is a process that does not stop after induction and orientation but rather once the employee has completely integrated into the company and has reached full productivity. The company is committed to offering its new employees a supportive onboarding process. All employees are encouraged to speak to the HR Department and their line manager for any form of support while settling into the company.

4.4. Process

Induction, orientation, and onboarding is the joint responsibility of the HR Department and the employee's mentor (i.e., reporting line manager). Where induction and orientation are relatively short processes that are critical in the first few days of employment, onboarding is a process that is ongoing until an employee becomes fully productive in his or her role.

4.5. Induction Guidelines

First day of employment preparations should be made for the new employee's arrival well in advance, for example, arrangements would be made to provide a desk, equipment, IT, and all relevant work tools.

It is essential that new employees are given an orientation, introducing them to their new workplace and team. A tour of the workplace will be arranged, allowing the recruit to see where he/she fits into the organization, and where to find certain places in the company. i.e., cafeteria, kitchen, meeting room, library, etc.



The new employee will want to get to know his/her colleagues and quickly become part of the team, and time should be made for this process. It is therefore important that personal introductions be made to key departments and colleagues.

4.6. Induction of Administrative Staff

All new employees will be given the appropriate induction and orientation by their reporting line manager/department head, and by the HR Department. This includes:

- Introduction to the team
- Access and training in the use of the company's CRM system
- A tour of the school's layout and facilities
- Briefing regarding expectations in terms of targets and KPI's
- HR policy manual and other relevant documents (to be provided by the HR Department).

4.7. Induction of Academic Staff

All newly employed academic staff at ES will go through an induction process and will be briefed by their reporting line manager on the following:

- A tour of the school layout and facilities.
- Introduction to academic, administrative, sales and managerial staff.
- Access and training on teacher portal system, registers, and student portal (log in details would be provided)



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- Access and training on interactive teaching system and use of interactive boards.
- Books, teaching materials and syllabus.
- HR policy manual and other relevant documents (to be provided by the HR Department).
- KPI's, staff meetings and other expectations.

4.8. Induction of Interns

Interns tend to have a high level of knowledge but may not have the relevant skill set to carry out the job. In cases where interns are recruited for positions at ES, they must be made to feel that they are contributing from early on and to understand the company, and their role within it so that they are clear on what is expected of them.

The induction and orientation must be organized by a mentor (i.e., a reporting line manager) to ensure the recruit is properly integrated. The discussion should include:

- Their role within the department.
- Reporting responsibilities
- Allocation and prioritization of work
- School layout and facilities
- Access and use of the company's CRM database (if relevant).

4.9. Completing the Onboarding Process

Onboarding ends when the individual becomes fully integrated into the organization. There is no set timescale and follow up is essential. Allowing new employees to ask questions



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several weeks into employment can be useful, and the induction checklist will provide this opportunity. The HR Department, together with the relevant line manager, will oversee this process.

4.10. Induction & Orientation Checklist

4.11. The Induction & Orientation Checklist will be completed by the HR Department to ensure that all of the induction processes and documents have been completed. It will be signed off by the HR Administrator and the employee.

5. WORKING HOURS – DUBAI ONLY

5.1. Administrative Staff

Unless by mutual and contractual agreement, administrative staff will work the following days and hours:

- Working Days: Monday – Friday
- Working Hours: 9:00am – 6:00pm

5.2. Academic Staff

Academic staff are required to work a minimum of two (2) of the below teaching sessions per day:

9:00am – 12:00pm

12:00pm – 3:00pm

3:00pm – 6:00pm

Working days are Monday to Friday.



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5.3.Overtime

Any overtime worked will be paid in accordance to confirmed attendance and at management's discretion.

5.4.Ramadan Working Hours

Should the employee's normal working hours accumulate to more than eight (8) hours per day, his/her working hours will be reduced by two (2) hours each day during the Holy month of Ramadan. In this instance, the employer reserves the right to vary the employee's start and/or finish time for operational reasons, during Ramadan, and shall give the employee no less than one (1) weeks' notice of the revised working times.

This is only applicable to administrative staff and not teaching staff who work on a shift-basis.

6. WORKING HOURS – LONDON ONLY

6.1.Administrative Staff

Unless by mutual and contractual agreement, administrative staff will work the following days and hours:

- Working Days: Monday – Friday
- Working Hours: 9:00am – 5:30pm

6.2.Academic Staff

Academic staff are required to work from 9:00am to 4:00pm.



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Working days are Monday to Friday.

6.3.Overtime

Any overtime worked will be paid in accordance to confirmed attendance and at management's discretion.

7. CODE OF CONDUCT

ES expects each member of staff (including temporary, freelance, intern, contractor, or consultant staff) to act in the best interest of the company's business and stakeholders. All staff members are regarded as ES ambassadors and employee conduct, both inside and outside the organization, is expected to be aligned with the company's ethos of business, mutual respect, openness, and fairness.

7.1.Duties of the Employee

The duties of an employee are regarded as follows.

- Must be ready and willing to work together to create a culture that is based on mutual respect.
- Must always exercise reasonable skill and care in performing one's duties by giving full value for the time for which one is being paid.
- To obey rules, policies, and work directions and instructions.
- Caring for ES's property, equipment, and facilities.
- To not willfully disrupt ES's business.



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- To hold confidential ES's trade secrets and other information which is reasonably expected to be regarded as confidential.
- To be of good faith and do nothing to destroy the trust and confidence necessary for employment.
- Take care of their physical and mental wellbeing by maintaining a healthy work-life balance.
- Abstain from the use of offensive language in the workplace, including the use of swear words, blaspheme, discriminatory language or sexual innuendos.

7.2.Duties of the Employer

As the employer, ES agrees to fulfill the following duty of care towards each one of its employees:

- To maintain safe working conditions and ensure the health, safety, and wellbeing of our employees at all times.
- To protect staff from all forms of bullying, harassment, and discrimination.
- To provide adequate training and performance feedback;
- To provide open and transparent communication channels for employees to raise any concerns or grievances.

7.3.Dress Code

All ES staff are expected to abide by the dress code by wearing smart, professional clothes that should be clean, tidy, and appropriate for work. In particular, the following are not permitted:

- Clothing or footwear which are torn, dirty or worn in appearance.



- Clothing which is transparent, reveals underwear or midriffs or clothing that has low-cut necklines.
- Very short skirts or trousers.
- Shorts.
- Flip-flops or other clothing which is clearly beachwear.

Tattoos should be covered, where possible, as should body piercings other than earrings or nose studs. This is part of presenting a professional image for the school.

Staff may wear any appropriate religious and cultural dress (including clerical collars, headscarves, skullcaps, and turbans) unless it creates a health and safety risk or otherwise breaches the dress code policy.

7.4.Safeguarding Students

Employees are required to adhere to standards of conduct relating to safeguarding students and protecting themselves. Employees should:

- Not initiate or respond to any physical contact with a student.
- Avoid being alone in a room with a student, regardless of gender. If alone with a student, the staff should leave the door open and keep should always keep a respectable distance from the student.
- Never engage in conversations about their personal life with students.
- Maintain clear boundaries between themselves and students, and avoid topics that revolve around relationships, emotions, and sexual content.



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- Not probe a student about their personal life and should avoid giving advice to students about relationships. If a student wishes to disclose personal information, staff should ensure that they understand that they cannot guarantee confidentiality.
- Not teach small groups of students/ individuals outside of regular lessons unless there is another staff member in the department at that time.
- Be aware of students forming attachments to them as a teacher and keep their distance if they appear particularly needy. Staff must not seem to encourage a relationship, as this can often lead to misunderstandings. Where appropriate, staff should report any cases of suspected attachment to the CEO.
- Avoid unnecessary contact with students outside school.
- Not give students their home address, mobile or home phone number, or non-school e-mail address.
- Not follow students or be followed by students on social media, except ES's own social media forums.
- Not decide to meet students, individually or in groups, outside of school other than on school trips authorized by ES Dubai.
- Not give students a lift in their own vehicle unless they have permission from their line manager.
- Not attend private student parties or social events. If staff find they are in a social situation with students, whether school-run or otherwise, they should ensure behavior shall at all times reflect the terms of this Policy and shall not adversely affect their own or ES's reputation.
- Not consume alcohol or be under the influence of alcohol when chaperoning school run activities or excursions.



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- Under no circumstances engage in romantic or sexual relationships with students.

Failure to adhere to this Policy may result in ES implementing disciplinary action against an employee which may result in dismissal.

8. EMPLOYEE CONFIDENTIALITY

ES employees agree to respect confidential information relating to the structure and operating practices of the company. Confidential information refers to financial information, marketing information, products, product information, operational and risk methodologies, operating procedures, computer data, programs and source codes, pricing, price lists and purchasing policies, information relating to costs, sources of materials, business relationships, services, customers and customer lists (whether actual or potential); technical information, techniques, know-how, trade secrets, operating methods and procedures, electronic and manual systems; all intellectual property; contractual arrangements; training schemes and programs; information relating to ES's strategic objectives and planning for both its existing and future business needs; the contractual business and financial arrangements between ES and other third parties with whom they have business arrangements of whatever nature; all information specifically related to the business of ES which is not readily available to a competitor of ES in the ordinary course of business; The Chair of the Board of Directors or other Senior Managers of ES will inform employees of those authorized to receive information.

9. EMPLOYEE IDENTIFICATION



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All staff members are issued an identification card that enables them to use the various facilities where staff identification is necessary. A new staff member must obtain an authorization card from the HR Department.

All staff members are required to always carry their ID cards with them while on the office premises.

10. EMPLOYEE BENEFITS

10.1. Visa and Health Insurance (DUBAI ONLY)

10.2. Residence Visa

Employees who are employed on company employment contracts will be sponsored by the company who will apply for a resident visa on their behalf. The HR Department is responsible for obtaining the necessary documentation and applying for these benefits on behalf of the employee.

Visa for dependents can also be provided to an employee should it be requested by them; however, such request would have to be discussed with their reporting line manager, so as to establish a form of agreement on how the said request would be carried out. All expenses in connection with dependents are to be covered by the employee. These costs include processing fees, visa fees, medical insurance, and other associated costs.

10.3. Health Insurance

All employees will be registered on the company's health insurance as follows:



- Basic Cover (for the probation period, i.e., first 6 months)
- Comprehensive cover (from 6 months)

10.4. Pension Fund (LONDON ONLY)

All staff will automatically be enrolled on the Peoples Pension scheme upon joining the company. The employer contribution will be 5% of annual salary and the employee contribution will be 3% of annual salary. Employees will have the option to opt out of the pension fund after the first month.

10.5. Annual Leave / Holiday Allowance

10.6. Purpose of the Policy

ES Training encourages its employees to use their annual leave entitlement in a manner which creates an optimal work-life balance.

10.7. Annual Leave Entitlement – DUBAI ONLY

Employees are entitled to annual leave as detailed in their employment contracts.

The company's annual leave entitlement is twenty (20) working days in the first year of employment and twenty-two (22) working days from the second year onward.

Annual leave shall be accrued from the start of the agreement but can only be taken after the probation period has been completed.

Annual leave needs to be applied for, and approved, in advance. All leave forms must be requested in writing to the Line Manager via an Annual Leave Form. All requests should be,



at the minimum, twice as long as the period of leave requested. For example, one week's holiday request should be submitted at least two weeks in advance. The holiday will be agreed on a first-come, first-served basis and will be subject to operational requirements.

10.8. Calculation of Annual Leave for Administrative Staff

During the first year of employment, employees are entitled to twenty (20) working days paid leave per annum, where they have been employed for more than six (6) months and less than one (1) year of continuous service.

After one (1) year of continuous service, employees shall be entitled to twenty-two (22) working days paid leave per annum to be accrued pro-rata after completing their first year of service. The annual leave is deemed to exclude all National holidays.

Part-time and casual workers are entitled to the same annual leave allowance as full-time employees, subject to working a minimum of six (6) hours per day. Interns will be required to work for six (6) months before they may request annual leave.

The ES working week runs from Monday to Friday, and the annual leave year runs from 1 January to 31 December of each year. All holidays are calculated on a pro-rata basis.

10.8.1.1. Calculation of Annual Leave for Teaching Staff

Teaching staff at ES are considered as full-time staff members when they work a **minimum of two (2)** of the below teaching sessions per day:



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- 9am to 12pm
- 12pm to 3pm
- 3pm to 6pm

Teaching hours at ES can be flexible and teachers have the option of working overtime, conducting the third session depending on demand, or decreasing to one session during quieter periods in the business.

Thus, annual leave for teachers is calculated on a pro-rata basis and as per the sessions worked.

For instance, if a full-time teacher switches to one (1) session per week during a month of low demand, the annual leave entitlement for that month is the regular number of calendar days divided by two (2). In other words:

1 session = 1-day annual leave accrued per month.

2/3 sessions = 2 days annual leave accrued per month

10.8.1.2. National UAE Holiday Entitlement

In addition to the annual leave entitlement, all staff members are entitled to paid leave during national holidays announced by the UAE's private sector. These holidays are limited to:

- Hijiri's New Year's Day (1 day)
- Gregorian's New Year's Day (1 day)
- Eid Al Fitr (End of Ramadan) (2 days)



- Eid Al Adha (3 days)
- Prophet Mohammed's birthday (1 day)
- Isra and Al Miraj (1 day)
- National day (1 day)

The UAE is a Muslim country, which does not observe Christian holidays and thus these dates are not included in the National holidays and must be requested as annual leave, if falling on a working day.

10.8.1.3. Annual Leave / Holiday Allowance – LONDON ONLY

10.8.1.4. Annual Leave Entitlement

Annual holiday entitlement is twenty (20) working days for the first year of service and twenty-two (22) working days from the second year onward. The agreed public holiday entitlement is eight (8) days. For part time employees, these entitlements are adjusted on a pro rata basis.

10.8.1.5. Working on Public Bank Holidays

Employees will be required to work on a public bank holiday if the public bank holiday falls on a normal working day, unless the company decides to close for that specific day. The exception will be if an employee has requested it as a holiday and has been given prior authorisation to take the day off by their direct line manager.

10.8.1.6. Working on Public Bank Holidays



If an employee is required to work on a public bank holiday, he/she will receive pay for work done at an agreed rate, and a day in lieu or pay in lieu.

10.8.1.7. Additional Public Bank Holiday Declared

In the unusual event that a public bank holiday in addition to the usual eight public bank holidays in England and Wales is declared, it is entirely at the discretion of the company as to how that day is treated. There is no automatic right to an additional day's holiday or to take holiday on that day. The company may elect to treat the additional public bank holiday as a normal working day

and it is at our sole discretion as to whether any enhanced rates of pay or any time off in lieu or pay in lieu will be granted for working on that day.

Should an additional public bank holiday be declared, employees will be notified in advance how the company will treat that day.

For the avoidance of doubt, should the government declare that a substitute day becomes a public bank holiday for any reason, it is the substitute day only that is considered the public bank holiday.

10.8.1.8. National UK Holiday Entitlement

Paid holiday entitlement is eight (8) days and includes the public bank holidays in England and Wales referred to below:

- New Year's Day (1 day)
- Good Friday (1 day)



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- Easter Monday (1 day)
- Early May Bank Holiday (1 day)
- Spring bank holiday (1 day)
- Summer bank holiday (1 day)
- Christmas Day (1 day)
- Boxing Day (1 day)

On exceptional circumstances where an employee is required to work on a public holiday, ES will provide that employee in respect of the days worked with either: compensatory leave (i.e., time off in lieu) together with a bonus equal to 50 per cent of his/her remuneration; or a bonus equal to 150 per cent of his/ her remuneration.

10.8.2. Authorization of Annual Leave

All leave forms must be requested in writing and authorized in advance, subject to the school's operational needs. The default notice period should be a minimum of twice as long as the period of leave requested. For example, one week's holiday request should be submitted at least two weeks in advance. Staff should submit an Annual Leave Form to their line manager for approval. The holiday will be agreed on a first-come, first-served basis and will be subject to operational requirements.

Academic staff will need to take leave on a rotational basis due to the nature of the job and administrative staff will need to ensure that a proper hand over of duties and tasks in progress are handed over to a colleague or respective manager.



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As a result of the nature of the business, there may be specific times during the year when the taking of leave is restricted, but these dates will be communicated to staff with a minimum of four (4) weeks' notice. Peak periods include, but are not limited to, July and August (**Dubai**) and over *Easter and Christmas* (**London**). Employees need to bear this in mind when planning their travels and to discuss their plans with management who will not be unreasonable in granting leave where it is possible.

ES will not be liable for any financial loss employees might incur if they book a holiday without authorisation and the Company is subsequently unable to grant the request for holiday.

ES reserves the right to grant holiday requests in line with business requirements. Failure to obtain advance holiday authorisation is a disciplinary offence.

10.8.3. Carrying Over of Annual Leave

Employees are encouraged to take their full entitlement of annual leave each year as it is important to take a break from work. Annual leave may not be carried over into the next year unless it is necessary and approved by Management.

The maximum number of days that can be carried over by administrative staff is seven (7) days per year. Teaching staff are not permitted to carry over leave and are encouraged to use their annual leave entitlement throughout the year.

10.8.4. Pay in Lieu of Annual Leave



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Employees may opt to have their leave days paid out if they have not taken them by the end of the annual year. The amount will be calculated and paid out with the final month's salary, subject to authorization by the employee's line manager and the Director.

Furthermore, upon the termination of an Employee's service, annual leave accrued but not taken shall also be paid in lieu.

Employees about to go on a period of statutory maternity, paternity, adoption, parental leave or shared parental leave should contact their manager to discuss the arrangements for taking their holiday entitlement.

If employees are prevented from taking their full statutory holiday entitlement in the year to which it relates due to sickness, employees should contact their manager to discuss how the Company's holiday policy will apply in this situation.

10.8.5. Holiday owed to employees when they leave the company

When employees leave the company, the company will pay in lieu of any accrued untaken annual leave in the final pay.

10.9. Sick Leave

10.9.1. Purpose of the Policy

This policy outlines the company's provisions for employees who become sick and need to be absent from work. It further specifies how sick leave will be accrued and how it may be used.



10.9.2. Sick Leave Classification

An employee may take sick leave for any of the below reasons:

- Recovering from an illness
- Recovering from a medical procedure or surgery
- Recovering from a severe injury
- Quarantine / isolation relating to COVID-19 (refer to the COVID policy for more details)

An employee will not be entitled to sick leave with pay if the illness is a direct result of misconduct, including without limitation, the consumption of alcohol and/or illegal drugs.

10.9.3. Sick Leave Entitlement – DUBAI ONLY

Following a period of continuous service of three (3) months from completion of his/her probation an employee will be entitled to a maximum annual sick leave up to ninety (90) calendar days per year, based on the following calculation:

- Full remuneration for the first fifteen (15) sick calendar days.
- Half remuneration for the next thirty (30) sick calendar days; and
- No remuneration for the next forty-five (45) days.

In the event that the Employee takes more than ninety (90) calendar days sick leave in any given twelve (12) month period, the Employer reserves the right to terminate the employment contract immediately, in accordance with the UAE Labour Law.

If absence from work extends beyond two (2) calendar days, the employee should obtain a medical certificate from their doctor and forward it to their manager and the HR



Department. If the employee is unable to produce a medical certificate, all sick leave taken beyond two days will be treated as unpaid leave.

The Sick Leave Protocol is attached hereto as Addendum A.

10.9.4. Sick Leave Entitlement – LONDON ONLY

If an employees is ill for seven days or less, he/she will be required to complete a self-certification form, which is available from the direct line manager or the HR Department. For periods of absence of more than seven days, the employee will be required to provide medical certification, normally a 'Fit to Work' note, from a Healthcare Professional. A Healthcare Professional is a registered medical practitioner, a registered nurse, a registered occupational therapist, a registered physiotherapist, or a registered pharmacist [who is not themselves the patient]. Once a certificate has been received by the Company, the employee need only contact the company on the last day for which the certificate is valid, at which time the HR Department must be notified as to whether the employee plans to return to work upon its expiry or whether a supplementary medical certificate to extend sickness absence will be obtained. Giving incorrect information on a self-certification form will be grounds for disciplinary action which may result in dismissal.

10.9.5. Failure to inform

An absence of more than two days without notifying the company and two or more days that is not covered by a medical certificate means that the employee has failed to notify the Company in line with notification procedures and will be treated as absence without leave. Where an employee would otherwise be eligible for payment, he/she will not be paid for



such absence. Further, this will be considered gross misconduct and the employee's employment may be terminated if he/she does not notify the company of their absence.

10.9.6. Falling Sick Prior to, During or Directly after a Holiday

Should an employee fall sick just prior to or during pre-booked annual holiday, please refer to the sickness reporting procedures. All employees are entitled to take a holiday at some other time at the usual discretion of the Company and in accordance with legal obligations. An employee's request will not be considered unless a valid medical certificate is provided, and all holiday request procedures are followed.

Employees who fall sick directly after a holiday will need to submit a medical note from a doctor, regardless of whether it is one or more days taken as sick leave.

10.9.7. Long-Term Absence or Pattern

In the event of a long-term absence or a number of frequent and regular short-term absences, where a pattern is identified, the employee will be called into a meeting to discuss his/her welfare. The underlying objective of this policy is to facilitate the employee's return to work or to discuss alternative options.

10.9.7.1. Preliminary actions

The Company will remain in contact with the employee as a means of providing support and in order to understand the reasons for the employee's prolonged or regular absence. The employee will be invited to attend a preliminary welfare meeting to explore the reasons for their absence and the prospects of return to normal duty.



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Where possible, the company will obtain medical advice on the employee's condition and any recommendations regarding workplace adjustments which may facilitate the employee's return. ES will request permission to obtain medical advice and we will seek this from the employee when necessary.

As a requirement of employment, the employee agrees to work with ES in its efforts to comply with the requirements of the Equality Act 2010, if your long-term illness or condition so warrants (LONDON ONLY).

All employees are required to inform their manager if they believe there are any ways in which the company can accommodate their illness and help them to cope more easily with their work.

10.9.7.2. Facilitation of return

Once medical advice has been received, the employee will be invited to another welfare meeting where the medical information obtained will be discussed with the employee, as well as an agreed way forward. Adjustments to the employee's role will be made if it is considered to be reasonable and practicable by the Company, in the circumstances.

Where necessary, further welfare meetings will be held to discuss alternative employment where this is a possibility. Should the Company consider that further medical advice is required during the process, this will be addressed with the employee.

10.9.7.3.



Only where it is believed that there is no reasonable prospect of a timely return to work in any capacity, will the Company consider terminating an employee's employment. In this instance, the employee will be invited to a final meeting to discuss any further options and the reasons for the proposed dismissal.

A decision to dismiss due to capability will only be taken if it is determined to be a reasonable and proportionate outcome, having regard to all of the circumstances, to achieve the Company's aim of ensuring that sickness absence is maintained at a manageable level. Once ES is satisfied that all relevant information has been gathered and properly considered, the employee will be advised of the decision in writing. The employee will have the right to appeal against any decision taken to terminate employment.

10.9.8. Sick Leave Accrual

Sick leave is not accrued and shall not be carried forward.

10.9.9. Applying for Sick Leave

It is the employee's responsibility to notify their direct line manager and the HR Manager as soon as possible, no later than 1.5 hours (for academic staff) and 1 hour (for admin staff) before their start time giving reasons and the expected date of return. The employee is further required to keep in regular contact with the Employer during any period of absence.



Upon return to work, the employee will need to complete a Sick Leave Form which needs to be authorized by their direct line manager and then by the HR Manager.

If an employee needs to undergo a planned procedure, a sick leave form must be completed and authorized in advance.

If absence from work extends beyond two (2) calendar days, the employee should obtain a medical certificate from their doctor and forward it to their manager and the HR Department. If the employee is unable to produce a medical certificate, all sick leave taken beyond two days will be treated as unpaid leave.

10.10. Maternity Leave

10.10.1. Purpose of the Policy

To provide a guideline regarding the rights and responsibilities of employees who are pregnant have recently given birth and to guide the employer regarding maternity leave and pay.

10.10.2. Maternity Leave Entitlement – DUBAI ONLY

Female employees are entitled to sixty (60) days maternity leave:

- The first forty-five (45) consecutive calendar days are on full pay.
- The following fifteen (15) days are on half pay.

This includes the time before or after delivery.



Pregnant employees are required to give written notice of at least fifteen (15) weeks before their due date. This should include the expected due date and planned date to commence maternity leave.

Employees will be entitled to maternity leave in the event of a stillbirth or newborn death.

10.10.2.1. Extended Maternity Leave

A female worker who has exhausted her maternity leave may be absent from work without pay for a maximum period of 100 consecutive or non-consecutive days. If such absence is due to an illness preventing her from resuming her work, a medical certificate issued by a duly authorized medical institution or authenticated by the competent health authority confirming that the illness results from pregnancy or delivery shall document such illness. The leave provided for in the preceding two paragraphs shall not be deducted from other leave periods.

10.10.2.2. Calculation of Maternity Leave

Maternity leave pay is calculated on gross salary, inclusive of basic salary and allowances. Maternity leave is calculated based on calendar days (not working days), which means that weekends are included as part of the allowance.

10.10.2.3. Feeding Breaks upon Return to Work

During the 18 months following her delivery, a female worker nursing her child shall, in addition to any prescribed rest period, be entitled to two additional breaks each day for this purpose, neither of which shall exceed half an hour. These two extra breaks shall be considered part of the working hours and shall not result in reduction of remuneration.



10.5.3.4. Flexible Working after Maternity Leave

If an employee wants to make changes to her working patterns upon returning to work, she should write to her reporting line manager with her proposals as far in advance of her return date as possible. All requests for a part-time job or other flexible working arrangements will be considered in line with the operational requirements of ES.

10.10.3. Maternity Leave Entitlement - LONDON ONLY (non-contractual)

Maternity leave is 52 weeks, consisting of 26 weeks' ordinary maternity leave and 26 weeks' additional maternity leave. An employee does not have to take 52 weeks but must take 2 weeks' leave after the baby is born. There is no minimum length of service required to be entitled to maternity leave.

Maternity leave, statutory maternity pay and any other associated rights will be granted in accordance with current statutory regulations.

10.10.3.1. Notification

If an employee wishes to take maternity leave, they must tell the HR department the week in which her doctor or midwife expects her to give birth (this is called the 'Expected Week of Childbirth') and the date on which she would like to start her maternity leave (this is called the 'Intended Start Date'). This must be done before the end of the fifteenth week before the week that she is expected to give birth (this is called the 'Qualifying Week'), or as soon as reasonably practical afterwards.



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Once in receipt of a certificate from a doctor or midwife confirming your Expected Week of Childbirth (MATB1), the Company must be provided with a copy.

10.10.3.2. Time Off for Antenatal Appointments

If pregnant, an employee may take reasonable paid time off during working hours to attend antenatal appointments that a doctor, midwife or health visitor has advised the employee to attend. Unless it is the first appointment, ES will ask the employee to provide a certificate from the doctor, midwife or health visitor stating that they are pregnant and an appointment card.

If time off is needed to attend an ante-natal appointment please inform the manager. Please try to give as much notice as possible of the appointment.

10.10.3.3. Starting Maternity Leave

The earliest maternity leave can start is 11 weeks before the Expected Week of Childbirth unless your child is born prematurely before that date.

The maternity leave should normally start on the Intended Start Date. However: If changing the Intended Start Date as much notice should be given as possible but wherever possible it must be at least 28 days before the original Intended Start Date (or the new start date if bringing the date forward). This request should be in writing.

The maternity leave will start earlier if the birth occurs before the Intended Start Date, or if there is absence for a pregnancy-related reason in the last four weeks before the Expected Week of Childbirth. In either of those cases, maternity leave will start on the following day.



10.10.3.4. During Maternity Leave

With the exception of terms relating to pay, the terms and conditions of employment remain in force during maternity leave.

10.10.3.5. Returning from Maternity Leave

The employee must return to work on the expected return date unless the company is informed otherwise. If wishing to return to work earlier, the company requires eight weeks' prior notice of the date. Please be aware that the company cannot legally allow employees to work during the two weeks following childbirth. The employee may be able to return later than the expected return date if annual leave or parental leave has been requested, which will be at the company's discretion.

There is an entitlement to return to work in the position held before starting maternity leave, and on the same terms of employment. However, if additional maternity leave has been taken and it is not reasonably practicable for the company to allow a return into the same position, the company may give the employee another suitable and appropriate job on terms and conditions that are not less favourable.

10.10.3.6. Statutory Maternity Pay

Statutory maternity pay (SMP) is payable for up to 39 weeks provided the employee has at least 26 weeks' continuous employment with the Company at the end of the Qualifying Week and the average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks of SMP are paid at 90% of the



normal weekly earnings. The remaining 33 weeks are paid at the prescribed rate set by the government each year, or at the earnings-related rate (90% of your normal weekly earnings), whichever is lower.

10.10.3.7. Miscarriage and Stillbirth

There is still an entitlement to maternity leave (and where the employee meets the qualifying criteria SMP), if the baby is stillborn after the 24th week of pregnancy or the baby only lives for a short time after birth at any stage of pregnancy. If there is a miscarriage before 24 weeks, there is no entitlement to either maternity leave or SMP.

10.11. Parental Leave - DUBAI ONLY

A female employee shall be entitled to an additional five (5) days parental leave, to be taken within six months from the birth date of the child.

A male employee shall be entitled to five (5) days parental leave, to be taken within six months from the birth date of the child.

10.12. Paternity Policy - LONDON (non-contractual staff) only

Paternity leave and statutory paternity pay will be granted in accordance with current statutory regulations.

10.12.1. Entitlement

Paternity leave is available to employees for the purpose of caring for a child or supporting the child's other parent where qualifying requirements are met.



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Please be aware that paternity leave cannot be taken if shared parental leave has been taken in respect of the same child or if paid time off has been to attend adoption appointments in respect of that child.

For the purposes of this policy 'Partner' is defined as spouse, civil partner or cohabiting partner.

Paternity leave is available:

On the birth of a child, where either the employee is the biological father and expect to have some responsibility for the child's upbringing or is the Partner of the biological mother and will have the main responsibility (with the mother) for the child's upbringing.

On the birth of a child to a surrogate mother where the employee is, or the Partner is, one of the child's biological parents, and there is an expectation to obtain a parental order giving the employee and Partner responsibility for the child.

Where an adoption agency places a child with the employee and/or Partner for adoption and there is an expectation that there is main responsibility (with the Partner) for the child's upbringing.

Where a local authority places a child with the employee and/or the Partner under a fostering for adoption arrangement to have main responsibility (with your Partner) for the child's upbringing.

To qualify for paternity leave the employee must have been continuously employed by the Company for at least 26 weeks ending with the 15th week before the expected week of childbirth or the week in which the employee or Partner are notified by the adoption agency or local authority that they have been matched with a child.

In adoption, fostering for adoption, and surrogacy situations, the employee may wish to consider taking adoption leave instead of paternity leave (see the Adoption Leave Policy).



Only one parent can take adoption leave so discuss this with the employee's Partner.
Paternity leave and adoption leave cannot be taken together.

10.12.2. Taking Paternity Leave

Paternity leave is a period of one or two weeks' consecutive leave taken when a child is born or placed for adoption. The leave can start on the date of birth or placement, or later, provided it is taken within 56 days of the birth or placement. (If the baby is premature the period ends 56 days after the start of the expected week of childbirth.) To take paternity leave written notice must be given by the end of the 15th week before the expected week of childbirth (or no more than seven days after the adoption agency notified of being matched with a child), or as soon as possible. This must state the expected week of childbirth, or in cases of adoption, the date on which notification was received of having been matched with the child and the date on which the child is expected to be placed, and in either case whether there is an intention to take one week or two weeks' leave and when the leave to start. The Company may require a signed declaration that the eligibility requirements are met for paternity leave (and statutory paternity pay).

The intended start date can be changed of the paternity leave by giving us 28 days' notice or, if this is not possible, as much notice as possible. The request should be in writing.

10.12.3. During Paternity Leave

All the usual terms and conditions of your employment remain in force during paternity leave, except for the terms relating to pay.



10.12.4. Statutory Paternity Pay

Statutory paternity pay (SPP) is payable during paternity leave provided the employee has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth or the week in which the adoption agency notified the employee or Partner of a match and the average earnings are not less than the lower earnings limit set by the government each tax year. SPP is payable at the prescribed rate set by the government each year, or at the earnings-related rate (90% of your normal weekly earnings), whichever is lower.

10.12.5. Shared Parental Leave

In some cases, you may be eligible to opt into the statutory shared parental leave scheme. For further information regarding this please see our Shared Parental Leave Policy.

10.13. Adoption Policy - LONDON (non-contractual staff) only

Adoption leave, statutory adoption pay and any other associated rights will be granted in accordance with current statutory regulations.

10.13.1. Time Off for Adoption Appointments

The employee may have a statutory right to take time off to attend adoption appointments. An adoption appointment is an appointment arranged by an adoption agency (or at the agency's request) for there to be contact with a child who is to be placed for adoption, or for any other purpose related to the adoption. The employee may



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take time off to attend an adoption appointment once the agency has notified that a child is to be placed with for adoption but before the child is actually placed.

When adopting a child, a decision must be made between the partners who will be treated as the primary adopter and who will be treated as the secondary adopter for the purposes of time off. The employee must tell us their decision the first time a request has to be made for time off for an adoption appointment. This will affect how much time can be taken off and whether it is paid.

There would be a choice as to who will be the primary adopter if they intend to take adoption leave when the child is placed. The employee would not be able to take paternity leave if they have elected to be the primary adopter. The employee would usually choose to be the secondary adopter if they intend to take paternity leave when the child is placed with although they may be able to take adoption leave if the other partner is not taking it.

If adopting a child alone, the employee is treated as the primary adopter.

10.13.2. Amount of Time Off

If you are adopting on your own or have elected to be the primary adopter, you may take paid time off to attend an adoption appointment on up to five occasions in relation to any particular adoption.



If you are the secondary adopter, you may take unpaid time off to attend an adoption appointment on up to two occasions only.

In either case, you must not take more than six and a half hours off for each appointment, including travel and waiting time.

10.13.3. Taking Time Off

If an employee wishes to take time off for an adoption appointment. They should give us as much notice of the appointment as possible. The employee must provide their manager with a signed statement confirming:

The date and time of the appointment.

That the appointment has been arranged or requested by the adoption agency.

Whether they are adopting a child alone or jointly with another person.

If they are adopting with another person, whether they are electing to take paid or unpaid time off.

10.13.4. Adoption Leave

The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (OAL) and 26 weeks' Additional Adoption Leave (AAL).

Adoption leave is available in the following situations:

Adopting a child through a UK adoption agency, or as a local authority foster parent who has been approved as a prospective adopter, the adoption agency or local authority has given written notice that there is a matched child with the expected placement date and there is agreement with agency or local authority of the placement.



A surrogate mother gives birth to a child, who is biologically the child of either the employee, or the spouse/civil partner or co-habiting partner (or both). The employee is expected to be given parental responsibility under a parental order from the court. The child must live with the employee and they must apply for the parental order within six months of birth.

Please be aware that only one parent can take adoption leave. If the spouse/civil partner or co-habiting partner takes adoption leave with their employer the employee may be entitled to paternity leave (see our Paternity Policy).

If adopting through an overseas adoption agency adoption leave may be available. Please contact the manager for information on eligibility and process.

10.13.5. Notification

In an adoption or fostering for adoption situation, the employee must tell the company of the expected placement date, and the intended start date for adoption leave. The company request that this is done in writing. This information must be given not more than seven days after the agency or local authority notification in writing that it has matched you with a child, or if that is not reasonably practicable, as soon as possible. Once the matching certificate from the agency or local authority has been received a copy must be provided to the company.

In a surrogacy situation, the employee must tell the company of the intention to take adoption leave and give the expected week of childbirth. This information must be given by the end of the 15th week before the expected week of childbirth, or if that is not



reasonably practicable, as soon as possible. We request that this is in writing. When the child is born please inform the company of the date of birth.

10.13.6. Starting Adoption Leave

In an adoption or fostering for adoption situation, OAL may start on a date of the employee's choosing no more than 14 days before the expected placement date, or on the date of placement itself, but no later.

If the employee wishes to change the intended start date they should tell ES in writing. As much notice must be given as possible but wherever possible the company must be told at least 28 days before the original intended start date (or the new start date if you are bringing the date forward).

In a surrogacy situation, OAL will start on the day the child is born, unless at work, in which case it will start on the following day. The start date cannot be changed.

10.13.7. During Adoption Leave

All the terms and conditions of the employee's employment remain in force during adoption leave, except for the terms relating to pay.

10.13.8. Returning from Adoption Leave

The employee must return to work on the expected return date unless they tell us otherwise. If they wish to return to work early, the employee must give us at least eight



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weeks' notice of the date. The employee may be able to return later than the expected return date if they request annual leave or parental leave, which will be at our discretion.

The employee is normally entitled to return to work in the position held before starting adoption leave, on the same terms of employment. However, if AAL has been taken (or have combined adoption leave with more than four weeks of parental leave) and it is not reasonably practicable for the Company to allow a return to the same position, the Company may offer another suitable and appropriate job on terms and conditions that are not less favourable.

10.13.9. Statutory Adoption Pay

Statutory adoption pay (SAP) is payable for up to 39 weeks provided the employee has at least 26 weeks' continuous employment with us ending with the Qualifying Week (the week in which the adoption agency or local authority notified the employee of a match, or the 15th week before the EWC) and the average earnings are not less than the lower earnings limit set by the government each tax year. The first six weeks of SAP are paid at 90% of your normal weekly earnings. The remaining 33 weeks are paid at the prescribed rate set by the government each year, or at the earnings-related rate (90% of your normal weekly earnings), whichever is lower.

10.14. Shared Parental Leave – LONDON ONLY

In some cases, the employee may be eligible to opt into the Statutory Shared Parental Leave scheme. For further information regarding this please see our shared parental leave policy.



10.14.1. Shared Parental Leave Policy

Shared parental leave and shared parental leave pay will be granted in accordance with current statutory regulations.

Shared parental leave (SPL) is an optional form of leave available to eligible parents following the birth or adoption of a child. It gives the employee and their partner more flexibility in how to share the care of their child in the first year after birth or placement for adoption, than if the employee were simply taking maternity or paternity leave.

For the purposes of this policy Partner is defined as spouse, civil partner or cohabiting partner.

10.14.2. Entitlement

An employee may be entitled to SPL in relation to the birth of a child if:

they are the child's mother, and share the main responsibility for the care of the child with the child's father or with the partner;

The employee is the child's father and share the main responsibility for the care of the child with the child's mother; or

The employee is the mother's partner and share the main responsibility for the care of the child with the mother (where the child's father does not share the main responsibility with the mother).

There may be an entitlement to SPL if in relation to the adoption of a child an adoption agency has placed a child with the employee and/or their partner for adoption, or where a child is placed with the employee and/or the partner as foster parents under a fostering for adoption or concurrent planning scheme. There must intend to share the main responsibility for the care of the child with the partner.



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To qualify for SPL the following conditions must also be met:

At least 26 weeks continuous employment with us by the end of the Qualifying Week (that is the fifteenth week before the week that you expect to give birth or in adoption cases the week the adoption agency notifies you of a match with a child for adoption), and still be employed by us in the week before the leave is to be taken;

The 'other parent' must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the expected week of childbirth or in adoption cases the Qualifying Week and had average weekly earnings of at least £30 during 13 of those weeks; and

The employee and the 'other parent' must give the necessary statutory notices and declarations as summarised below, including notice to end any statutory maternity or adoption leave, statutory maternity pay (SMP) or adoption pay (SAP) or maternity allowance (MA) periods.

In birth situations, the total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of SMP or MA if she is not entitled to maternity leave).

In adoption situations, the total amount of SPL available is 52 weeks, less the weeks of adoption leave taken by either you or partner (or the weeks in which your partner has been in receipt of SAP if they were not entitled to adoption leave).

If you are the mother you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth. In adoption situations, at least two weeks of adoption leave or SAP must be taken.

10.14.3. Opting Into Shared Parental Leave and Pay



Not less than eight weeks before the date the intention to start SPL, the employee must give ES must give a written opt-in notice giving certain required information. This is called notification of intention and entitlement to take SPL.

The information required is:

- a. The employee's name and the name of the other parent;

If the employee is the child's mother, the start and end dates of the maternity leave. If taking adoption leave, the adoption leave start and end dates;

If the employee is the child's father or the mother's partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any SMP or MA period. In adoption cases, if the employee is not taking adoption leave, the partner's adoption leave start and end dates, or if the partner is not entitled to adoption leave, the start and end dates of their SAP;

The total SPL available, which is 52 weeks minus the number of weeks' maternity leave, SMP or MA period taken or to be taken or 52 weeks minus the number of weeks' adoption leave or SAP taken or to be taken by the employee and the partner;

How many weeks of the available SPL will be allocated to you and how many to the other parent;

If claiming statutory shared parental pay (ShPP), the total ShPP available, which is 39 weeks minus the number of weeks of the SMP/SAP or MA period taken or to be taken);

How many weeks of available ShPP will be allocated and how much to the other parent;

An indication of the pattern of leave the employee is thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but please give as much information as possible about the future intentions; and



Declarations by each parent that both meet the statutory conditions to enable each partner to take SPL and ShPP.

10.15. Ending The Employee's Maternity/Adoption Leave

If the employee is the child's mother or is taking/intend to take adoption leave and want to opt into the SPL scheme, at least eight weeks' written notice must be given to end the maternity/adoption leave (a curtailment notice) before SPL can be taken. The notice must state the date the maternity/adoption leave will end.

At the same time as the curtailment notice must be given, a notice to opt into the SPL scheme – a notice of intention and entitlement to take SPL or a written declaration that the other parent has given their employer an opt-in notice and that you have given the necessary declarations in that notice.

10.15.1. Ending The Partner's Maternity/Adoption Leave or Pay

If the employee is not the mother, but the mother is still on maternity leave or claiming SMP or MA, or if the partner is taking adoption leave or claiming SAP from their employer, the employee will only be able to take SPL once the employee's partner has either:

Returned to work;

Given their employer a curtailment notice to end their maternity/adoption leave;

Given their employer a curtailment notice to end their SMP/SAP (if they are entitled to SMP/SAP but not maternity/adoption leave); or



Given the benefits office a curtailment notice to end their MA (if they are not entitled to maternity leave or SMP).

10.15.2. Booking SPL

Having opted into the SPL system, the leave must be booked by giving a period of leave notice. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL. Up to three periods of leave notices can be given.

Leave must be taken in blocks of at least one week. If the period of leave notice gives a single continuous block of SPL the entitlement to take the leave is set out in the notice. If the period of leave notice requests split periods of SPL, with periods of work in between, (discontinuous leave) the request will be considered.

Where discontinuous leave is requested, ES will either agree to the request or start a two-week discussion period. At the end of that period, the company will confirm any agreed arrangements in writing. If no agreement has been reached, there will be an entitlement to take the full amount of requested SPL as one continuous block, starting on the start date given in the notice (for example, if two separate periods of four weeks each is requested, they will be combined into one eight-week period of leave). Alternatively, a new start date (which must be at least eight weeks after the date the employee submitted the notice requesting split periods of leave) may be chosen and told the Company within five days of the end of the two-week discussion period. The other option is to withdraw the notice and tell ES within two days of the end of the two-week discussion period (in which case it will not be counted as a period of leave notice, and a new one may be submitted).



10.15.3. Optional Company Forms

The company has forms available to be completed should they be required to provide ES with the necessary notices for SPL. These are available from the Manager on request.

10.15.4. Changing Dates or Cancelling SPL

Statute sets down rules in these situations. For information regarding these areas, please contact your manager.

10.15.5. During Shared Parental Leave

The terms and conditions of employment remain in force during SPL, except for the terms relating to pay.

10.15.6. Statutory Shared Parental Pay

The employee may be able to claim Statutory Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SMP, SAP or MA claimed by the employee or their partner) if they have at least 26 weeks' continuous employment with ES at the end of the Qualifying Week and the average earnings are not less than the lower earnings limit set by the government each tax year.

ShPP is payable at the prescribed rate set by the government each year, or at the earnings-related rate (90% of your normal weekly earnings), whichever is lower.

The employee should tell ES in the period of leave notice(s) whether there is an intention to claim ShPP during the leave (and if applicable, for what period). If it is not in the period



of leave notice the Employee can tell ES in writing, at least eight weeks before the intention for ShPP to start.

10.16. Time off for Dependents Leave

All employees are entitled to 'time off for dependents', which is a reasonable amount of unpaid leave to deal with emergencies involving a dependent. This does not include planned time off or time off for long-term care for a dependent. A 'dependent' can be a spouse, partner, child, parent, household member (but who is not their tenant, lodger, boarder, or employee) or anyone who depends upon the employee for care. 'Time off for dependents' includes bereavement leave, which is explained further below.

An employee should notify their reporting line manager of the need to take leave as soon as possible or, at latest, on the first day of absence.

10.17. Bereavement / Compassionate Leave - DUBAI ONLY

Bereavement leave allows employees time off to deal with personal distress which is usually related to the death or critical illness of a member of the employee's family.

Employees are entitled to:

- Five (5) paid days for the death of a spouse.
- Three (3) paid days for the death of a parent, child, sibling, grandchild, or grandparent.

An employee should notify their reporting line manager of their need to take leave as soon as possible or, at latest, on the first day of absence. In exceptional circumstances,



applications for leave will be considered after the first day of absence, at the discretion of management. Regular progress discussions will take place between the line manager and the bereaved employee while on leave and when back in the workplace.

An employee with any concerns about the grieving process impacting their work performance should discuss this in confidence with the Human Resources Manager.

10.18. Parental Bereavement Leave Policy – LONDON (Non-Contractual Staff) only

Parental bereavement leave and statutory parental bereavement leave pay will be granted in accordance with current statutory regulations.

10.18.1. Entitlement

There is an entitlement to take statutory parental bereavement leave (SPBL) if on or after 6th April 2020 for loss of a child under the age of 18 or there is a stillbirth from 24 weeks of pregnancy and the employee is:

The child's parent.

The natural parent of the child where the child has been adopted but there is a court order for the child to have contact.

A person with whom the child has been placed for adoption by a British adoption agency, or under a fostering for adoption scheme, as long as that placement has not been terminated.

A person living with the child who intends to adopt them and has received official notification from the British authorities that they are eligible to adopt where the child has entered Great Britain from overseas for the purposes of adoption.



An intended parent in a surrogacy arrangement and the employee has applied or intended to apply for a parental order within six months of the child's birth and it was expected that the court would make that order.

The child's parent in fact. The employee is the child's parent in fact if for a continuous period of at least four weeks prior to the child's death have cared for the child in their own home in the absence of a parent / someone with parental responsibility and had day to day responsibility for the child's care and not a paid carer (other than a local authority foster carer).

A partner of any of the above (that is a spouse, civil partner or cohabiting partner).

10.18.2. Taking Leave

Either one or two weeks' SPBL can be taken (if more than one child is lost then the entitlement to SPBL is in respect of each child). Should the employee wish to take two weeks' SPBL these weeks do not have to be consecutively but can be taken as two separate blocks of one week each at different times if preferred. SPBL can be taken at any time within the period of 56 weeks of the date on which you lost your child.

To take SPBL the employee should tell the manager the date on which the child has been lost, the date on which any period of SPBL is to begin and whether the intention is that period of leave to be for one or two weeks.

The amount of notice the employee should give will depend on the time frame in which they want their leave to start:

If it's within 56 days of the date the employee lost their child, notice is intended to be flexible to allow the employee to take leave at short notice. If the employee can, the employee should let us know they want to take SPBL before they are due to start work on the day they



wish their leave to start. If this is not reasonably practicable, the employee should let us know they want to start SPBL as soon as they can.

If the employee has already started work but gives us notice to start SPBL on the same day, then SPBL will officially start the next day.

If it's after 56 days of the date the employee lost their child, they need to give us one week's notice that they wish to take SPBL.

10.18.3. During Leave

All the terms and conditions of the employment remain in force during SPBL, except for the terms relating to pay.

10.18.4. Returning from Leave

The employee is normally entitled to return to work in the position held before starting SPBL, and on the same terms of employment. However, if SPBL has been taken consecutively with a period of parental leave of more than four weeks or the employee has taken maternity, adoption or shared parental leave in relation to the same child where the total amount of statutory leave taken in relation to that child is more than 26 weeks and it is not reasonably practicable for the company to allow the return into the same position, the company may look to give another suitable and appropriate job on terms and conditions that are not less favourable.

10.18.5. Statutory Parental Bereavement Leave Pay

Statutory Parental Bereavement Leave Pay (SPBLP) is payable during SPBL provided the employee has at least 26 weeks' continuous service ending with the week before the loss of



the child and the average earnings are not less than the lower earnings limit set by the government each tax year. SPBLP is payable at the prescribed rate set by the government each year, or at the earnings-related rate (90% of your normal weekly earnings), whichever is lower.

If there is an intention to take SPBLP please give notice of this either before the start of the SPBP period or within 28 days of the SPBP period if the employee can. Otherwise, the employee should notify the company as soon as possible. There may be a requirement to confirm in writing the dates of leave and pay, the date of death and provide a declaration concerning the relationship to the child.

If the employee does not meet the qualifying requirements for SPBLP, they can still take SPBL but this will be unpaid.

10.19. JURY SERVICE POLICY - LONDON (NON-CONTRACTUAL) only

If an employee is required to serve on a jury they should inform ES immediately. An employee will normally be excused from work for the time required. They should ensure that the manager is informed as to the absence on a daily basis. There is a requirement to return to work when jury duty ends and to present any documentation received from the Court to the manager. Whether jury service is paid or unpaid is entirely at the Company's discretion.

11. COVID-19 POLICY

11.1. Purpose of the Policy

The purpose of this policy is to put clear guidelines in place for managing the introduction and spread of COVID-19 within the school, and to ensure the safety of students and school staff while in the premises.



11.2. Process

11.2.1. Suspected Case

If a student/teacher/staff begins to show symptoms of COVID-19 while at school, they must be asked to leave and to go for a PCR test. The patient should not return to school until the PCR result is obtained.

If the result is negative, the student/teacher/staff can resume schooling so long as they are symptom-free.

If the result is positive, the traced contacts of the patient, including teachers along with the classmates of a student, or colleagues are all **considered close contacts** (Anyone who spent more than 15 minutes in a proximity of 2 meters with the positive case, from the day of symptoms onset, or the day of the positive PCR test). Close contacts are no longer required to quarantine and only need to take a PCR test if they are showing symptoms.

Teachers will remove from class ANY student showing flu symptoms and the student will not be able to return to class until he/she provides a negative COVID-19 test result.

Please also refer to the company's COVID policy.



11.2.2. COVID-19 related sick leave

An employee who is identified as a close contact of a student or other member of staff will be allowed to use their sick leave for the period of quarantine. If the employee is capable of working from home, which includes teaching online, the quarantine period will be deemed normal working days and not sick leave.

An employee who is required to quarantine as a result of close contact with a positive case outside of the school will be required to take unpaid leave for the full quarantine period, unless he or she is capable of working from home during isolation. Again, this includes the possibility of teaching online, where possible.

11.3. Classes and Lessons

If a student tests positive of COVID-19, everyone in the classroom must commence a 10-day quarantine period, counted from the last day the group was in contact with the individual who tested positive.

How will this affect student lessons?

- Students who develop symptoms and become sick with the virus can pause their courses until fully recovered.
- Quarantined students unaffected by the virus are expected to continue with their studies online as normal for the entire quarantine period, classes will not be put on hold.



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- Students wishing to take a holiday break during this period must refer to the terms and conditions of the school <https://esdubai.com/terms-and-conditions/>
- Cancellations due to Covid-19 quarantine are NOT permitted

11.4. Returning from Quarantine or Isolation

Upon returning from isolation after testing positive for COVID-19, an isolation certificate (DUBAI ONLY) will need to be presented to the HR Department.

11.5. COVID-19 Vaccination or PCR Testing – DUBAI ONLY

All employees are required to provide proof that they have been vaccinated against COVID-19. Should an employee opt not to vaccinate, he/she will be required to take a PCR test every seven (7) days and submit it to the HR Office. This is applicable to all staff, regardless of whether they are working at the school or at home. Non-vaccinated staff who do not take the PCR test every seven (7) days, without a valid medical reason for opting not to vaccinate, will be in violation of UAE Health Authority regulations and this will directly affect the company's license to trade. As a result, failure to comply with these regulations will leave the company with no option but to implement severe consequences which could lead to dismissal.



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Staff who cannot take the vaccine for medical reasons must provide a medical certificate from their doctor indicating that they are ineligible for taking the vaccine and stating the reasons for this.

Non-vaccinated staff (without a medical reason) who test positive or are a close contact will be required to take Annual Leave during their isolation period.

Employees are urged to call their line Manager or HR Manager before coming in to work if they are feeling unwell and displaying any COVID-related symptoms.

12. MANAGING EMPLOYEE PERFORMANCE

ES has several policies to assess and manage employee performance including performance appraisals, absences, disciplinary and capability procedures.

12.1. Performance Appraisal Policy

12.1.1. Introduction

ES is committed to helping every employee to reach their potential and achieve personal goals, which will, in turn, assist the company to achieve its objectives

12.1.2. Purpose

Performance appraisals are conducted to track and measure one's performance against their job description and Key Performance Indicators (KPI's). The appraisal process aims to improve the effectiveness of the organisation by achieving a well-motivated and competent workforce.



12.1.3. Process

Appraisal is an ongoing process with an annual formal progress review meeting. The first appraisal is conducted after the six (6) months' probation period and then every year thereafter. The appraisal discussion is a two-way communication exercise to ensure that both the needs of the individual and of the organisation are being met. The appraisal discussion will review the previous year's achievement and will set an agreed Personal Development Plan for the coming year.

The following principles will apply:

- All directly employed employees who have completed their probationary period are required to participate in the appraisal process.
- The appraisal process will provide management with valuable data to assist succession planning.
- The appraisal process will be a fair and equitable process
- Performance appraisals will be arranged by the line manager.
- A time and venue will be advised at least one week before the meeting takes place.
- Line managers are encouraged to provide the opportunity for an additional 6-month verbal appraisal review, mid-year, and other informal reviews as necessary throughout the year.
- The discussion will be held in private.
- Information shared during the appraisal will be shared only with senior management.
- The exception is training needs, which will be provided to the HR administrator for action.



- Confidentiality will be respected.
- All appraisal documents should be issued to both parties prior to the discussion to allow time for both parties to reflect and prepare. These will provide a framework and focus for the discussion.

12.1.4. The Appraisal Discussion

- The appraisal discussion will allow both parties to reflect and comment on the previous year's achievements.
- The appraiser is accountable for giving the employee constructive, timely and honest appraisals of their performance, which should take into account both the goals of the organization and of the individual.
- The discussion should be a positive and constructive dialogue and will focus on assisting the appraisee to acquire the relevant knowledge, skills, and competencies to perform his/her current role to the best of his/her abilities.
- The appropriate forms will be completed and signed by both parties.
- The appraisee will be given the opportunity to note any comments that he/she does not agree with and complete a self-assessment.
- The appraisee and line manager should agree on a Personal Development Plan for the following year. This will reflect the appraisee's aspirations and the organization's requirements and should align personal and organizational goals.
- The organization and the line manager will support the individual to achieve these goals during the forthcoming year. Any training needs, future training requirements, planned qualifications, development opportunities and career planning should be discussed in the light of the Personal Development Plan.



13. DISCIPLINARY CODE

It is important for a company to have a disciplinary code in place so that all employees understand what is expected of them and for them to work safely and lawfully. Disciplinary procedures are necessary so that employees who breach the ES code of conduct are treated reasonably, consistently, and fairly. Disciplinary procedure will be used only when necessary and as a last resort. Where possible, informal, formal counselling or other good management practice will be used to resolve matters. The procedure is intended to be positive rather than punitive but takes cognizance of the fact that sanctions may have to be applied in some circumstances.

An employee can discuss any part of this policy with the HR Manager or their line manager, who can help clarify an employee's rights as well as give guidance and support. Every individual has the right to be accompanied by a colleague at any point during the disciplinary process.

13.1. What warrants disciplinary action?

Misconduct and gross misconduct both warrant disciplinary action. Some examples of offences and possible corrective action can be seen as per Addendum B.

13.1.1. Examples of Minor Misconduct

Below are some examples of misconduct which may warrant either a verbal warning or a first written warning. It is, however, stressed that this list is not exhaustive and that on



all occasions a full and proper investigation must take place prior to the issue of a warning.

- Persistent lateness and poor timekeeping
- Absence from work, including unauthorized absence, without valid reason, notification, or authorization
- Abuse of sick leave
- Failure to work in accordance with prescribed procedures
- Private work during working hours
- Incompetence
- Failure to observe company regulations and procedures

13.1.2. Examples of Gross Misconduct

Listed below are some examples of gross misconduct which are considered severe enough to result in a fundamental breach of trust and confidence between the employee and the company. Gross misconduct may warrant suspension, a final warning, demotion, or dismissal. This list is not exhaustive, and, on all occasions, a full investigation will take place prior to the issuing of a sanction:

- Theft, including unauthorized possession of Company property
- Breaches of confidentiality, prejudicial to the interest of ES Training
- Being unfit for duty because of the misuse/consumption of drugs or alcohol.
- Refusal to carry out a management instruction which is within the individual's capabilities, and which would be seen to be in the interests of the company
- Insulting behaviour / Insubordination
- Breach of confidentiality / security procedures



- Physical assault, breach of the peace or verbal abuse
- False declaration of qualifications or professional registration
- Failure to observe company rules, regulations, or procedures particularly with regards to safeguarding.
- Willful damage of property at work
- Incompetence or failure to apply sound professional judgement
- Unlawful discrimination, bullying or harassment
- Bringing the organization into serious disrepute
- Deliberately accessing internet sites containing pornographic, offensive or obscene material.
- Bribery / corruption / accepting money or other consideration for performing work, to favour anyone else at the company's expense
- Intimidation

13.2. Counselling

Counselling may be used as an alternative or in addition to a disciplinary sanction, as an attempt to correct a situation and prevent it from getting worse. Where improvement is required, the employee must be given clear guidelines as to:

- what is expected in terms of improving shortcomings in conduct.
- the time scales for improvement.
- when this will be reviewed.

The employee must also be told, where appropriate, that failure to improve may result in formal or further disciplinary action.



A record of the counselling should be given to the employee and a copy retained in their personnel file. Any counselling or training should be followed up and improvements recognised and recorded. Once the counselling or training objectives have been met, the record of the counselling or training will be retained on the employee's file.

If, during counselling, it becomes clear that the matter is more serious, then the discussion should be adjourned, and pursued or continued under the formal disciplinary procedure.

13.3. Procedure for Formal Investigation

Formal objective investigations will be carried out by the HR Department before deciding whether to proceed with a disciplinary hearing. Other members of staff may be called upon to assist with the investigation. All the relevant facts will be gathered promptly as soon as is practicable after the incident. Statements will be taken from the employee and any other witnesses at the earliest opportunity. Any physical evidence should be preserved and/or photographed if reasonable to do so.

If it is decided to proceed with a disciplinary hearing, a formal charge will be recorded and communicated to the accused in writing. The accused will be notified of the date, time and venue of the disciplinary enquiry and will be advised that he/she will be given a chance to state their case and present witnesses, if necessary. The accused will be given sufficient time to prepare for the enquiry.

13.4. Disciplinary Hearing



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A non-biased and relevant chairperson will be selected to chair the disciplinary enquiry. The HR Representative will also be present in the hearing.

The complainant will be given the first opportunity to make a statement and present supporting evidence. He/she will also be allowed to call upon witnesses, where required. The chairperson and the accused will both have the opportunity to question the complainant and the witnesses.

Thereafter the accused will be afforded the opportunity to make a statement, present evidence and call upon witnesses, if required. The chairperson and complainant will be given the chance to cross-question the accused and the witnesses.

Following the full presentation of the facts, the meeting should be adjourned, and everyone would leave the room except the chairperson, the complainant, and the HR Representative. They will discuss the case and decide which on one of the following options:

- To adjourn the meeting to further investigate any new evidence or information which has been presented or come to light during the meeting
- Take no further action against the employee, i.e., find the accused to be not guilty
- If guilty, an appropriate sanction will be decided on.

All parties should be brought back and informed as to which option has been chosen. The outcome of the hearing is to be recorded and communicated to the accused employee. He/she must also be advised of the right to appeal this outcome.



13.5. Representation

Employees have the right to be accompanied at any formal meeting (including an appeal meeting) by a single companion who is:

A work colleague; or

An official employed by a trade union (**UK only**); or

A trade union representative provided they have been certified in writing by their union as being competent to accompany a worker (**UK only**).

The companion has the right to explain and sum up the employee's case, ask questions, and to respond to any views expressed at the hearing. He or she may not answer questions on the employee's behalf. If the companion cannot attend on the date set for the hearing or appeal, then the date can be postponed for up to five working days. At its discretion, the company may postpone the meeting for longer.

13.6. Suspension

The company reserves the right, at its discretion, to suspend an employee while a complaint or allegation is investigated and/or while any disciplinary procedure against the employee is outstanding. Suspension from work will not be automatic but will depend on the circumstances.

Suspension of this kind is not disciplinary action and does not imply that any decision has already been made.

Any period of suspension will be as brief as possible and will be kept under review.



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During a period of suspension, the employee will be paid in accordance with the terms and conditions of their contract and this Employee Handbook.

However, in certain specific circumstances, throughout any police investigation or until court proceedings have been completed, an employee may be suspended from duties without payment.

The company may also use its discretion to decide whether to use the disciplinary procedure immediately, or postpone it until any further information becomes available. If the company decides not to instigate disciplinary proceedings, the employee may receive back pay for the period of unpaid suspension.

During any period of suspension, an employee shall not attend their place of work other than at the company's request. The employee shall not contact any other employees, suppliers or customers of the company without the company's consent and assistance (except for the accompanying person in their capacity in this role should the employee be on suspension while any disciplinary procedure against them is outstanding).

13.7. Warnings

13.7.1. Verbal Warning

A verbal warning is appropriate when it is necessary for the manager in charge to take action against an employee for any minor failing or minor misconduct where it is a first act of misconduct where there are no other active written warnings on record.

13.7.2. First Written Warning

A first written warning is appropriate when:



- A verbal warning has not been heeded and the misconduct is either repeated or performance has not improved as previously agreed
- A more serious offence occurs for which a written warning is more appropriate.
- The recurrence or accumulation of offences, if left, will lead to more severe disciplinary action.

13.7.3. Second Written Warning

- A second written warning is appropriate when a first written warning has not been heeded and the misconduct is either repeated or performance has not improved as previously agreed.
- The recurrence or accumulation of offences, if left, will lead to more severe disciplinary action.

13.7.4. Final Written Warning

A final written warning is appropriate when:

- The offence is of a serious nature, falling just short of justifying dismissal
- An employee persists in the misconduct which previously warranted a lesser warning
- Misconduct where there is already an active written warning on the employee's record which may be for a different misconduct

13.7.5. Validity of Warnings

Warnings issued to employees shall be deemed to have expired after the following periods of time and shall not be taken into account for the purpose of any subsequent



disciplinary action. However, details of the sanctions will remain on the employee's personnel record

- Verbal Warnings: 6 months
- First Written Warnings: 9 months
- Second Written Warning: 12 months
- Final Written Warnings: 12 months (or as agreed and recorded at the hearing)

13.8. Demotion

This action is appropriate when:

- Previous attempts, via the disciplinary procedure, to rectify a problem have failed and this is a final attempt to solve a problem without having to dismiss an employee.
- An employee is considered by the Manager of the department to be incompetent or otherwise unfit to fulfil the duties for which he is employed but where dismissal is not thought to be appropriate.
- The company is in financial difficulty and the employee agrees to stay on at a lower level.

13.9. Dismissal

Dismissal is appropriate when:

- An employee commits a gross misconduct and it is the outcome of a disciplinary hearing.
- An employee's misconduct has persisted, exhausting all other lines of disciplinary procedure.



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Only a senior manager can take the decision to dismiss. If an employee is dismissed for gross misconduct this will be without notice or payment in lieu of notice (summary dismissal).

In exceptional circumstances, as an alternative to dismissal, the senior manager may consider demotion in conjunction with a final written warning as an appropriate sanction. This would involve a reallocation of duties on a salary commensurate with the post.

As soon as reasonably practicable following the disciplinary hearing, the employee will be provided with written reasons for dismissal or any action short of dismissal, the date on which employment will terminate (if relevant) and the right of appeal.

13.10. Appeals

Every employee has the right to appeal against the outcome of a disciplinary hearing.

The basis of an appeal should normally relate to one of the following areas:

- The company's disciplinary procedure has not been followed correctly.
- The outcome of the disciplinary action was inappropriate.
- The need for disciplinary action was not warranted.
- New information regarding disciplinary action has arisen.

An appeal should be put in writing to the HR Department. The letter should contain the grounds for appeal and should be lodged within 5 days of receipt of the warning or



dismissal letter. An appeal meeting will be arranged within 20 working days of receipt of the appeal letter.

All appeals must set out the grounds on which the employee is making the appeal.

The employee will be invited to an appeal meeting and has the right to be accompanied at that meeting (and the employee will be notified of that right when they are invited to the appeal meeting). The appeal meeting will reconsider the original decision. The employee will have an opportunity to put forward, should they so wish:

- New evidence which was not available during the first meeting; and/or
- Complaints of a flaw in the original decision-making process, such as the failure to follow procedures or the failure to give you a fair hearing.

The outcome of any appeal will be confirmed to the employee in writing and will take one of three forms:

- The original decision may be upheld, in which case the disciplinary sanction will be confirmed;
- The original decision may be overruled, in which case the disciplinary sanction will be rescinded.
- The original decision may be substantially confirmed but a less severe sanction may be substituted for that originally imposed (usually in cases of appeals based on extenuating circumstances). The disciplinary sanction cannot be increased.

The appeal decision is final, and there is no further right of appeal.



14. GRIEVANCES

14.1. Introduction

A grievance is a concern, problem, or complaint that an employee has relating to his/her employment or against a fellow colleague. Employees have a right to raise grievances, and the purpose of this policy is to enable all grievances to be settled fairly, consistently, quickly, and informally, where possible. The objects and purposes of the Grievance Procedure will only be achieved if it functions effectively and is properly utilized. In light of the above, ES is committed to ensuring that:

- Employees are aware of the opportunity to express grievances.
- Employees feel free to express their grievances without the fear of victimization or intimidation or prejudice to their employment relationship.
- Employees are encouraged to use the procedure, but also warned not to abuse it with false grievances. Sensitive grievances are dealt with privately, and confidentiality of information is maintained.

14.2. Process

ES gives commitment to the following:

- The resolution of all grievances timeously.
- Recognizing the aggrieved employee's right to be represented by a fellow employee if he/she wishes to do so.
- Ensuring that Management handles grievances with the Human Resources department acting in an advisory capacity.
- Creating an environment in which an employee may lodge a grievance without fear of being victimized or prejudiced.



- Ensuring that all grievances are handled in a confidential manner.
- Ensuring that each step in the procedure shall be subject to the stipulated time limits, unless otherwise determined by the parties through mutual agreement

14.3. Grievance procedure

14.3.1. Raising a Grievance

To raise a formal grievance, an employee must set out their grievance in writing and send it to their Direct Line Manager and to the Human Resources Manager. This written statement should clearly confirm that the employee wishes to invoke the formal grievance procedure and should set out the nature of the grievance including relevant facts, such as the names of any individuals involved, dates of any incidents and the desired resolution to the grievance. If the grievance is about the Head of Department then the written grievance should be sent to the Human Resources Manager /Director.

The direct line manager must consider the nature and type of the grievance lodged and based on this assessment make a decision as to the best grievance resolution procedure to follow.

The mild grievance can be dealt with via the informal investigation route; however, a serious grievance and sensitive grievance requires a formal hearing. The appropriate procedures to follow are discussed below:



14.3.1.1. The Informal Grievance Investigation

- The aggrieved employee must ensure that the Grievance Application Form has been correctly completed and the grievance is clearly understood. The HR Department can assist with this process.
- The person with whom the employee is aggrieved must then discuss the grievance and proposed corrective action with the employee in private.
- The decision on corrective action, if any, must be detailed on the Grievance Application Form.
- The aggrieved employee must sign the Grievance Application Form.
- If the employee is dissatisfied with the decision he/she may lodge an appeal within 5(five) working days of the outcome being received.
- If the employee is satisfied with the decisions, the corrective action must be implemented and recorded on the form

If the employee is unsatisfied with the outcome of the informal grievance procedure he/she will be invited to attend a formal grievance meeting, which will normally be held within ten working days of the formal grievance letter being received, to outline his/her grievance and how they think it might be resolved. The meeting will be convened by an appropriate manager who has not previously been involved in the case. The individual may be accompanied by an ES Dubai work colleague and will be advised of this when notification of the meeting is given. After this, an investigation may be required to establish the facts surrounding the case and, following this investigation, it may be necessary to meet again with the individual raising the grievance. If an investigation is necessary, this will normally be completed within four weeks.



14.3.1.2. The Formal Grievance Hearing

- A subjective and non-biased chairperson must be arranged to conduct the grievance hearing.
- The employee must be notified of the grievance hearing in writing.
- The aggrieved employee must receive such notification at least 2 (two) working days before the Grievance Hearing so as to allow sufficient time to prepare.
- If the grievance has been lodged against another party such party must also receive the notification of the hearing and of his/her rights, as well as the grievance/s lodged, at least 2(two) working days prior to the hearing.
- The aggrieved employee has the right to call witnesses who should also receive notification of the hearing, as well as the grievance/s lodged, at least 2(two) working days prior to the hearing.

Once the details of the case have been determined, the Director will decide the outcome, in partnership with Human Resources Manager as appropriate, based on the facts of the case made available to him/her. The employer will notify the relevant parties in writing of the outcome and reasons for the outcome, normally within 10 working days of the meeting. More time will be required if further investigation is needed but the complainant will be kept informed in writing of this.

Whilst the individual raising the grievance will be advised if it has been upheld or dismissed, they will not be advised of any action which may or may not be taken



against the subject of the grievance. The outcome letter will confirm that the employee raising the grievance has a right to appeal.

14.3.2. Mediation

The employer can provide a mediator who can engage at an early stage to assist with issues of conflict. Mediation is a voluntary process where an impartial third party enables two or more people to work through issues of conflict or disagreement with the aim of improving their working relationship. The focus within mediation is on moving matters forward more positively rather than on the attribution of blame. Mediation is a voluntary process; individuals have a choice as to whether they wish to participate. It will not ensue, for instance, when one party declines to be involved.

Where individuals agree to mediation they should engage in the process in a positive and constructive manner with a view to achieving resolution. Employees who are interested in exploring mediation should contact Human Resources Department in the first instance.

Mediation is available as an alternative to utilising the formal process outlined above. Alternatively, it may be suitable at the conclusion of formal proceedings in assisting both parties to move their working relationships forward in a more positive way.

14.3.3. Anonymous Grievances / Complaints

It is important to note that, allegations, whether submitted anonymously or not, cannot be taken at face value and will not automatically result in disciplinary action against the



named perpetrator. While the promise of anonymity is often what gets complainants to come forward, once the company has that information, it can be difficult and sometimes impossible figuring out how to handle the complaint in a way that continues to protect anonymity. If the incidents described are specific enough and/or follow-up interviews identify the parties involved, the complainant is unlikely to remain anonymous for very long.

Therefore, where anonymous complaints would like to be encouraged, employees are instead urged to address any issues with the HR Manager who can then discuss how best to deal with issues with the complainant and according to the circumstances of each specific case.

15. PREVENTION OF BULLYING AND HARRASSMENT AT WORK

15.1. Policy Statement

ES has a responsibility to maintain good working relationships and to discourage the use of words or deeds that may harm the wellbeing of others. Everyone has the right to be treated with consideration, fairness, dignity and respect. Bullying and harassment are unlawful and ES adopts a zero-tolerance policy in this regard.

In addition, each person has a responsibility to report any instance of bullying or harassment which they witness, or which comes to their attention. Employees have a responsibility to act as role models, proactively addressing instances of bullying and harassment. Managers should also make themselves aware of their responsibility



This policy also covers the behaviour of employees outside working hours. Any claims which arise out of the same facts or set of circumstances need to be brought to the attention of management as soon as possible. ES undertakes to vigorously investigate any allegations of bullying or harassment, regardless of whether the matter has been raised formally or informally or at all.

15.2. What can be considered as Bullying or Harassment?

15.2.1. Harassment

Harassment can be defined as “unwelcome conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (e.g. beginning at age 40), disability, or genetic information (including family medical history). Harassment becomes unlawful where:

- enduring the offensive conduct becomes a condition of continued employment, or
- the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may include, but is not limited to:

- Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour
- Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language, subtle threats



- Non-verbal – offensive literature or pictures, graffiti and computer imagery

15.2.2. Bullying

Bullying may be defined as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”. Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes, but is not limited to:

- Conduct which is intimidating, physically abusive or threatening
- Conduct that denigrates,
- Picking on one person when there is a common problem
- Shouting at an individual to get things done
- Consistently undermining someone and their ability to do the job
- Setting unrealistic targets or excessive workloads
- Cyber bullying, e.g., bullying via e-mail. This should be borne in mind where employees are working remotely and are managed by e-mail. Care and sensitivity should be practiced regarding the choice of context and language.
- Setting an individual up to fail e.g., by giving inadequate instructions or unreasonable deadlines.

In summary harassment and bullying refers to any behaviour that is unwanted by the person to whom it is directed. It is the impact of the behaviour rather than the intent of the perpetrator that determines whether harassment or bullying has occurred.



15.3. Complaints Procedure

Employees are encouraged to make a complaint of harassment or bullying by first discussing the matter informally with their line manager or Human Resources Manager, if possible. Should the concerned parties be unable to resolve the matter at this stage, or the employee feels unable to raise the issue informally, then a formal resolution should be sought. Any complaint of harassment or bullying brought to the attention of a manager at any level, whether informally or formally, must be investigated immediately. Corrective action may be taken where appropriate, by following the company's grievance procedure.

All matters relating to the investigation of complaints of harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary action. However, it may become necessary for the alleged perpetrator to be made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses. Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under the company's disciplinary procedure.

No employee will be victimised or suffer detriment for making a complaint of harassment or bullying, and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence. Similarly, managers



are required to act on any complaint of harassment or bullying. Failure to do so will be regarded as misconduct which if proven, will result in disciplinary action. All complaints of harassment or bullying, whether raised formally or informally, must be kept on record and the incidence of bullying and harassment to be monitored.

15.4. Informal Resolution

Very often, people are unaware that they are behaving inappropriately, especially when people from different cultural groups work together. An informal discussion and raising awareness can lead to greater understanding and an agreement that the behaviour will cease. Complainants are encouraged to try and resolve the problem informally by making it clear to the alleged harasser that his/her actions are unwanted and should not be repeated. This may be done verbally or in writing in which case the complainant should keep a copy of the documentation and record the times and dates of the incident/s. If the complainant feels unable to approach the alleged harasser, a work colleague, or HR representative could be asked to speak to the alleged harasser on the complainant's behalf. The complaint must be recorded by the HR Department. Where the complaint is about someone other than an employee, such as a student (or student's family/associates), supplier or visitor, the company will consider what action to take to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party. An individual who is made aware that his/her behaviour is unacceptable should:

- Listen carefully to the complaints and the concerns raised.
- Respect the other person's point of view.



- Understand and acknowledge that it is the other person's view of another's behaviour that is important.
- Consider whether aspects of behaviour should be addressed.
- Review his/her general conduct and behaviour at work and with colleagues.

15.5. Formal Resolution

If the alleged harassment continues to a point where the complainant feels that the matter was not dealt with informally, or the allegation is so serious as to prevent use of the informal procedure, a formal complaint should then be raised with the HR Manager, in writing. In exceptional circumstances, allegations may be raised directly with the Director of Operations, who will, with other appropriate senior managers, arrange for the matter to be progressed in accordance with this policy. When dealing with a complaint of harassment, the relevant manager should:

- Take full details in writing from the complainant.
- Interview any witnesses/other complainants who come forward and may have witnessed the alleged behaviour.
- Inform the alleged harasser of the complaints against him/her and invite him/her to a meeting so that he/she can comment on the allegations.
- Keep all parties informed of turn-around times in addressing the matter.
- Inform all parties of the outcome and any action that may be required, in writing.

Where the complaint is about an employee, he/she may be suspended on full pay or have temporary changes to working arrangements pending the outcome of the investigation. the outcome and what action, if any, should be taken.



Where the harasser or bully is an employee the matter will be dealt with as a case of possible misconduct or gross misconduct under the company's Disciplinary Procedure. The normal disciplinary procedure for misconduct or gross misconduct should then be followed. If the complaint is upheld at the disciplinary stage, there are several possible outcomes for the harasser, depending on the evidence presented and the circumstances. These could include but are not limited to:

- Mediation
- A formal warning
- Redeployment. If the complaint of harassment is upheld, it would normally be the harasser who would be redeployed.
- Dismissal

15.6. Records

A formal record of harassment and/or bullying will remain on the harasser's file.

16. WORKPLACE EQUALITY POLICY

16.1. Policy Statement

ES opposes all forms of discrimination or victimisation on the grounds of age, disability, sex, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion and belief, or sexual orientation. All employees, whether part-time, full-time, or temporary, will be treated fairly, particularly in term of selection for employment, promotion, training, or any other benefit. All employees will be encouraged to develop to



their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organization.

16.2. Objectives of the Workplace Equality Policy

- To create an environment in which individual differences and the contributions of every one of our staff are recognised and valued.
- To provide a working environment that promotes employee dignity and respect to all.
- Zero tolerance for intimidation, bullying or harassment in on outside of the workplace.
- Equal training, development and progression opportunities will be made available to all staff.
- Employment practices and procedures will be continuously reviewed to ensure fairness.
- Breaches of the equality policy will be regarded as misconduct and could lead to disciplinary proceedings.

People will be judged solely on merit and ability during recruitment, selection, training, development and promotion throughout their employment.

16.3. Fair treatment

All employees whether full-time, part-time or temporary, will be treated fairly and with respect. This policy applies to all employment decisions, including those in connection with:

- Recruitment, selection, promotion, and advertisement of jobs
- Terms and conditions of employment



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- Training, career development and progression
- Grievance and disciplinary procedures
- Performance
- Relationships between members of staff
- Treatment of employees when their contract ends

16.4. About disability and health during recruitment

As an equal opportunities employer **ES Training** will not ask about the health of an applicant (including whether they are disabled) prior to either offering work to the applicant or prior to including the applicant in a pool of applicants from which we intend to select a person to whom to offer work, unless an exemption applies.

The only circumstances in which the Company may make pre-employment health enquiries are:

- To establish whether the Company has a duty to make a reasonable adjustment in respect of an interview/assessment process
- To establish whether the applicant will be able to carry out a function that is intrinsic to the work concerned
- To monitor the diversity of applicants
- To implement positive action in employment for disabled people
- To recruit appropriately where having a particular disability is a requirement of the role
- To comply with national security vetting requirements.



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16.5. Promotion of equal opportunities and observance of the policy

Each employee has an obligation to promote an equal opportunity environment within the Company. As our employee, you have a duty to observe and apply this policy at all times. In particular you must not:

- Discriminate against or harass colleagues, other employees or job applicants;
- Discriminate against or harass visitors, clients, customers, suppliers, consultants, or contractors
- Discriminate against or harass members of the public in the course of your duties, irrespective of whether such conduct occurs on company premises
- Induce, or attempt to induce, others to practise unlawful discrimination
- Victimise individuals who have made allegations or complaints of discrimination or harassment, or who have provided information about discrimination or harassment.
- Violation of this policy is a serious offence and could result in disciplinary action and/or summary dismissal.

17. INTERNET AND EMAIL USAGE POLICY

17.1. Policy Statement

IT facilities are provided to ES employees for them to meet the operational requirements of the company and, in turn, employees are entrusted to use these facilities responsibly and in a professional and ethical manner.

17.2. User Responsibilities



Users are responsible for any IT activity which is initiated under their username, regardless of whether this is through the connection of ES owned equipment or through the connection of private equipment.

17.2.1. Internet Use

Internet use is encouraged for work purposes only and is subject to the following:

- Users agree to not participate in any online activities that are likely to bring the company into disrepute.
- Users will not create or transmit material that might be defamatory or incur liability or adversely impact ES.
- Users must not visit, view, or download any material which contains illegal or inappropriate material. This includes, but is not limited to, pornography (including child pornography), obscene, racist, violent, criminal, terrorist, gambling, and illegal drugs materials.
- Users must not knowingly introduce a computer virus into ES's computer network.
- Users must not "hack into" unauthorised areas.
- Users must not download commercial software or any copyrighted materials belonging to third parties unless such downloads are covered or permitted under a commercial agreement or other such license.
- Users must not use the internet for personal financial gain.
- Users must not use the internet for illegal or criminal activities, such as, but not limited to, software and music piracy, terrorism, fraud, or the sale of illegal drugs.
- Users must not use the internet to send offensive or harassing material.



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- Personal use of the internet (e.g., online banking, shopping, information surfing) must be limited, reasonable and done only during non-work time such as lunch breaks.
- Personal use of the internet must not cause an increase for significant resource demand, e.g., storage, capacity, speed or degrade system performance.
- Social networking sites such as, but not limited to, Facebook, LinkedIn, YouTube, Twitter, Bebo, Flickr, TikTok are not permissible for personal use.
- Accessing or copying music or video files or other material in breach of copyright.
- Making commitments via email or the Internet on behalf of ES without full authority.

17.2.2. Email Use

Company emails form part of the official records of the company and are not considered to be private property. Users are responsible for all actions relating to their email account/pc username and should therefore make every effort to ensure that no other person has access to their account and login details. When using the company email, users must not:

- Disrupt the company's wider IT systems or cause an increase for significant resource demand in storage, capacity, speed, or system performance (e.g., by sending large attachments to a large number of internal recipients)
- Send emails that might harm ES's reputation, bring it into disrepute, incur liability on the part of ES, or adversely impact on its image
- Use the company email for the creation, retention, or distribution of disruptive or offensive messages, images, materials, or software that include offensive or abusive comments about ethnicity or nationality, gender, disabilities, age, sexual orientation, appearance, religious beliefs and practices, political beliefs, or social background. Employees who



receive emails with this content from other employees of ES should report the matter to their line manager or supervisor immediately.

- Send email messages that might reasonably be considered by recipients to be bullying, harassing, abusive, malicious, discriminatory, defamatory, or contain illegal or offensive material, and/or foul language.
- Corrupt or destroy other users' data or disrupt the work of other users
- Send emails outside of the scope of normal work-related duties e.g., for the selling/advertising of goods and services or sending chain letters or joke emails.
- Send personal emails from their ES email account.

17.3. Code of Good Practice Guidelines

- When staff are out of the office for longer than three days, the email "out of office" facility should be activated and should name an alternative member of staff to contact if necessary. This will ensure that any important messages are picked up and dealt with timeously.
- Employees are responsible for the security of any computer terminal used by them and should lock terminals or log off when leaving it unattended or on leaving the office, to prevent unauthorised users accessing the system.
- When sensitive and confidential information needs to be emailed for practical reasons, please be aware that email is essentially a non-confidential means of communication. Emails can easily be forwarded or archived without the original sender's knowledge. They may be read by persons other than those they are intended for. Users are responsible for ensuring that their content and tone is appropriate. Emails often need to be as formal and business-like as other forms of written correspondence.



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- Users should delete all unsolicited junk mail.
- In the process of archiving emails, users should ensure inappropriate material is not archived.
- Please use caution when opening any attachments or emails from unknown senders. It is a disciplinary offence to disable a company installed virus checker.
- Any concerns about external emails, including files containing attachments, should be discussed with the IT Specialist or a Line Manager.

17.4. Monitoring

ES reserves the right to examine any systems and inspect and review all data recorded in those systems at any time and without prior notice. This will be undertaken by authorized staff only.

Any information stored on a computer, whether the information is contained on a hard drive, USB pen or in any other manner may be subject to scrutiny by ES.

17.5. Penalties for Improper Use

Users in breach of the regulations may have their access to the company's IT facilities restricted or withdrawn. Breaches of these regulations will be dealt with under ES's disciplinary procedures which may even lead to termination of employment. Where appropriate, breaches of the law will be reported to the police.

18.DRUG AND ALCOHOL USE POLICY

18.1. Policy Statement



ES recognizes that alcohol and drug abuse related problems are an area of health and social concern and that a member of staff with such problems may need help and support from the company. As alcohol and drug abuse problems can have a detrimental effect on work performance and behaviour, ES has a responsibility to its employees and students to ensure that this risk is minimised.

18.2. Definition of Alcohol, Drug and Substance Abuse

Alcohol, drug, and substance misuse is defined as “the intermittent or continual use of alcohol or any drug or other substance which causes detriment to a member of staff’s health, functioning, or performance at work, and which affects efficiency, productivity, safety, attendance, time keeping or conduct in the workplace”.

18.3. Impact on the Employee

Where the use of alcohol or drugs affects an employee’s performance or behaviour at work, disciplinary procedures will be initiated as per ES’s Disciplinary Code and Procedure. Whilst the company may show compassion and be willing to support a member of staff who admits to an alcohol or drug dependency, ES does not have the internal resources to provide or arrange treatment or other forms of specialist assistance. ES will seek to assist a member of staff in obtaining specialist help from an external medical provider but only if the employee wants to be rehabilitated.

Staff members are not permitted to work if they are under the influence of alcohol or drugs and ES will take the appropriate action through the absence and disciplinary process if absenteeism or misconduct arises out of the misuse of such substances. ES reserves the right to request drug



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and alcohol screening if deemed necessary and may take disciplinary action against current employees who withhold consent. ES will keep all information regarding an employee who has an alcohol or drug addiction in the strictest of confidence.

19. TERMINATIONS - DUBAI ONLY

19.1. Termination Procedure and Notice Period

The termination procedure and notice period will be stipulated in your contract and depends on what time of contract you fall under. There are two types of employment contracts:

- Limited term contract – Has a specified start and end date with maximum duration
- Unlimited term contract – An open-ended contract with no specified end date.

With the recent amendment to the Labour Law which came into effect on 2 February 2022, all contracts will be converted to limited contracts by 2 February 2023, there will no longer be an unlimited contract.

19.2. Termination of a Limited Term Contract

Limited term contracts generally have no notice provision and simply expire at the end of the term or on the date specified in the contract (unless terminated earlier by either party).

If either party wishes to terminate the limited contract prior to the end of the term date and after completion of the probation period, a notice period of thirty (30) calendar days' is required.

19.3. Termination of an Unlimited Term Contract



There are two main ways for an employer to legitimately terminate an unlimited term contract:

- By giving a minimum of thirty (30) calendar days' notice for a 'valid' reason.
- Summarily (without notice and end of service gratuity) for one of the 11 exhaustive gross misconduct reasons set out in Articles 88 and 120 of the UAE Labour Law.

An employee may resign with a minimum of thirty (30) calendar days' notice.

19.4. Gratuity payments

19.4.1. Limited Contract – Termination

An employee who is terminated by the employer, and has completed one year or more of continuous service, is entitled to end of service gratuity calculated as follows:

- 21 calendar days' basic pay for each year of the first five years of service.
- 30 calendar days' basic pay for each additional year.

The above calculation is subject to the entire total remuneration not exceeding two years' pay.

An employee is not entitled to end of service gratuity where he has been terminated summarily for gross misconduct pursuant to the provisions of the UAE Labour Law.

19.4.2. Unlimited Contract – Termination

An employee who is on an unlimited contract and has completed one year or more of continuous service is entitled to end of service gratuity to be calculated as follows:



- 21 calendar days' basic pay for each year of the first five years of service.
- 30 calendar days' basic pay for each additional year.

The above calculation is subject to the entire total remuneration not exceeding two years' pay.

An employee is not entitled to end of service gratuity where he has been terminated summarily for gross misconduct, pursuant to the provisions of the UAE Labour Law.

19.4.3. Unlimited Contract – Resignation

Where an employee resigns from an unlimited term contract, he/she will be entitled to an end of service gratuity calculated in line with the following sliding scale:

- Period of service of between one to three years: 2/3 reduction.
- Period of service of between three to five years: 1/3 reduction If the period of service if over five years there is no reduction.

The old gratuity calculation scheme shall apply, as above, to employees under unlimited contracts until all unlimited contracts are renewed to limited contracts on or before 2 February 2023.

20. TERMINATIONS – LONDON ONLY

20.1. RESIGNATION

20.1.1. Giving Notice

If an employee wishes to resign this should be put in writing and given to the manager. The required notice should be given as stated in the employee's Principal Statement of Terms of Employment.



20.1.2. Leaving without Notice

If an employee leaves the company without working their complete notice period, they will only be paid for the days they attended work.

If the employee leaves the company without working their full contractual notice and without authorisation, the company reserves the right to seek reimbursement from the employee for any additional expense incurred by the company in covering their duties during this period. They expressly agree that ES Training may deduct the additional cost of hiring a replacement for this period from the final pay.

20.2. DISMISSAL – LONDON ONLY

20.2.1. Company Dismissal WITH NOTICE

In the event of the company terminating an employee's employment, the employee will receive written notice from the company as stated in the Principal Statement of Terms of Employment.

20.2.2. Company DISMISSAL WITHOUT NOTICE

20.2.2.1. Circumstances

The company shall be entitled to dismiss the employee at any time without notice or payment in lieu of notice if they commit a serious breach of their obligations as an employee.

20.2.3. Fundamental breach of trust and confidence



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If either party does something which makes the working relationship untenable the other party may accept that act as a repudiatory breach and terminate the Contract of Employment without notice.

20.2.4. Recovery of company losses

The employee agrees that if the disciplinary action or gross misconduct leading to the dismissal has resulted in ES Training incurring financial loss, such loss may be offset by any payments to which the employee is otherwise entitled. In addition, the company reserves the right to pursue the employee for recovery of such losses by passing the matter to an appropriate court.

20.2.5. Garden leave

On receipt of notice or on the termination of employment with notice the company reserves the right for the duration of the notice period to require the employee not to work, and is not under any obligation to provide any work. This is to protect company client lists, sales lists, client contracts, designs, confidential information, manuals, intellectual property etc. Garden leave will be implemented for business purposes only and does not imply a lack of trust or confidence in the employee.

Specifically unless directly requested to by the company, the employee:

- Will not attend company premises or any subsidiary premises;
- Will not contact or deal (or attempt to contact or deal with) clients/contractors/agents/staff unless directly requested to by the company;
- Will inform the company of where they can be contacted every day.



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- Will not during the garden leave period be directly or indirectly involved, concerned or engaged in any other business activity that, directly or indirectly, competes, interferes or conflicts with their contractual obligations to ES Training.

The implementation of garden leave does not affect any of the employee's other contractual or statutory rights. They will be entitled to full contractual pay and benefits during their notice period and will remain an employee and bound by the terms of their employment.

20.3. Exit Interviews

All employees will be required to undergo an exit interview on or just prior to their last day of employment. Exit interviews are important for ES as they offer a deeper look into the workplace culture, day-to-day processes, management solutions and employee morale.

Employees are encouraged to be honest and open during their exit interviews so that they can provide constructive feedback to management which can lead to positive change and retention of staff.

Employees have the right to opt not to do the exit interview but will be required to sign off an exit checklist confirming that all of the company's assets have been returned prior to departure.



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21.EMPLOYEE ACKNOWLEDGEMENT

I hereby acknowledge that I have received a copy of the ES Training Employee Handbook. I understand that this employee handbook replaces any and all prior verbal and written communications regarding ES Training's working conditions, policies, procedures, appeal processes, and benefits.

I understand that the working conditions, policies, procedures, appeal processes, and benefits described in this handbook are confidential and may not be distributed in any way nor discussed with anyone who is not an employee of ES Training.

I have read and understood the contents of this handbook and will act in accordance with these policies and procedures as a condition of my employment with ES Training.

I have read and understood the Standards of Conduct expected of me whilst in ES Training's employ and I agree to act in accordance with the Standards of Conduct as a condition of my employment by ES Training.

I understand that if I have questions or concerns at any time about the handbook or the Standards of Conduct, I will consult my immediate supervisor or the HR Office for clarification.

Full Name



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Signature

Date