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<b>Owner:</b>	<b>Compliance Officer</b>
<b>Description</b>	<b>This policy defines the mode of action for identifying, assessing, and acting in the event of a possible case of employment and/or sexual harassment in the workplace.</b>

## Harassment Regulations

### SUMMARY:

- 1- PURPOSE
- 2- DEFINITIONS
- 3- POLICIES FOR ACTION IN THE EVENT OF HARASSMENT
- 4- ACTIONS AND METHODS: QUESTIONNAIRE
- 5- RESPONSIBILITY FOR THE STANDARD

### 1- PURPOSE

This Procedure defines the mode of action for identifying, assessing and acting in the event of a possible case of employment and/or sexual harassment.

### 2- DEFINITIONS

#### **Sexual harassment**

Sexual harassment is understood as being "*any conduct of a sexual nature, occurring in the work place, which could have consequences for the victim's employment or work conditions, creating an offensive, hostile, intimidating or humiliating environment for them*".

Any request for sexual conduct, for oneself or for a third party, in the sphere of the employment relationship by taking advantage of superiority of position or with the warning, whether express or tacit, of causing harm related to the victim's work expectations, is prohibited.

The following conduct could constitute sexual harassment:

- ☐ Suggestive and unpleasant observations, jokes or comments about appearance or the way a person looks, and deliberate verbal abuse with libidinous content;
- ☐ Lewd or incriminating invitations;
- ☐ The use of pornographic images or posters in work places and on work tools;
- ☐ Obscene gestures;
- ☐ Unnecessary physical contact, for instance rubbing;
- ☐ The clandestine observation of people in private places, such as bathrooms or changing rooms;
- ☐ Demands for sexual favours, which are, or are not, accompanied by explicit or implicit promises of preferential treatment or threats if you should not consent to said demand (sexual blackmail, quid pro quo or exchange);

☐ Physical aggression.

### **Sexist harassment**

Sexist harassment is understood as being *"all gestural or verbal conduct, behaviour or attitude, by hierarchical superiors, as well as by peers or hierarchical subordinates, which is related to gender or sexual orientation; that threatens due to repetition or systematisation against the dignity and physical or mental integrity of a person; that occurs within the framework of the corporate organisation and management, degrading the working conditions of the victim and that could put their employment at risk, especially when these actions are related to situations of maternity, paternity or other family care"*.

Any behaviour based on a person's gender, with the intention or effect of threatening their dignity and creating an intimidating, degrading or offensive environment, is prohibited.

The following may constitute harassing conduct:

- Continued and humiliating comments on physical appearance, ideology or sexual choice;
- Humiliating orders.

### **Harassment or "Bullying" in the Workplace**

To inflict degrading treatment on another person that undermines them is considered to be a crime against moral integrity.

Repeated commission of hostile or humiliating acts within the work environment, taking advantage of hierarchical superiority is deemed to be harassment in the workplace.

Any conduct that involves degrading treatment and undermines moral integrity, regardless of the existing employment relationship, is prohibited.

The following conduct is specifically prohibited, to:

- Destroy the victim's communication networks.
- Destroy their reputation.
- Insult them.
- Undermine their self-esteem.
- Disrupt them from doing their work.
- Deliberately degrading their work conditions, creating progressive and continuous damage to their dignity.
- Assign superfluous, useless or degrading tasks to them for the same purpose.
- Issue contradictory orders that are therefore impossible to fulfil simultaneously.
- Publicly and repeatedly denigrate a person and their work.
- Continuous and extreme monitoring.
- Isolate them and not communicate with them.
- As well as any others that, being of a similar nature or being acts of little intensity, but occurring repeatedly, are understood as being attacks against the moral integrity of the individual.

**Definition of abbreviations**

HSO: Health and Safety Officer.

HR: Human Resources.

CO: Compliance Officer.

**3- POLICIES FOR ACTION IN THE EVENT OF HARASSMENT**

This policy for action is based on the efficacy and effectiveness of the procedures, as well as on the speed and confidentiality of the procedures.

In all cases, these are confidential procedures.

Nobody, beyond those who are strictly necessary to assess the situation and act (neither hierarchical managers, nor the persons involved), will have access to the reports.

**3.1 Assessment**

In the event of a situation of harassment (notice from the party involved, notice from third parties), the HSO will initiate an assessment of the situation.

At the same time, he/she will immediately inform the CO that there is an existing harassment situation, so that the latter is aware of the situation and can perform a follow-up.

Specifically, the HSO:

- 1) Will start the report with a description of the evidence or testimony that has been found.
  - How was the situation identified: date and time of communication by the affected party/parties, or by other persons.
  - Completion of objective data and testimonies from persons who are not involved.
  - The search for possible previous reports that involve the same persons.
- 2) He/she will interview the possible victim of harassment, following the guidelines of the questionnaire in point 4, and the person or persons who have been reported, so they can explain themselves.

If he/she should deem it necessary, he/she will draft other questionnaires, will request the cooperation of a prevention technician who is an expert in psychosociology, or will adopt any other measures to assess the situation in the most appropriate way possible.

Depending on the result of the assessment, he/she will decide the type of action to take.

**3.2 Action****a. Amicable conciliation.**

This will take place when it is deemed to be possible and suitable to achieve an amicable solution between the parties involved.

This consists in establishing a dialogue between the parties to eliminate possible misunderstandings, exposing the discomfort generated due to the environment, and establishing the fact that the detected attitudes must cease immediately.

If the amicable conciliation is successful, the process will have concluded and there will be discrete and sporadic follow-up over the following weeks.

If the amicable conciliation is not successful, the next step will be taken.

#### **b. Formal procedure**

This will take place if it is deemed necessary due to the severity of the situation, or because the amicable conciliation has not been successful or has not been possible.

The HSO will inform the HR Supervisor and the Head of the Department involved about the start of the procedure (if one of those involved is a head of department, their hierarchical superior will be informed).

Afterwards, bosses and colleagues of the person making the report will be interviewed, interviews will also be held with other persons who may be able to provide details for the procedure, ensuring confidentiality at all times.

There will also be an investigation into whether there are prior facts or whether similar situations have occurred or are occurring with other people.

During the investigation precautionary measures may be taken to protect the alleged victim.

Within a one-week time frame from the start of the formal procedure, the HSO will submit a report to the Head of HR with the conclusions of the research.

If the report establishes that there is no conclusive evidence, there will be follow-up of the situation over whatever period is deemed necessary.

If the report establishes that there is a real situation of harassment, or if this is a false report created in order to discredit the person being reported, the Head of HR will meet with the General Management to adopt the necessary measures.

#### **4 – ACTIONS AND METHODS: HARASSMENT QUESTIONNAIRE.**

- 1) When did the events start? Have they been continuous or interrupted?
- 2) Who is/are harassing you?
- 3) When does this occur? In what area of the company? In the common areas or in the work area?
- 4) What does it consist of?

Is there physical contact? Where? In what way?

Do they rebuke you verbally? What do they say? In what tone?

- 5) How have you responded to the situation? (telling the company, speaking to other employees, keeping quiet about it, etc.).

### **5- RESPONSIBILITY FOR THE STANDARD**

The responsibility for the standard is held by the HSO – Health and Safety Officer.

