

CIMAM

PROTOCOL FOR THE PREVENTION, DETECTION AND ACTION IN THE FACE OF HARASSING BEHAVIOR, SEXUAL ASSAULT, AND/OR DISCRIMINATORY ACTS

Labor, moral or psychological harassment, sexual harassment, harassment based on sex, sexual and/or gender identity, sexual aggression, digital violence or cyberbullying, physical violence, and/or discriminatory acts.

0. CONTENTS

1. INTRODUCTION

2. INSTITUTIONAL DECLARATION - CIMAM'S COMMITMENT TO THE MANAGEMENT OF HARASSMENT AT WORK, MORAL OR PSYCHOLOGICAL HARASSMENT, SEXUAL HARASSMENT, HARASSMENT BASED ON SEX, SEXUAL AND/OR GENDER IDENTITY, SEXUAL AGGRESSION, DIGITAL VIOLENCE OR CYBERBULLYING, PHYSICAL VIOLENCE AND/OR DISCRIMINATORY ACTS.

3. CHARACTERISTICS AND STAGES OF THE PROTOCOL

3.1. PREVENTIVE PROTECTION AGAINST THE CONDUCTS COVERED BY THE PROTOCOL

3.1.1 Statement of principles and objective scope of application

3.1.2 Definition and behaviors constituting mobbing (mobbing)

3.1.2.1 Definition of mobbing (psychological or moral harassment)

3.1.2.2 Conduct constituting labor, moral or psychological harassment (mobbing or bullying)

3.1.3 Definition and conduct constituting sexual harassment

3.1.3.1 Definition of sexual harassment

3.1.3.2 Conduct constituting sexual harassment

3.1.4 Definition and conduct constituting harassment on the basis of sex

3.1.4.1 Definition of harassment on the basis of sex

3.1.4.2 Conduct constituting harassment based on sex

3.1.5 Definition and conduct constituting sexual orientation and gender identity and/or expression harassment

3.1.5.1 Definition of sexual orientation and gender identity and/or expression harassment

3.1.5.2 Conduct constituting harassment based on sexual orientation and gender identity and/or expression.

3.1.6 Definition and behaviors constituting sexual aggression

3.1.6.1 Definition of sexual assault

3.1.6.2 Conduct constituting sexual aggression

3.1.7 Definition and conduct constituting discriminatory acts, including discriminatory harassment

3.1.7.1 Definition of discriminatory act including discriminatory harassment

3.1.7.2 Conduct amounting to discriminatory acts, including discriminatory harassment

3.1.8 Definition and behaviors constituting cyber, digital or virtual violence or harassment -cyberbullying-.

3.1.8.1 Definition of cyber, digital or virtual violence -cyberbullying-.

3.1.8.2 Conduct constituting cyberstalking, digital or virtual harassment -cyberbullying-.

3.1.9 Definition and behaviors constituting physical violence in the workplace

3.1.10 Definition and conduct constituting violence and second-order discrimination

3.2. THE DETECTION AND ACTION PROCEDURE

3.2.1 Basic principles and rules applicable to all proceedings of the procedure

3.2.2 Filing of a complaint or denunciation, activation of the Protocol and processing of the administrative file

3.2.2.1 Filing of the complaint or denunciation

3.2.2.2 Protocol Activation - Preliminary Phase

3.2.2.3 Research Phase

3.2.2.4 Conclusion Report

3.2.3 The resolution of the file

3.2.4 Follow-up

4. DURATION, ENFORCEABILITY, ENTRY INTO FORCE AND REVIEW OF THE PROTOCOL

ANNEX 1 - CONDUCT CONSTITUTING WORKPLACE, MORAL OR PSYCHOLOGICAL HARASSMENT, SEXUAL HARASSMENT, HARASSMENT BASED ON SEX, SEXUAL AND/OR GENDER IDENTITY, SEXUAL AGGRESSION, DIGITAL VIOLENCE OR CYBERBULLYING, PHYSICAL VIOLENCE, AND/OR DISCRIMINATORY ACTS

ANNEX 2 - MODEL COMPLAINT OR DENUNCIATION AND MODEL CONFIDENTIALITY AGREEMENT

1. INTRODUCTION

1.1 This Protocol considers and complies with the legal framework in force regarding workplace, moral or psychological harassment, sexual harassment, harassment based on sex, sexual and/or gender identity, sexual aggression, digital violence or cyberbullying, physical violence, and/or discriminatory acts.

Said framework includes the Spanish Constitution, European Directives, the Spanish Penal Code, the Workers' Statute, the Law on Infractions and Penalties in the Social Order, Law 31/95 on Occupational Risk Prevention, Organic Law 3/2007 for the Effective Equality of Women and Men, RD 901/2020 regulating equality plans and their registration and amending Royal Decree 713/2010, on registration and deposit of collective bargaining agreements, Royal Legislative Decree 1/2013, of November 29, 2013, approving the Consolidated Text of the General Law on the Rights of Persons with Disabilities and their Social Inclusion, Law 62/2003, of December 30, 2003, on fiscal, administrative and social measures (Title II), Law 15/2022, of July 12, integral for the equality of treatment and non-discrimination, the Organic Law 10/2022 for the integral guarantee of sexual freedom and the Law 4/2023, for the real and effective equality of trans people and for the guarantee of the rights of LGTBI people, and as for the autonomous regulation of Catalonia, the Law 19/2020, of December 30, for the equality of treatment and non-discrimination, Law 5/2008, of April 24, on the right of women to eradicate male violence, modified by Law 17/2020, of December 22, Law 17/2015, of July 21, on effective equality of women and men, and Law 11/2014, of October 10, to guarantee the rights of lesbian, gay, bisexual, transgender and intersex people and to eradicate homophobia, biphobia and transphobia.

This protocol therefore **specifically complies with the requirements of articles 46.2 and 48 of Organic Law 3/2007**, of March 22, **2007**, for the effective equality of women and men, **Royal Decree 901/2020, which regulates equality plans and their registration**, and **article 14 of Law 31/1995**, of November 8, 1995, on the prevention of occupational hazards.

1.2 From the Collective Bargaining Agreement applicable to CIMAM (collective bargaining agreement for the offices and offices sector in Catalonia for the years 2022-2024) we highlight the following content related to the object of this Protocol:

Art. 17 - Promotion. 17.2 In any case, the criteria for promotions and promotions shall be common to all employees, respecting the principle of non-discrimination for any of the causes established in article 17.1 of the Workers' Statute, as well as the causes established in article 12 of the Organic Law on Trade Union Freedom (LOLS 11/1985 of August 2, 1985).

Art. 42 - Principle of non-discrimination. 42.1 The parties affected by this Agreement, and in the application thereof, undertake to promote the principle of equal opportunities and non-discrimination for any reason. This commitment also entails the

elimination of obstacles that may affect the non-compliance of equal conditions between women and men, as well as the implementation of the necessary measures to correct possible situations of discrimination.

42.2 The parties to this Collective Bargaining Agreement recognize the suitability of the procedures established by the Technical and Mediation Commission on Gender Equality and Non-Discrimination of the Labor Court of Catalonia as a mechanism for the out-of-court settlement of disputes and for analysis or advice on the development of equality plans and measures.

Art. 43 - Equality Plans. 43.1 Companies are obliged to respect equality of treatment and opportunities in the workplace and, to this end, shall adopt measures aimed at avoiding any type of labor discrimination between women and men, measures that shall be negotiated, and if necessary agreed upon, with the RLT in the manner determined by labor legislation.

Art. 44 Protocol for preventing and addressing sexual and gender-based harassment. 44.1 Sexual harassment is any unwanted verbal, non-verbal or physical behavior (even if not repeated or systematic), of a sexual nature, which is intended to or produces the effect of violating the dignity of the person or creating an intimidating, hostile, degrading, humiliating, offensive or disturbing environment.

By way of example, and without excluding or limiting, it is considered that the following behaviors may be evidence of sexual harassment:

- a) Spreading rumors, asking or explaining details about a person's sex life and sexual preferences.
- b) Making obscene sexual comments or jokes.
- c) Making rude comments about the body or physical appearance.
- d) Offering or pressuring to set up committed appointments or to participate in unwanted recreational activities.
- e) Making demands for sexual favors.
- f) Making lewd looks at the body.
- g) Making obscene gestures.
- h) Making use of sexually explicit graphics, cartoons, drawings, photographs or images from the Internet.

44.2 Harassment based on sex is unwanted behavior related to a person's sex on the occasion of access to paid work, promotion in the workplace, employment or training, which has the effect of violating the person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment.

By way of example, and without excluding or limiting, the following behaviors, among others, are considered to be harassment based on sex:

- a) Having condescending or paternalistic attitudes.
- b) Insults based on the sex or sexual orientation of the employee.
- c) Discriminatory conduct on the basis of sex.
- d) Using offensive forms of address.
- e) Ridiculing, belittling a person's abilities, skills and intellectual potential on the basis of sex.
- f) Use sexist humor.
- g) Ignoring contributions, comments or actions of a person on the basis of sex.
- h) Engaging in sexual blackmail on the basis of sex.
- (i) Engaging in environmental harassment on the basis of sex.

44.3 Companies are obliged, regardless of their size, to have measures to prevent sexual or gender-based harassment and to establish procedures for its prevention.

Art. 45 - LGBTI collective equality. The signatory parties of the Collective Bargaining Agreement, in order to comply with and develop the provisions set forth in

Law 4/2023 of February 28, for the real and effective equality of trans persons and for the guarantee of the rights of LGBTI persons recommends the adoption of a planned set of measures and resources to achieve real and effective equality of LGBTI persons, including an action protocol for the attention of harassment or violence against LGBTI persons.

Likewise, in the elaboration of equality and non-discrimination plans, trans persons will be expressly included, with special attention to trans women.

In this regard, they recommend that the matters to be addressed, in addition to those decided by the parties at the time, could be the following:

- a) Integration of the set of LGTBI anti-discrimination measures and policies, in a plan that can be periodically evaluated between the company's management and the RLT.
- b) Establish equal treatment measures in the selection, hiring, training, promotion and promotion processes, in general, of any type of discrimination in employment conditions.
- c) Promote that any right or social benefit that has the family as a reference point includes families and gay and lesbian couples.
- d) Establish an awareness program in the company with respect to the right to equality of the group. LGTBI and, especially, with respect to the agreed equality measures.
- e) Specific training for middle management and the RLT.
- f) That the sexual and gender-based harassment protocol includes discriminatory actions or harassment based on sexual orientation, which guarantees the solution, the reversal of the discriminatory situation and protects the employment of the affected person.

With the aim of promoting best practices in equality in relation to the LGTBI collective, it is oriented to disseminate positive experiences to the Social Responsibility Commission of the Labor Relations Council.

Art. 51 - Health surveillance - The results of medical examinations may not be used for discriminatory purposes or to the detriment of the worker. In no case shall the costs of medical examinations be borne by the worker, including transfers.

Art. 69 - Trade unions and trade union delegates. 69.1 In order to guarantee the full exercise of freedom of association, individual agreements and unilateral decisions of the company that contain or involve any type of discrimination in employment or working conditions, whether favorable or adverse, on the grounds of membership or not of a trade union, its agreements or the exercise of trade union activities in general, shall be null and void and without effect.

Art. 83 - Very serious misconduct. The following shall be considered very serious misconduct: 83.12 Sexual harassment. In any case, the sending of a single e-mail or the voluntary access to a page or website will be considered a very serious offense if the content of the same is of a racist, sexist, violent or pornographic nature, or could damage the image of the company or its employees.

1.3 With the aim of preventing, detecting, acting and eradicating harassment, aggression and/or discrimination in the workplace, CIMAM has decided to **implement and develop a policy against this type of situation**, which includes the following elements:

- **A statement of principles** expressing absolute intolerance of any of the behaviors covered by the Protocol towards any person employed at CIMAM.
- **A policy of dissemination and prevention**, to convey the message of the importance that CIMAM attaches to the eradication of any of the aforementioned harassment, aggression and/or discrimination, as well as to make known the procedure to follow in the event of being a victim of this type of behavior.
- **A specific complaint procedure** that respects the total confidentiality of the victim and explains the steps to be followed, as well as the actions that CIMAM will take for its resolution.

The purpose of this protocol is to **prevent the occurrence of the aforementioned harassment, aggression and/or discrimination in the work environment** and, if it occurs, to **ensure that the appropriate procedures are in place** to deal with the problem and prevent it from recurring.

These measures are intended to **guarantee a work environment** in which **all persons are obliged to respect their integrity and dignity** in the professional and personal spheres.

2. CIMAM'S COMMITMENT TO THE MANAGEMENT OF THE CONDUCT COVERED BY THE PROTOCOL

2.1 With this protocol, **CIMAM declares its zero tolerance to the occurrence throughout its organization of conduct constituting workplace, moral or psychological harassment, sexual harassment, harassment based on sex, sexual and/or gender identity, sexual aggression, digital violence or cyberbullying, physical violence, and/or discriminatory acts.**

2.2 By adopting this protocol, **CIMAM** wishes to underline its **commitment to the prevention, detection and action against all the behaviors referred to in this Protocol** in any of its manifestations, informing of its application to all personnel providing services in its organization, whether in-house personnel or from other companies, including persons who, not having an employment relationship, provide services or collaborate with the organization, such as trainees, those who perform non-working practices or those who volunteer.

2.3 Likewise, **CIMAM assumes the commitment to inform the companies** to which its own personnel travels, as well as the companies from which the personnel working at CIMAM originates, of **the existence of this Protocol, indicating the need for strict compliance with it.** Thus, the obligation to observe the provisions of this protocol shall be included in the contracts signed with other companies.

2.4 When **the alleged harassing person is outside the company's management power** and, therefore, CIMAM cannot apply the procedure in its entirety, it **will contact the competent company in order to solve the problem** and, if necessary, sanction the person responsible, warning them that, if they fail to do so, the business relationship between the two companies may be terminated.

2.5 The Protocol shall apply to **situations** of harassment, aggression and/or discriminatory acts, including in object, occurring **during work, in connection with work or as a result of work:**

- a) In the workplace, including in public and private spaces when they are a workplace.
- b) In places where the employee is paid, where he/she takes a break or eats, or where he/she uses sanitary or toilet facilities and changing rooms.
- c) On work-related travel, trips, events or social or training activities.
- d) In the context of work-related communications, including those made by means of information and communication technologies (virtual harassment or cyberbullying).
- e) In the accommodation provided by the employer.
- f) For commuting between home and workplace

2.6 The **scope of this Protocol covers:**

- The protection of the company's employees against harassment by company personnel.
- The protection of the company's employees against harassment by outsiders.
- The protection of external persons linked to the company, even if they do not have a direct employment relationship.

2.7 Indeed, **CIMAM**, by committing to the measures that make up this Protocol, **expresses and publicizes its express willingness to adopt a proactive attitude both in the prevention, awareness and information of the behaviors that are the object of this Protocol and not tolerated by the company**, as well as in the dissemination of good practices and implementation of all measures necessary to manage complaints and denunciations that may arise in this regard, as well as to resolve as appropriate in each case.

3. CHARACTERISTICS AND STAGES OF THE PROTOCOL

In order to comply with the commitment with which this Protocol was initiated and in the terms set out so far, the company **CIMAM implements a procedure for prevention, detection and action against all behaviors covered by it**, with the intention of establishing a mechanism and set of measures that set how to act in a comprehensive and effective manner to any behavior that may be constitutive of any of the aforementioned behaviors covered by the Protocol, aimed at ensuring the rights of the people included in its scope:

- **Not to be discriminated against** for any reason.
- To **physical or psychological integrity** and to an **adequate safety and hygiene policy**, and
- To **respect for their privacy and due consideration for their dignity**, including protection from harassment, assault, violence and/or discrimination.

Employees have the **right to a healthy work environment and to be free from violence, harassment, assault and discrimination**. They also have a **key role to play in creating a work environment in which violence, harassment, aggression and discrimination are unacceptable**. They can contribute to preventing it through their sensitivity to the issue, and to ensuring standards of conduct towards themselves and others that are not offensive. At the same time, they can prevent violence, harassment and discrimination if they make it clear that they find certain behaviors unacceptable and support those colleagues who may suffer from this situation and are considering whether to report it.

To this end, this Protocol combines the following **three types of measures**, considering the provisions of section 7 of the Annex to the aforementioned Royal Decree 901/2020:

1. **Preventive measures**, with a statement of principles, definition of the types of harassment, aggression and/or discrimination covered by this Protocol and identification of conduct that could constitute harassment, aggression and/or discrimination.
2. **Proactive or procedural measures** for detecting and acting against the aforementioned conducts covered by this Protocol, in order to channel any complaints or denunciations that may arise and applicable precautionary and/or corrective measures.
3. **Identification of reactive measures** against the aforementioned behaviors covered by this Protocol, and, if applicable, the disciplinary regime.

3.1. PREVENTIVE PROTECTION AGAINST TO THE BEHAVIORS COVERED BY THE PROTOCOL

3.1.1. Statement of Principles and Objective Scope of Application

a) CIMAM formalizes the following **statement of principles**, in the sense of underlining **how relations between company personnel should be and the behaviors that are not tolerable in the organization**.

b) With respect to the **objective scope of application**, this Protocol is applicable to protect, accompany, denounce, investigate and, when appropriate, propose the initiation of disciplinary proceedings, **with respect to any of the following conducts that may occur at CIMAM**, in accordance with the definitions referred to in the following sections:

- i Labor, moral or psychological harassment (mobbing)
- ii Sexual harassment
- iii Harassment based on sex
- iv Harassment based on sexual orientation and gender identity and/or expression.
- v Sexual Assault
- vi Discriminatory acts, including discriminatory harassment
- vii Cyber, digital or virtual violence or harassment -cyberbullying-.

viii Physical violence

c) CIMAM, by implementing this procedure, assumes its **commitment to prevent, not tolerate, combat and prosecute any manifestation of the conduct covered by this Protocol** in its organization.

Harassment, sexual aggression and discrimination are plurioffensive acts that affect several legal interests, among which the dignity of the employee stands out as a positivization of the right to life and to physical, psychological and moral integrity.

The affectation to dignity, however, does not prevent that an act of these characteristics can also generate damage to other legal interests such as equality, honor, self-image, privacy, health, etc., but even so, it will always be by definition contrary to the dignity of the person who suffers it.

Within the scope of CIMAM, **harassment, aggression and/or discrimination behaviors included in the objective scope of this Protocol in any of its manifestations will not be allowed or tolerated.**

The company will sanction those who engage in offensive conduct as well as those who promote, encourage and/or tolerate it. All company personnel have the obligation to respect the fundamental rights of all those who make up CIMAM, as well as those who provide services in it, in particular, they will refrain from behaviors that are contrary to dignity, privacy and the principle of equality and non-discrimination, always promoting respectful behavior.

Notwithstanding the foregoing, if it is understood that the employee is a victim of any of the conducts covered by this Protocol, **any employee shall have the possibility, by means of a complaint or denunciation, to activate this Protocol** as an internal, confidential and rapid procedure in order to eradicate and repair its effects.

Once the corresponding informative file has been processed, if the occurrence of any of the conducts covered by this Protocol is confirmed, **CIMAM will sanction whoever is appropriate, committing itself to use all its management and sanctioning power** to guarantee a work environment free of violence, harassment, violence and discriminatory conduct, and appropriate to the principles of occupational health and safety.

3.1.2 Definition and behaviors constituting mobbing (mobbing)

3.1.2.1 Definition of mobbing (mobbing)

It is exposure to **any conduct, practices, behaviors, words or attitudes** that, regardless of their cause or origin,

- (i) **systematically** or recurrently,
- (ii) **prolonged in time**,
- (iii) **to one or more persons**,
- (iv) **by others who act vis-à-vis him/her from a position of power** - not necessarily hierarchical but in psychological terms,
- (v) assumes within the **employment relationship**,
- (vi) an **undermining or attack against the dignity of the employee, a hostile or humiliating environment** that disturbs or negatively affects the work environment and the employee, or attempting to subdue him/her emotionally and psychologically and seeking to nullify or diminish his/her capacity, professional promotion or permanence in the job.

Such violence occurs within the framework of a **work relationship** (whether by the employer, managers, or co-workers) but **does not respond to the organizational needs** of the same; it is an **attack on the dignity of the person**, as well as an occupational and/or psychological risk or affectation, for their health, social relations, and family.

Workplace harassment **can occur** basically:

- **Horizontal harassment:** without hierarchical dependence on each other, the harasser and the victim are in the same professional category or hierarchical level.
- **Vertical harassment:** from someone **superior to a subordinate** or vice versa, the harassing person is in a higher or lower professional category or hierarchical level than the victim.

Depending on this, a distinction can be made between **upward harassment** (harassment by a person hierarchically subordinate to the victim) or **downward harassment** (from superior to subordinate).

Within **top-down workplace harassment** we can distinguish:

- **Strategic harassment:** seeks that the **employee leaves the company voluntarily with the** purpose of not paying compensation of any kind.
- **Management harassment:** through **threats of dismissal, an attempt is made to increase the** employee's **productivity** or to dismiss him or her for various reasons, also without payment of compensation.
- **Disciplinary harassment:** uses **threats to make employees act submissively** and not to question any of the decisions and actions carried out by the company's management.
- **Perverse harassment:** it **does not have an employment objective**, but the causes are to be found in the **manipulative and harassing personality** of the harasser.

3.1.2.2 Conduct constituting mobbing or bullying. See Annex 1, letter A) of this Protocol.

3.1.3 Definition and conduct constituting sexual harassment

3.1.3.1 Definition of sexual harassment

Without prejudice to the provisions of the Penal Code, and in accordance with Organic Law 3/2007 for the effective equality of women and men and the applicable Collective Bargaining Agreement, for the purposes of this protocol, **any verbal, non-verbal or physical behavior (even if it has not occurred repeatedly or systematically) of a sexual nature that has the purpose or has the effect of violating the dignity of a person**, particularly when it creates an **intimidating, hostile, degrading, humiliating, offensive or annoying environment**, constitutes sexual harassment.

Therefore, three situations must occur:

- **Behavior of a sexual nature.**
- It is **unwanted, unreasonable and offensive** to the person who is the object of it.
- Such conduct creates an **intimidating, hostile and humiliating work environment** for the person being targeted.

Any sexual harassment will be considered discriminatory.

Article 184 of the **Spanish Criminal Code** defines as **conduct constituting the crime of sexual harassment**: requesting favors of a sexual nature, for oneself or for a third party, in the context of an employment, teaching or service provision relationship or similar, continuous or habitual, and with such behavior provokes an objective and seriously intimidating, hostile or humiliating situation for the victim.

And it implies an aggravation of the penalty if it is committed taking advantage of a situation of labor, teaching or hierarchical superiority, or over a person subject to its guardianship or custody, or with the express or tacit announcement of causing the victim a harm related to the legitimate expectations that the victim may have in the scope of the aforementioned relationship.

Types of sexual harassment:

Two basic types of sexual harassment are distinguished, depending on whether or not there is an element of blackmail involved:

Quid pro quo harassment or sexual blackmail: when the refusal or submission of a person to conduct relating to sexual requests is used, implicitly or explicitly, as the basis for a decision that has repercussions on that person's access to professional training, work, job continuity, professional promotion, remuneration, or any other decision in relation to this matter.

To the extent that it involves an **abuse of authority**, the harassing person will be the one who has the power, either directly or indirectly, to provide or withdraw a benefit or condition of employment, the power to decide on the employment relationship.

Environmental harassment, which creates a hostile work environment: its main characteristic is that the harassing person maintains undesired attitudes and behaviors of a sexual nature, of any kind, which has the **consequence**, whether intended or not, of **producing an intimidating, hostile, degrading, offensive or humiliating context or environment for the victim**. The affected condition is the environment, the work environment.

The harassing person can be any member of the company, regardless of position or status, or third parties (customers, suppliers, etc.) located in some way in the work environment or related to the victim because of work.

The victim shall be any employee, regardless of the professional category and the nature of the employment relationship.

3.1.3.2 Conduct constituting sexual harassment. See Annex 1, letter B) of this Protocol.

3.1.4 Definition and conduct constituting harassment on the basis of sex

3.1.4.1 Definition of harassment on the basis of sex

a) In accordance with Organic Law 3/2007 for the effective equality of women and men and the applicable Collective Bargaining Agreement, for the purposes of this Protocol, **any unwanted behavior carried out on the basis of a person's sex (related to a person's sex) with the purpose or effect of violating their dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment** constitutes harassment on the grounds of sex.

Any harassment on the basis of sex shall be considered discriminatory.

b) In order to effectively assess the existence of a situation that can be classified as harassment based on sex, a **series of elements** that form a common denominator must be **present**, among which the following stand out:

- i **Harassment**, understood as any intimidating, degrading, humiliating and offensive conduct that originates externally and is perceived as such by the person who suffers it.
- ii **Objective attack on the victim's dignity** and subjectively perceived by the victim as such.
- iii **Plurioffensive result**. The attack on the dignity of the person who suffers harassment because of sex **does not prevent the concurrence of damage to other fundamental rights** of the victim, such as the right not to suffer discrimination, an attack on psychological and physical health, etc.
- iv That **this is not an isolated event**.
- v The reason for these behaviors **must have to do with the fact that they are women or due to circumstances that biologically can only affect them** (pregnancy, maternity, breastfeeding); or that have to do with the **reproductive and care functions that as a result of social discrimination are presumed to be inherent to them**. In this sense, gender-based harassment can also be suffered by men when they perform functions, tasks or activities related to the role that has historically been attributed to women, for example, a male worker who is harassed for caring for minors or dependents.

c) The conditioning of a right or expectation of a right on the acceptance of a situation constituting harassment on the basis of sex **shall also be considered an act of discrimination on the basis of sex**.

d) **Any adverse treatment or negative effect on a person as a result of the filing by him/her of a complaint, claim, denunciation, suit or appeal**, of any kind, aimed at preventing discrimination and demanding effective compliance with the principle of equal treatment between women and men, shall also be considered **discrimination on the basis of sex**.

e) **Direct and indirect discrimination** based on sex:

According to Article 6 of Organic Law 3/2007 for the effective equality of women and men, **direct discrimination on the basis of sex** is considered to be the situation in which a **person is**, has been or could be **treated less favorably than another person in a comparable situation on account of his or her sex**.

Examples of cases include: dismissals due to pregnancy, unjustified differences in salary in a position of equal value if the position is held by a woman or a man, differences in opportunities for promotion or advancement of female workers, failure to recognize equal merit.

Indirect discrimination on the basis of sex is also considered to be the situation in which an **apparently neutral provision, criterion or practice places persons of one sex at a particular disadvantage with respect to persons of the other sex, unless such provision, criterion or practice can be objectively justified** by a legitimate aim and the means of achieving that aim are necessary and appropriate.

Examples of cases: different treatment for exercising family and work reconciliation rights, making physical effort a basic requirement (or any other requirement that is predominant in one gender, but has no relation to the performance of the job), giving priority in promotions for having more flexible working hours (usually and still in the majority, it is women who take care of children or dependents and the home, which entails having less availability in terms of working hours).

In any case, **any order to discriminate, directly or indirectly, on the basis of sex is considered discriminatory**.

f) How do we differentiate between sexual harassment and harassment based on sex?

In order to distinguish between sexual harassment and harassment based on sex, it is established that while **sexual harassment takes place only in the sexual sphere, harassment based on sex requires more disparate discriminatory organizational situations** and does not necessarily require intentionality on the part of the harasser.

3.1.4.2 Conduct constituting harassment based on sex. See Annex 1, letter C) of this Protocol.

3.1.5 Definition and conduct constituting sexual orientation and gender identity and/or expression harassment

3.1.5.1 Definition of sexual orientation and gender identity and/or expression harassment

Any behavior or conduct that, for reasons of gender expression or identity, is carried out with the purpose or effect of violating dignity and creating an intimidating, hostile, degrading, offensive or segregated environment.

3.1.5.2 Conduct constituting harassment based on sexual orientation and gender identity and/or expression. See Annex 1, letter D) of this Protocol.

3.1.6 Definition and behaviors constituting sexual aggression

3.1.6.1 Definition of sexual assault

Performing **any act that infringes on the sexual freedom** of another person **without his or her consent**.

Consent shall only be understood to exist **when it has been freely expressed through acts** that, in view of the circumstances of the case, **clearly express the will of the person**. In any case, acts of sexual aggression are considered sexual aggression when they are carried out using **violence, intimidation or abuse of a situation of superiority or vulnerability of the victim**, as well as those that are executed on persons who are deprived of sense or whose mental situation is abused and those that are carried out when the victim has annulled for any reason his will.

Sexual assault is a **crime defined in** articles 178 and 179 of the Penal Code.

3.1.6.2 Conduct constituting sexual assault. See Annex 1, letter E) of this Protocol.

3.1.7 Definition and conduct constituting discriminatory acts, including discriminatory harassment

3.1.7.1 Definition of discriminatory act, including discriminatory harassment

Discriminatory act: is the **unfavorable** action or **conduct towards an employee** or group of employees, **unwanted** by this or these as the person/s who receive it, **by reason of**:

<ul style="list-style-type: none"> ▪ Birth ▪ Racial or ethnic origin ▪ Sex ▪ Sexual orientation or identity ▪ Age ▪ Disability ▪ Physical appearance ▪ Expression of gender or special characteristics ▪ Nationality ▪ Residence (legal or not) ▪ Conviction or opinion ▪ Religion or religious ideas 	<ul style="list-style-type: none"> ▪ Political ideas ▪ Marital status ▪ Illness or health condition ▪ Serological status and/or genetic predisposition to pathologies and disorders ▪ Language ▪ Socioeconomic situation, ▪ Family situation ▪ Union membership ▪ Any other personal or social condition or circumstance.
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It specifically includes the objective of guaranteeing and promoting the right to real and effective equality of lesbian, gay, trans, bisexual and intersex persons (hereinafter LGBTI). For these purposes we indicate the following definitions, according to Law 4/2023, for the real and effective equality of trans people and for the guarantee of the rights of LGBTI people:

- **Intersex**: The condition of those persons born with biological, anatomical or physiological characteristics, sexual anatomy, reproductive organs or chromosomal patterns that do not correspond to socially established notions of male or female bodies.
- **Sexual orientation**: Physical, sexual or affective attraction to a person. Sexual orientation can be heterosexual, when physical, sexual or affective attraction is felt only towards persons of different sexes; homosexual, when physical, sexual or affective attraction is felt only towards persons of the same sex; or bisexual, when physical, sexual or affective attraction is felt towards persons of different sexes, not necessarily at the same time, in the same way, to the same degree or with the same intensity.
- **Homosexual persons** may be gay, if they are men, or lesbian, if they are women.
- **Sexual identity**: Internal and individual experience of sex as each person feels and defines him/herself, which may or may not correspond to the sex assigned at birth.
- **Gender expression**: Manifestation that each person makes of his or her sexual identity.
- **Trans person**: A person whose sexual identity does not correspond to the sex assigned at birth.

These are considered **violations of the right to equal treatment and non-discrimination**:

- a) **Direct discrimination**: when the situation of the person or group of persons has been or could be **treated less favorably than others in a similar or comparable situation for the** reasons indicated above.

The denial of reasonable accommodation to persons with disabilities shall be considered direct discrimination. For this purpose, reasonable accommodation means necessary and appropriate modifications and adaptations to the physical, social and attitudinal environment that do not impose a disproportionate or undue burden, when required in a particular case in an effective and practical manner, to facilitate accessibility and participation and to ensure to persons with disabilities the enjoyment or exercise, on an equal basis with others, of all rights.

- b) **Indirect discrimination**: occurs when an apparently neutral provision, criterion or practice causes or may cause one or more persons a particular disadvantage with respect to others due to the causes mentioned above.

- c) **Discrimination by association**: when a person or group in which he/she is a member, due to his/her relationship with another person with any of the aforementioned causes, is subject to discriminatory treatment.
- d) **Discrimination by mistake**: when it is based on an incorrect assessment of the characteristics of the person or persons discriminated against.
- e) **Multiple discrimination**: when a person is discriminated simultaneously or consecutively for two or more of the causes listed above.
- f) **Intersectional discrimination**: when several of the above-mentioned causes concur or interact, generating a specific form of discrimination.
- g) **Any inducement, order or instruction to discriminate for any of the causes established in this law is also discriminatory.** The inducement must be concrete, direct and effective to cause a discriminatory action in another person.
- h) **Retaliation**: any adverse treatment or negative consequence that a person or group of which he/she is a member may suffer for intervening, participating or collaborating in an administrative procedure or judicial process aimed at preventing or putting an end to a discriminatory situation, or for having filed a complaint, claim, denunciation, lawsuit or appeal of any kind with the same purpose. Excluded from the provisions of the preceding paragraph are those cases that could constitute a criminal offense.
- i) **Non-compliance with affirmative action measures**: affirmative action measures are considered to be differences in treatment aimed at preventing, eliminating and, where appropriate, compensating any form of discrimination or disadvantage in its collective or social dimension. Such measures shall be applicable as long as the situations of discrimination or disadvantages that justify them persist and must be reasonable and proportionate in relation to the means for their development and the objectives they pursue.
- j) **Discriminatory harassment**: is any **conduct unwanted** by the person who receives it related to any of the aforementioned causes that has the **objective or consequence of violating the dignity** of a person or group in which he/she is integrated and creating an **intimidating, hostile, degrading, humiliating or offensive environment**.
- k) **LGTBIphobia**: Any attitude, behavior or discourse of rejection, repudiation, prejudice, discrimination or intolerance towards LGBTI persons because of the fact of being, or being perceived as such.
- l) **Homophobia**: Any attitude, conduct or discourse of rejection, repudiation, prejudice, discrimination or intolerance towards homosexual persons because they are, or are perceived to be, homosexuals.
- m) **Biphobia**: Any attitude, behavior or speech of rejection, repudiation, prejudice, discrimination or intolerance towards bisexual people because they are bisexual, or are perceived as such.
- n) **Transphobia**: Any attitude, behavior or discourse of rejection, repudiation, prejudice, discrimination or intolerance towards trans persons because of the fact of being trans, or being perceived as such.

Any provision, conduct, act, criterion or practice that violates the right to equal treatment and non-discrimination is prohibited. Violations of this right include direct or indirect discrimination, by association and by mistake, multiple or intersectional discrimination, denial of reasonable accommodation, harassment, inducement, order or instruction to discriminate or to commit an act of intolerance, retaliation or failure to comply with affirmative action measures derived from regulatory or conventional obligations, inaction, dereliction of duty, or failure to perform duties, and discriminatory harassment.

3.1.7.2 Conduct constituting discriminatory acts, including discriminatory harassment. See Annex 1, letter F) of this Protocol.

3.1.8 Definition and behaviors constituting cyber, digital or virtual violence or harassment -cyberbullying-.

3.1.8.1 Definition of cyber, digital or virtual violence -cyberbullying-

Acts of labor or moral, sexual, sexual harassment, harassment based on sex, sexual orientation, gender identity and expression committed, **instigated, amplified or aggravated, in part or in whole, with the use of digital media, information and communication technologies, social networking platforms, websites or forums, email or instant messaging systems, or other similar means**. In particular, through the recording, dissemination or publication of messages or images that affect the privacy or freedom of the victim in the workplace.

It is behavior that is repeated and that seeks to or results in frightening, angering or humiliating other people. Face-to-face bullying and cyberbullying sometimes interact. However, **cyberbullying leaves a digital footprint**, i.e., a record that can serve as evidence to help stop the abuse and report it.

These acts **cause psychological and even physical harm, reinforce stereotypes, damage dignity and reputation, infringe on a person's privacy and freedom of action, cause economic losses, hinder political participation and freedom of expression**.

3.1.8.2 Conduct constituting cyber, digital or virtual harassment - cyberbullying. See Annex 1, letter G) of this Protocol.

3.1.9 Definition and behaviors constituting physical violence in the workplace:

3.1.9.1 Definition of physical violence in the workplace

Any act with the result or risk of **producing physical injury or physical harm**. It includes threatening, intimidating, abusive and harassing verbal or physical conduct that results in the production of more or less immediate bodily harm between persons belonging to the same company or between persons belonging to different companies but working in the same workplace.

3.1.9.2 Conduct constituting physical violence in the workplace. See Annex 1, letter H) of this Protocol.

3.1.10 Definition and conduct constituting violence and discrimination of the second order:

Second-order violence: Law 5/2008, of April 24 (Catalonia), as amended by Law 17/2020, of December 22, defines second-order violence as **physical or psychological violence, retaliation, humiliation and persecution exercised against people who support victims of gender-based violence**. It includes acts that impede the prevention, detection, care and recovery of women in a situation of gender-based violence.

Second-order discrimination: Law 19/2020, of December 30, on equal treatment and non-discrimination (Catalonia) defines second-order discrimination as **"the mistreatment exercised against individuals or groups of individuals for the fact of defending discriminated individuals or groups"**.

Second-order violence is one of the main barriers that make it difficult for citizens to intervene when they become aware of or witness a situation of gender-based violence, for fear of possible reprisals.

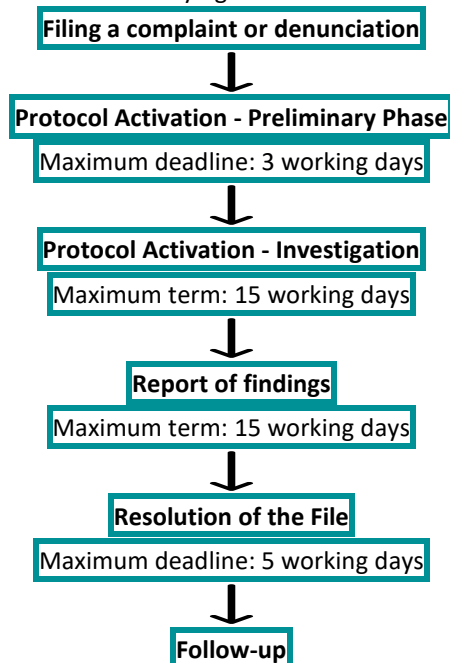
Second-order violence is often perpetrated by the perpetrator of first-order violence, but can also be perpetrated by another person. It can be suffered by both women and men, as the target can be anyone who dares to support a victim.

Although sometimes carried out through physical aggression, they usually try to humiliate, threaten and spread lies to damage the reputation of the victims and undermine their credibility. The **main objective of the attacks is to stop these people from supporting first-rate victims**. They want to set an example so that no one else dares to exercise active solidarity with victims.

3.2. THE DETECTION AND ACTION PROCEDURE

3.2.1 Outline

Schematically, the maximum phases and deadlines for carrying out the detection and action procedure are as follows:



The procedure to be followed is as follows:

3.2.2 Basic principles and rules applicable to all proceedings of the procedure

The **actions, proceedings and measures** must be carried out with sensitivity and respect, **protecting the rights, privacy and dignity of each of the persons concerned**.

The procedure is subject to the following principles and guarantees:

a) Confidentiality, for all proceedings and for all persons involved. For this reason:

- All persons involved in the procedure and who are affected parties must be advised of the **obligation to maintain strict confidentiality and reserve of all the proceedings**, and, therefore, must not transmit or divulge any information of the content of the complaints filed, resolved or in the process of investigation of which they have knowledge. To this effect, they **shall sign a confidentiality agreement, according to the model attached** in section 6 of this Protocol.
- **Only persons competent** to receive and process complaints, as well as persons who are parties to the proceedings, **may have full access to the information**.
- All **information** relating to the proceedings for the implementation of the Protocol is **particularly sensitive data** and should be treated as such.
- In order to better observe this principle in the reports, the **identity of the persons involved** (complainant, respondent and witnesses) **should be coded by** replacing the real names with "P1", "P2", "P3". - The equivalence of the real name with the numerical identification should be recorded in a separate document to be included in the file.
- Likewise, it should be taken into account **what is provided for in Organic Law 3/2018**, of December 5, on the protection of personal data and guarantee of digital rights.

b) Secrecy. The **persons who are parties affected** by the procedure and who intervene have the **duty to maintain due discretion** on the facts known to them, without being able to make use of the information obtained, except in the case that the documents related to the complaint or the investigation are necessary to initiate a complaint or a judicial or administrative procedure; in any case, the information must be limited to these areas and to the persons strictly indispensable.

c) Diligence and celerity. The case must be investigated and resolved as quickly as possible and without undue delay.

d) Impartiality and contradiction. The right of defense and the impartial hearing of all parties involved must be guaranteed.

e) Good faith. All persons involved in the procedure must act in good faith in the search for the truth and the clarification of the facts that are the subject of the complaint or denunciation.

f) Protection against possible retaliation. CIMAM must protect complainants against possible retaliation that they may suffer as a result of the complaint, the appearance as a witness or participation in an investigation into harassing conduct described above or in the processing of any action.

g) No revictimization. Whenever possible, an attempt shall be made to **reduce the number of statements made by the complainant**, in order to avoid having to repeat the same information to other persons responsible for the processing of the Protocol, if it is not strictly necessary according to the development of the procedure.

h) Preparation of minutes. In any type of action (care, counseling or application of the Protocol) it is necessary to draw up a record, which must be signed by all persons involved.

i) Duty of collaboration. During the processing of the procedure, the acting body must request as much information as possible from all persons involved, taking into account the obligation of all members of the organization to collaborate with the investigation process.

j) Right to be accompanied. During the proceedings, the persons involved may be accompanied by the person, association or professional they consider, and the identification and capacity in which they attend must be recorded in the minutes of the proceedings.

k) Right of recusal and abstention of the persons in charge of processing the procedure, according to the legally established causes and with their corresponding substitution.

l) Notifications. All the procedural steps must be notified to the parties involved by any means that gives conformity of its receipt.

m) Right of defense and challenge. The resolutions adopted during the procedure must be notified to the parties involved, who have the right to defend themselves by submitting allegations and/or appeals that they deem appropriate.

n) Initiation of the proceeding. The proceeding must be initiated ex officio by the acting body. In the event that the affected persons and/or witnesses do not appear at the summons, the proceedings may be continued ex officio, provided that the rights of defense of all parties are guaranteed.

ñ) Presumption of innocence. In order that a communication or a complaint does not penalize per se the person/s denounced, he/she shall be entitled to the recognition of the fundamental right of presumption of innocence, so that he/she shall be considered innocent until proven guilty.

None of the proceedings shall prevent the persons involved from requesting any judicial, administrative or any other type of proceedings that may be appropriate.

3.2.3 Filing of a complaint or denunciation, activation of the Protocol and processing of the administrative file

3.2.3.1 Filing of the complaint or denunciation

a) The complaint or denunciation, duly filed, shall initiate the procedure, in accordance with the following criteria:

The complaint or denunciation shall contain at least the following information:

- The identification of the complainant and contact information.
- Identification of the denounced person and position held.

- A detailed and itemized description of all the facts, narrated chronologically, with the persons involved, witnesses and/or evidence, background and any other relevant information.
- Signature of the complainant as proof of conformity.

A model complaint form is provided in **Annex 2** of this Protocol.

b) Complaints or denunciations may not be anonymous and may be submitted by the person(s) affected, the workers' representatives, or any other person who has direct or indirect knowledge of the facts relating to one of the conducts described in the Protocol. However, when the facts are not directly exposed by the affected person, the latter will be required to confirm in writing that he/she wishes an investigation to be carried out.

c) The complaint or denunciation shall be communicated through any of the following means:

(i) the following e-mail address: [REDACTED]. Only the committee appointed to process the protocol shall have access to the e-mails sent for this purpose.

(ii) by means of a letter in a sealed envelope sent to the address of CIMAM, Plaça dels Àngels, 1- 08001 Barcelona, to the attention of "Comisión instrucción e investigación protocolo acoso", or deposited, as the case may be, in the mailbox located at the aforementioned address; or

d) If a "verbal complaint" is received, it shall be required to be collected in writing in accordance with the above requirements.

e) Confidentiality shall be guaranteed regardless of the manner in which the complaints are handled, in accordance with section 3.2.2 a) confidentiality.

f) If there is no signed complaint or denunciation, the procedure cannot be initiated, without prejudice to the actions of psychological accompaniment and/or counseling for the affected person.

3.2.3.2 Protocol activation - Preliminary phase

a) CIMAM designates the investigation and investigation committee with the members indicated at the end of this point, to process any complaint or denunciation received, investigate it and follow up on it. For the appropriate purposes, all persons providing services in the organization shall be informed of this designation and it shall be clearly and concisely stated how these complaints or denunciations can be sent to them.

Members of the Investigation and Investigation Committee:

The President and Secretary General of CIMAM.

b) In any case, the impartiality of the actions of the members of the investigation and investigation committee shall be guaranteed, who shall abstain from participating in the procedure, and shall notify the company for their substitution, or they may be recused if any of the following circumstances occur:

- i** Have a **personal interest** in the matter at hand.
- ii** Be **related** within the fourth degree by consanguinity or affinity with any of the interested parties, or with the advisors, legal representatives or agents involved in the procedure.
- iii** To have **close friendship or manifest enmity** with any of the persons mentioned in the previous section, affected by the procedure.
- iv** **Direct or indirect interest** in the specific process.
- v** To intervene as an **expert or witness** in the proceedings.

In the event that, despite the existence of these causes, abstention does not occur, any of the persons affected by the proceeding may request the disqualification of such persons.

c) Once the complaint or denunciation has been received in accordance with the provisions of the preceding paragraph, within a maximum period of 3 working days, the procedure for its processing shall be activated:

The investigating and investigative committee shall proceed preliminarily to:

- **Verify that the complaint complies with the requirements set forth** in the preceding paragraph. Otherwise, the person who filed the complaint will be required to correct or complete it.
- **Evaluate the existence of possible indications**, in the reported facts, of **one of the conducts described in this Protocol**, in accordance with the definitions contained therein, for the purpose of activating the next phase of the procedure.
- **Propose, as the case may be, the adoption of the necessary precautionary measures**, prior to initiating the investigation; for which purpose the CIMAM Management shall be informed for their application.

In the event that **there is no evidence** of any of the behaviors described in this Protocol, and the facts are related to other labor issues, such as disagreements between employees, **the next phase of this procedure will not be activated and will be referred to Management** for appropriate evaluation and treatment.

3.2.3.3 Research Phase

1. In the event, in accordance with the previous section, of the **existence of possible indications**, in the facts denounced, of one of the conducts described in this Protocol, the **commission of instruction and investigation** of the complaint or denunciation **will carry out a confidential investigation**, carrying out, to that effect, all the necessary actions to be able to clarify the facts that are the object of the complaint or denunciation. In this sense, it may agree on the following actions:

- i **Request for reports or documentation** that may provide relevant information for the investigation of the case.
- ii **Citation to the victim**, who will be heard first. The victim may attend the statement accompanied by the persons and/or professionals they deem appropriate (person they trust, whether or not they are legal and/or union representatives of the workers, etc.), who must maintain confidentiality regarding the information to which they have access, and, at the time of the statement or at a later time, may provide any additional evidence and/or documents they deem appropriate.
- iii **Citation and declaration of the affected parties, witnesses**, etc. This procedural step shall be carried out in compliance with the provisions of the following sections.
- iv **Declaration and right to a hearing of the person/s denounced**. The processing of the procedure will not be valid without offering this step to the denounced person(s). This procedural step shall be carried out in compliance with the provisions of the following sections.
- v **Specialized consultations**. The necessary ones can be made in each case, as well as requesting relevant expert opinions within CIMAM's possibilities of action, according to its own or external resources.
- vi **Any other action deemed necessary to clarify the facts** that are the object of the complaint or denunciation and to correctly process this procedure, with the guarantee of all the rights of the affected parties.

All investigative actions shall be carried out in strict compliance with the **obligations of confidentiality, sensitivity and respect for the rights of each of the affected parties**. The information generated and provided by the actions resulting from the application of this Protocol shall be treated as reserved information. This information will be subject to the regime provided for in Article 22 of Law 31/1995, of November 8, on the Prevention of Occupational Risks, and established in Organic Law 3/2018, of December 5, on the Protection of Personal Data and guarantee of digital rights.

3. Persons who are requested to cooperate as diligently as possible.

4. The procedure must be as agile and efficient as possible and protect in all cases the privacy, confidentiality and dignity of the persons affected, as well as the **right of contradiction of the person denounced**. Throughout the entire procedure, **strict confidentiality** shall be maintained and all internal investigations shall be carried out with tact and due respect, both for the complainant, the victim, who shall in no case be treated unfavorably for this reason, and for the person denounced, whose guilt shall not be presumed. All persons involved in the process shall have the obligation of confidentiality and secrecy with respect to all information to which they have access.

5. During the processing of the file, at the proposal of the investigation and investigation committee, the management of the company shall adopt the necessary provisional precautionary measures leading to the immediate cessation of the situation of any of the conducts described in this Protocol, in accordance with the definitions contained therein, without such measures may involve a permanent and definitive damage in the working conditions of the persons involved.

If it is deemed **appropriate to ensure the protection of the complainant**, and in order to avoid further damage, after hearing the complainant, and provided that he/she agrees, until the closing of the procedure, the **measure of separation of the complainant from the alleged offender may be adopted, as well as other precautionary measures** (reorganization of working time, change of job...) that are deemed appropriate and proportionate to the circumstances of the case.

Precautionary measures -which at no time predispose the final result of the procedure- **must be taken in a reasoned manner** as a guarantee of protection of the parties involved and as an exercise of responsibility by the company in which the facts take place, assessing the concurrent circumstances and the evidence found. Likewise, the adoption of precautionary measures must be respectful of the right to presumption of innocence of the person or persons denounced.

Precautionary measures must have the necessary duration to achieve their purpose and must be terminated when the proceedings are completed.

6. In general, the investigation process shall be completed within a maximum period of 15 working days from the filing of the complaint. When the complexity of the circumstances of the case make it advisable, the aforementioned period may be extended for a further period not exceeding 10 working days.

7. Witness statements:

- i Witness subpoenas must be issued by any means that provides evidence that they have been properly received, and sufficiently in advance so that the persons subpoenaed may appear.
- ii If the person summoned is unable to appear, he/she may be given another date to testify.
- iii If the summoned person still does not appear, it may be agreed to proceed without this declaration.
- iv The persons summoned may attend the statement accompanied by the persons and/or professionals they deem appropriate (person they trust, whether or not they are legal and/or union representatives of the workers, etc.), who must maintain confidentiality regarding the information to which they have access, and, at the time of the statement or at a later time, may provide any evidence and/or documents they deem appropriate.

8. Statement of the person/s denounced

- i The summons for the denounced person to testify must be made by any means that provides evidence that it has been properly served and received.
- ii The summons shall be issued seven working days in advance. If the accused person is unable to appear, he/she must inform the investigating and inquiry committee and must duly justify the reasons for non-appearance. After analyzing the reasons, the commission of investigation and inquiry may offer another date of summons. If the accused person still does not appear, in order to guarantee the rights of the complainant, it may be agreed to proceed without this procedural phase.
- iii The summons must be accompanied by a copy of the complaint or denunciation filed, anonymized.
- iv The person denounced may appear accompanied by the persons and/or professionals he/she deems appropriate and may provide, at the time of the statement or at a later time, always before the final report procedure, the documents he/she deems appropriate.

3.2.3.4 Conclusion Report

a) Once the investigation has been completed, the person or committee that has processed the file shall prepare a **final report of conclusions** in which the **points indicated in letter e)** of this section **shall be included, concluding whether or not, in its opinion, there are indications of any of the conducts described in this Protocol**, in accordance with the definitions contained herein.

b) If, from the evidence gathered, there is evidence of any of the aforementioned conducts, in the conclusions of the report, the **investigation and investigation committee shall urge the company to adopt the appropriate sanctioning measures**, and may even, in the case of a very serious case, propose the disciplinary dismissal of the aggressor.

c) If from the evidence practiced **there are no indications** of any of the conducts described in this Protocol, it shall state in **said report that from the evidence expressly practiced it is not possible to appreciate the concurrence of any of the referred conducts.**

d) If, even though none of the aforementioned conduct covered by this Protocol exists, it finds any inappropriate action or a situation of conflict that, if repeated over time, could lead to any of them, it shall also notify CIMAM's management, suggesting the adoption of any relevant measures to put an end to this situation.

e) **The report of findings should be clearly stated and duly separated:**

- i Description of the facts denounced
- ii Background and concurrent circumstances
- iii Proceedings carried out (testimonies, evidence given and/or collected, etc.)
- iv The establishment of the facts and the proposal of qualification.
- v If applicable, the repetition of the conduct and the degree of impact on labor obligations.
- vi Conclusion, whether or not, in its opinion, there is evidence of any of the conduct described in this Protocol, in accordance with the definitions contained herein.
- vii It shall contain proposals for the adoption of measures with respect to the facts assessed by the investigating and investigative committee and which have been objectively accredited on the basis of the proceedings carried out.
- viii The proposed completion and solution, which may be:
 - o Initiation of disciplinary proceedings.
 - o Adoption of preventive and corrective measures, if applicable.
 - o Adoption of other measures of solution, attention, protection, reparation or sanction.
 - o Adoption of an archiving agreement.
 - o Other forms of termination of the procedure, such as mediation.

f) **The final report of conclusions shall be prepared as soon as possible, not to exceed a maximum period of 15 working days from the completion of the investigation**, unless circumstances beyond the control of the investigation and inquiry committee cause this period to be delayed, in which case they shall be reflected in the report.

g) **The report shall be communicated to CIMAM's Management.**

3.2.4 The resolution of the file

a) In view of the report on the conclusions drawn up by the investigation and investigation committee, **CIMAM's Management will proceed to** adopt the following decisions it deems appropriate within 5 working days of receipt, being the only body empowered to decide on the matter.

- i **File the proceedings**, making a record of the same.
- ii **Adopt as many measures as it deems appropriate based on the suggestions made by the investigation and investigation committee of the procedure.** By way of example, the following may be mentioned among the decisions that the company may adopt in this regard:
 - Physically separate the alleged aggressor from the victim, by means of a change of position and/or shift or schedule. In no case shall the victim be forced to change position, schedule or location within the company.
 - Without prejudice to the provisions of the previous point, if appropriate, and depending on the results of the investigation, the aggressor shall be sanctioned by applying the table of offenses and penalties set forth in the collective bargaining agreement applicable to the company or, as the case may be, in Article 54 of the Workers' Statute.

Among the sanctions to be considered for application to the aggressor, the following shall be taken into account:

- The transfer, displacement, change of position, working day or location.
- Suspension of employment and salary.
- The time limitation for promotion.
- Disciplinary dismissal.

Article 83 of the collective bargaining agreement in force applicable to CIMAM establishes the following as very serious misconduct: Sexual harassment.

It also establishes that, in any case, the sending of a single e-mail or the voluntary access to a web page or website will be considered a very serious offense if the content of the e-mails is of a racist, sexist, violent or pornographic nature, or could damage the image of the company or its employees.

The **decision finally adopted in the file will be communicated in writing to the victim, to the person/s denounced and to the investigation and investigation committee** and to the person responsible for occupational risk prevention. In this communication, in order to guarantee confidentiality, **no personal data will be given and the numerical codes assigned to each of the parties involved in the file will be used.**

b) In the event that the sanction against the aggressor is not the termination of the contractual relationship, CIMAM's Management will maintain an active duty of vigilance with respect to that worker when he/she returns to work (in the case of a suspension), or in his/her new position in the case of a change of location. But always and in any case, compliance with eradicating any of the behaviors covered by this Protocol will not end with the mere adoption of the measure of the change of position or with the mere suspension, being **necessary its subsequent monitoring and control by the company.**

c) CIMAM's Management will adopt the necessary preventive measures to avoid a recurrence of the situation, will reinforce training and awareness actions and will carry out actions to protect the victim's health and safety, including, among others, the following:

- i Evaluation of psychosocial risks in the company.
- ii Adoption of surveillance measures to protect the victim.
- iii Adoption of measures to avoid recidivism of the sanctioned persons.
- iv Psychological and social support to the victim.
- v Modification of working conditions that, with the prior consent of the victim, are deemed beneficial to his or her recovery.
- vi Training or retraining for the professional updating of the harassed person when he/she has been on IT for a prolonged period of time.
- vii Carrying out new training and awareness-raising actions for the prevention, detection and action against the behaviors covered by this Protocol, aimed at all the people who provide their services in the company.

3.2.5 Follow-up

a) Once the file has been closed, and within a period not exceeding 30 calendar days, **the Commission** in charge of processing and investigating the complaint or denunciation **shall be obliged to follow up on the agreements adopted**, i.e., on their compliance and/or the result of the measures adopted.

b) The result of this follow-up will be the subject of a report containing the proposed measures to be adopted in the event that the events causing the procedure continue to occur, and it will also be analyzed whether the proposed preventive and sanctioning measures have been implemented, as the case may be.

This **report shall be sent to CIMAM's Management**, so that it may adopt the necessary measures, as well as to the **legal representatives of the workers, if any**, and to the **person responsible for occupational risk prevention**, with the precautions indicated in the procedure regarding the confidentiality of the personal data of the parties concerned.

4. DURATION, MANDATORY COMPLIANCE, ENTRY INTO FORCE AND REVIEW OF THE PROTOCOL

4.1 The content of this protocol is mandatory, coming into force from the moment it is communicated to the company's staff **by e-mail**, without prejudice to its accessibility on the company's intranet and remaining in force indefinitely as long as a subsequent one is not approved that repeals or modifies it.

4.2 Once the Protocol has been approved, it shall be **revised and adapted according to the following rules:**

- i At any time during** its validity in order **to reorient the fulfillment of its** objectives of prevention, detection and action against the behaviors that are the object of the Protocol.
- ii When their lack of compliance with legal and regulatory requirements** or their insufficiency **is revealed as a result of** the actions of the Labor and Social Security Inspection.
- iii In the event of merger, takeover, transfer or modification of the legal status of the company** and in the event of **any incident that substantially modifies the** company's workforce, its working methods, organization.
- iv When a court decision condemns the company for any of the conducts covered by the** Protocol or determines the lack of compliance of the Protocol with legal or regulatory requirements.
- v In any case, without prejudice to the above points, it will be reviewed at least every two years to improve its effectiveness** and adapt it to the regulations and policies of CIMAM.

4.3 The present procedure regulated in this Protocol **does not preclude the right of the victim to report, at any time, before the Labor and Social Security Inspection, as well as before the civil, labor or criminal jurisdiction.**

CIMAM

PROTOCOL FOR THE PREVENTION, DETECTION AND ACTION IN THE FACE OF HARASSING BEHAVIOR, SEXUAL ASSAULT, AND/OR DISCRIMINATORY ACTS

Labor, moral or psychological harassment, sexual harassment, harassment based on sex, sexual and/or gender identity, sexual aggression, digital violence or cyberbullying, physical violence, and/or discriminatory acts.

ANNEX 1

CONTENTS

- A. Conduct constituting labor, moral or psychological harassment (mobbing or bullying).
- B. Conduct constituting sexual harassment
- C. Conduct constituting harassment on the basis of sex
- D. Conduct constituting harassment based on sexual orientation and gender identity and/or expression.
- E. Conduct constituting sexual assault
- F. Conduct constituting discriminatory acts, including discriminatory harassment.
- G. Conduct constituting cyber, digital or virtual violence or harassment - cyberbullying
- H. Conduct constituting physical violence in the workplace
- I. Conduct constituting violence and discrimination of the second order

BEHAVIORAL EXAMPLES

By way of example and without excluding or limiting, and in compliance with the established legal requirements, **the following conduct could be considered to constitute mobbing or bullying, sexual harassment, harassment based on sex, harassment based on sexual orientation and gender identity and/or expression, sexual aggression, discriminatory acts, including discriminatory harassment, cyber, digital or virtual violence or harassment - cyberbullying - and physical violence** in the workplace.

A) BEHAVIORS CONSTITUTING MOBBING OR BULLYING AT WORK, MORAL OR PSYCHOLOGICAL HARASSMENT.

Attacks on the victim with organizational measures:

- Forcing someone to perform tasks against their conscience.
- Judging the person's performance in an offensive way, hiding his or her efforts and abilities.
- Questioning and overruling the person's decisions.
- Not assigning any task, or assigning tasks or jobs that are meaningless, unnecessary, absurd or degrading, contradictory, or against personal convictions, or below the person's professional capacity, competencies, qualifications or skills. Assigning worse or more degrading jobs.
- Denying or concealing the means to perform the work, or providing erroneous data.
- Assigning work that is far beyond the person's competencies or qualifications or skills, or that requires much lower qualifications than those possessed.
- Maximize errors.
- Incorrect data or incorrect indications on work methodology, failure to clearly specify roles and responsibilities.
- Contradictory or impossible to comply with orders.
- Manifest differences in treatment with respect to other employees.

- Handle work tools.
- Theft of belongings, documents, work tools, etc. Threats or pressures to people who support the harassed person.
- Manipulation, concealment, return of correspondence, calls, messages... of the person.
- Denial or difficulties in accessing permits, courses, activities, etc.

Attacks on privacy and personal or professional reputation:

- Manipulating personal or professional reputation through rumor, denigration and ridicule. Speaking ill of the person behind his or her back or spreading rumors.
- Professional disregard before third parties (rest of the staff, customers, suppliers, etc.). Humiliation, contempt, criticism or undervaluation, especially in public, of the employee, in order to damage the dignity of persons; sarcasm or comments that ridicule the employee.
- Imply that the person has psychological problems, try to get him/her to undergo a psychiatric examination or diagnosis.
- Making fun of gestures, voice, physical appearance, disabilities, personal defects, name-calling, etc.
- Criticism of nationality, attitudes, political and religious beliefs, private life.
- Insulting. Spreading false rumors or defamation of the person.

Attacks on the victim's social relationships to reduce the possibilities of communication:

- Change the person's location by separating him/her from his/her peers (isolation).
- Exclusion of the employee from relations with colleagues.
- Ignoring the person's presence or opinions.
- Do not address the person.
- Restrict colleagues from talking to the person. Impede Restrict the possibilities of communication by the superior or by colleagues.
- Not allowing the person to express him/herself.
- Avoid all eye contact.
- Eliminate or restrict the means of communication available to the person (telephone, e-mail, etc.).
- Physical isolation

Activities that affect the physical or psychological health of the victim:

- Threats of physical violence and physical aggression. Physical abuse.
- Verbal or written threats.
- Shouting or insults.
- Scary phone calls.
- To provoke the person, forcing him/her to react emotionally. Intentionally causing expenses to harm the person. Causing damage to the person's workplace or belongings.
- Requiring the person to perform work that is dangerous or harmful to his or her health.

Article 173 of the Spanish Penal Code, in its Article 173, typifies as criminal conduct, among others:

(i) Inflicting degrading treatment on another person, seriously undermining his or her moral integrity.

(i) Within the scope of any labor or civil servant relationship and taking advantage of his or her relationship of superiority, repeatedly engaging in hostile or humiliating acts against another person that, without constituting degrading treatment, constitute serious harassment of the victim.

B) CONDUCT CONSTITUTING SEXUAL HARASSMENT

Verbal behaviors:

- Allegations of sexual advances, propositions or pressure for sexual activity; Invitations or pressure to arrange sexual dates or encounters.
- Invitations, requests or demands for sexual favors when they are directly or indirectly related to professional career, improvement of working conditions or job retention.

- Persistent invitations to participate in social or recreational activities, even though the target has made it clear that they are unwanted and unwelcome.
- Offering or pressuring to arrange committed dates or sexual encounters, or to engage in unwanted recreational activities.
- Making demands for sexual favors.
- Offensive flirtations;
- Insinuating remarks, innuendoes, or obscene sexual comments or jokes. Rude comments about body or physical appearance.
- Talking about one's own sexual abilities.
- Unwanted telephone calls or contacts through social networks. Communications (phone calls, e-mails, etc.) of sexual content and offensive nature.
- Jokes or comments about sexual appearance, physical appearance or sexual condition. Offensive sexual jokes.
- Spreading rumors, asking, describing, commenting or explaining details about a person's sex life or sexual fantasies, preferences, abilities/abilities.
- Demeaning or obscene forms of address.
- Behavior that seeks to humiliate or humiliate a worker because of his or her sexual condition.

Non-verbal behaviors:

- Display of sexually suggestive or pornographic pictures, objects or writings, lewd looks.
- Making leering glances at the body.
- Making obscene gestures.
- Use of sexually explicit or suggestive images, graphics, cartoons, photographs or drawings.
- Letters, notes or e-mails or messages on social networks of an offensive nature and with clear sexual content.
- Obscene gestures, whistling, lewd or lascivious gestures or looks.
- Behavior that seeks the humiliation or humiliation of the employee because of his or her sexual condition.

Physical behaviors:

- Deliberate and unsolicited physical contact (pinching, touching, unwanted massages, unwanted hugs or kisses, excessive and unnecessary physical contact).
- Cornering or deliberately seeking to be alone with the person unnecessarily.
- Intentionally touching, or pretending to have accidentally touched, the sexual parts of the body.

C) CONDUCT CONSTITUTING HARASSMENT ON THE BASIS OF SEX

Attacks with organizational measures

- Use of discriminatory behavior based on the fact of being a woman or a man.
- Jokes and comments about people taking on tasks that have traditionally been performed by people of the other sex.
- Derogatory comments about women or men or about values considered feminine or masculine, and, in general, sexist comments based on gender bias.
- Use of denigrating or offensive forms of address to persons of a particular sex.
- Use of sexist humor.
- Ridiculing and belittling a person's abilities, skills and intellectual potential because of his or her sex.
- Demerit of professional worth due to the fact of maternity or paternity.
- Engaging in the above behaviors with lesbian, gay, transgender or bisexual persons.
- Evaluating or judging people's work in an offensive, disparaging, unfair or biased manner or concealing their efforts and abilities, based on their sex or sexual orientation.
- Assigning jobs that are much higher or much lower than the person's skills or qualifications, or that require much lower qualifications than those possessed, based on the person's sex.
- Unfavorable treatment due to pregnancy or maternity.
- Explicit or implicit conduct aimed at making restrictive or limiting decisions regarding a person's access to or continuity in employment, professional training, remuneration or any other matter related to working conditions based on their sex.
- Hostile behavior towards those who -whether men or women- exercise rights to reconcile personal, family and professional life.

- Undervaluation, contempt or isolation of those who do not behave in accordance with the roles socially assigned to their sex.
- Engaging in discriminatory conduct on the basis of sex because of being a woman or a man.
- Questioning and disavowing a person's decisions on the basis of sex
- Not assigning any tasks, or assigning meaningless or degrading tasks on the basis of sex
- Denying or concealing the means to perform the work or providing erroneous data on the basis of sex
- Contradictory or impossible to comply with orders based on gender
- Theft of belongings, documents, work tools, deletion of files from the computer, manipulation of work tools causing harm, etc. depending on their gender
- Threats or pressures to people who support the harassed person.
- Manipulation, concealment, return of correspondence, calls, messages, etc., from the person.
- Denial or difficulties in accessing permits, courses, activities, etc.
- Actions intended to isolate the addressee
- Changing the person's location by separating him/her from his/her peers (isolation).
- Ignore the presence of the person.
- Do not address the person.
- Restrict colleagues from talking to the person.
- Not allowing the person to express him/herself.
- Avoid all eye contact.
- Eliminate or restrict the means of communication available to the person (telephone, e-mail, etc.).
- Condescending or paternalistic attitudes.
- Using offensive forms of address to the person
- Ignoring contributions, comments or actions of a person on the basis of sex.
- Engaging in sexual blackmail on the basis of sex.

Activities affecting the physical or psychological health of the victim

- Threats and physical aggression.
- Verbal or written threats.
- Shouting and/or insults based on the sex or sexual orientation of the worker.
- Scary phone calls.
- Provoking the person, forcing him/her to react emotionally.
- Intentionally incurring expenses to the detriment of the person.
- Causing damage to the work place or to your belongings.
- Requiring the person to perform work that is dangerous or harmful to his or her health.
- Engaging in environmental harassment on the basis of sex.

Attacks on private life and personal or professional reputation.

- Manipulating personal or professional reputation through rumor, denigration and ridicule.
- Spreading rumors about people's sex lives.
- Dissemination of images and/or videos of sexual content of any of the organization's employees.
- Imply that the person has psychological problems, try to get him/her to undergo a psychiatric examination or diagnosis.
- Making fun of gestures, voice, physical appearance, disabilities, name calling, etc.
- Criticism of nationality, political or religious attitudes and beliefs, private life, etc.

In gender-based harassment there is no sexual component (as in sexual harassment) but there is a gender component.

D) BEHAVIORS CONSTITUTING HARASSMENT BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY AND/OR EXPRESSION

Conduct considered to be sexual orientation harassment:

- Engaging in discriminatory conduct on the basis of sexual orientation.
- Addressing a person in an offensive manner because of his or her sexual orientation.

- Writing offensive letters, notes, electronic messages or any type of text or graphic message of an offensive nature based on the sex or sexual orientation of the person concerned.
- Ridiculing the person in relation to his or her sexual orientation.
- Use humor in a derogatory manner that belittles any sexual orientation.
- Belittle the work that has been done because of their sexual orientation.
- Ignoring contributions, comments or actions (excluding, not taking seriously) because of sexual orientation.
- Unequal treatment based on sexual orientation (homosexuality, bisexuality, etc.) or the other person's perception of it.
- Evaluating people's work in a disparaging, unfair or gender-biased manner.
- Assigning a person tasks or jobs below his or her capacity or competencies, based on his or her sexual orientation.

Conduct considered harassment based on gender identity and expression:

- Unequal treatment based on gender identity and/or expression or the perception of these by the other person.
- Writing offensive letters, notes, electronic messages or any type of text or graphic message of an offensive nature based on the sex or sexual identity of the person concerned.
- Ignore or exclude contributions, comments or actions on the basis of gender identity or expression.
- Belittling the capabilities, abilities and intellectual potential of the person in relation to his or her gender identity or expression.
- Refusing to name a transgender person as required or deliberately using articles or pronouns not corresponding to the gender with which he or she identifies.
- Making comments or asking questions about a transgender person's body and/or genitalia.
- Talking about transgender people in a derogatory way just because they are transgender people.
- Focusing the conversation and/or discussion with a transgender person on the issue of gender without the person in question having initiated and invited the conversation.
- Make jokes about transgender people, whether or not they are present in the conversation.

E) BEHAVIORS CONSTITUTING SEXUAL ASSAULT

- Unwanted touching or kissing.
- Coerced or forced sexual or sex-related activities, including activities involving violence or pain.
- Exposure of genitals, such as exhibitionism.
- Being observed by someone without your permission when you are naked or engaged in sexual activities.
- Being forced or coerced by someone to view or participate in pornography.
- Pouring alcohol in drinks or the use of drugs and alcohol to reduce or impair a person's ability to make decisions about sex or sexual activity.
- Having sex with someone who is asleep, seriously affected by alcohol and/or other drugs.
- Lewd or indecent jokes or stories or showing images of sexual content, as part of a pattern of coercive, intimidating or exploitative behavior.
- Rape (penetration of any orifice with any object).

F) CONDUCT CONSTITUTING DISCRIMINATORY ACTS, INCLUDING DISCRIMINATORY HARASSMENT

Example of direct discrimination:

- Denial to a person with a disability of reasonable accommodation as necessary and appropriate modifications and adaptations to the physical, social and attitudinal environment that do not impose a disproportionate or undue burden, when required in a particular case in an effective and practical manner, to facilitate accessibility and participation and to ensure to persons with disabilities the enjoyment or exercise, on an equal basis with others, of all rights.
- Dismissals due to pregnancy.
- Unjustified wage differentials in a position of equal value whether the position is held by a woman or a man.
- Differences in opportunities for promotion or advancement of female workers.
- Failure to give equal recognition to equal merit

Example of indirect discrimination:

- Requiring a degree that is not necessary for the job to be performed, in order to avoid selecting people based on their racial or ethnic origin who are less likely to have a university degree.
- For reasons of gender, insofar as they affect women in a negative way: different treatment for exercising the rights of reconciling family and work, making physical effort a basic requirement (or any other requirement that is predominant in one gender, but has no relation to the performance of the job), giving priority in promotions for having more flexible hours (usually and still in the majority, it is women who take care of children or dependents and the home, which entails having less available hours).

It should be noted that positive discrimination is not considered direct (or indirect) discrimination, insofar as it is a measure taken to put an end to an unfavorable initial situation for a specific group, in this case, that of women in the workplace.

G) CONDUCT CONSTITUTING CYBER, DIGITAL OR VIRTUAL HARASSMENT -CYBERBULLYING-.

- Disseminating lies or publishing photographs without the consent of the other person through any public or digitally restricted access platform.
- Disseminating on the Internet images, videos, rumors or compromising data of sexual content (real or false) of a person.
- Threatening or sending hurtful messages to a person through any messaging or communication platform.
- Impersonating someone online and sending aggressive, hurtful or threatening messages in their name.
- Monitor, pursue or establish contact through any means of communication or through third parties.
- Violating a person's freedom or assets by improperly using his or her personal data to purchase products or contract services.
- Sending a person videos or images with degrading content that violate his or her dignity and/or sexual freedom.
- Create a false profile on behalf of the victim to make sexual demands or offers.
- Pursuing and harassing the victim in the online spaces that he/she frequents on a regular basis.
- Presenting oneself in a false profile to the victim in order to arrange a digital meeting to carry out online blackmail.
- Grooming: an adult contacting a child or adolescent posing as a minor, adapting his or her language to the victim's age, in order to establish a bond of trust with the victim, trying to isolate him or her and then involve him or her in some type of sexual activity.
- Sending hurtful or threatening messages through messaging platforms.
- Registering the person on a website where he or she may be stigmatized or ridiculed because of his or her sex.
- Disseminating images, videos, rumors or compromising data (real or false) of a person on the Internet.
- Usurping the identity of the person to make offensive comments about third parties.
- Disseminating on the Internet recordings in which a person is intimidated, assaulted or persecuted because of his or her sex.
- Digitally accessing the victim's computer to monitor their communications with third parties.
- Pursuing and harassing the victim in the online spaces that he/she frequents on a regular basis.
- Stalking (and cyberstalking): is the repeated stalking and harassment directed towards someone for belonging to one sex or another, through obsessive persecution, both physically and through digital platforms (calls, messages, fake profiles on social networks to establish contact...) to the victim or victims.

H) BEHAVIORS CONSTITUTING PHYSICAL VIOLENCE IN THE WORKPLACE

Provocative or aggressive body language that expresses intimidation or contempt, threats, attempts to hit someone, shoving, threats with an object, spitting, breaking furniture, throwing objects with the intent to harm, throwing someone to the ground, biting, scratching, hitting, kicking, head butting, etc.

CIMAM

PROTOCOL FOR THE PREVENTION, DETECTION AND ACTION IN THE FACE OF HARASSING BEHAVIOR, SEXUAL ASSAULT, AND/OR DISCRIMINATORY ACTS

Labor, moral or psychological harassment, sexual harassment, harassment based on sex, sexual and/or gender identity, sexual aggression, digital violence or cyberbullying, physical violence, and/or discriminatory acts.

ANNEX 2

1.- MODEL COMPLAINT OR DENUNCIATION

2.- MODEL CONFIDENTIALITY AGREEMENT

1. MODEL COMPLAINT OR DENUNCIATION

I. Reporting person - whistleblower

Victim, who has suffered any of the behaviors covered by the Protocol: Labor, moral or psychological harassment (mobbing) - Sexual harassment - Harassment based on sex - Harassment based on sexual orientation and gender identity and/or expression - Sexual assault - Discriminatory acts, including discriminatory harassment - Cyber, digital or virtual violence or harassment (cyberbullying) - Physical violence.

Other (Specify):

II. Data of the person making the complaint

Name:
 Last name:
 DNI:
 Position:
 Type of contract/employment relationship:
 Phone:
 Email:
 Address for notification purposes:

III. Data of the person denounced

Name and surname:
 Professional group/category or position:
 Work center:
 Company name:
 DNI:
 Phone:
 Email:

IV. Description of the facts

Include an account of the events reported, attaching as many numbered sheets as necessary, including dates on which the events took place whenever possible:

V. Supporting documentation/evidence (if there is supporting documentation for the event(s), it must be identified and attached to this complaint document).

▪ Document / Exhibit 1:

- Document / Exhibit 2:
- Document / Exhibit 3:

VI. Witnesses (if there are witnesses to the event(s), they should be identified by name, surname(s) and e-mail address).

- Witness 1: Name and surname:
- Witness 1: Email:
- Witness 2: Name and surname:
- Witness 2: Email:
- Witness 3: Name and surname:
- Witness 3: Email:

V. Request

That the complaint or denunciation be considered filed for the facts and against the person(s) indicated, and that the procedure set forth in the Protocol for the prevention, detection and action against harassment, sexual aggression and/or discriminatory acts of the CLÍNICUM Group be initiated.

Location and date:

Signature of the person concerned:

To the attention of the commission for the instruction and investigation of the complaint or denunciation procedure at CIMAM.

2. MODEL CONFIDENTIALITY AGREEMENT

File no:

Mr./Mrs. _____, of legal age, with DNI no. _____, as a person intervening, as _____, in the investigation procedure of reference, in accordance with the provisions of the Protocol for the prevention, detection, action and resolution of situations of workplace, moral or psychological harassment, sexual harassment, harassment based on sex, sexual and/or gender identity, sexual aggression, digital violence or cyberbullying, physical violence and/or discriminatory acts of CIMAM, knows and accepts that:

- Your participation in the procedure will give you the right to know at what stage the procedure is and, by virtue of such participation, the right to also know the outcome of each of the stages.
- Its intervention in the proceedings must be based on good faith and on the search for truth and clarification of the facts denounced.
- As an intervener in the proceedings, it has the duty to cooperate with the investigating and investigative committee.
- In the event of being a member of the investigation and inquiry committee, he/she shall inform the said committee of the existence of any of the incompatibilities detailed in section 3.2.3.2 b) of the Protocol.
- Your personal data will be processed under the responsibility of CIMAM in order to manage the Protocol in which it is involved.
- This purpose is based on the legal obligation included in Law 31/1995, of November 8, 1995, on Occupational Risk Prevention, and on the execution of a mission carried out in the public interest recognized in Organic Law 3/2007, of March 22, 2007, for the Effective Equality of Men and Women.
- The personal data processed during the procedure may be communicated to the Public Prosecutor's Office, the courts and/or the State Security Forces and Corps.

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- The data will be kept for the time necessary to comply with the stated purpose and to determine any liabilities that may arise from this purpose and the processing of the data.
 - You may exercise your rights of access, rectification, deletion and portability of your data, and of limitation and opposition to the processing thereof, as well as the right not to be subject to decisions based solely on the automated processing of your data, by sending a communication to CIMAM by e-mail to the address _____, with the reference "Data Protection".
-