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Protocol for Prevention and Action in Situations of Harassment in the Workplace

PROTOCOL FOR PREVENTION AND ACTION IN SITUATIONS OF HARASSMENT IN THE WORKPLACE

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Protocol for Prevention and Action in Situations of Harassment in the Workplace

Index

Contents

1. Statement of Purpose.....	3
2. Objective.....	4
3. Scope of Application	4
4. Definitions	4
4.1 Moral or Psychological Harassment.....	4
5. Principles and Guarantees of the Procedure	8
6. Preventive Measures.....	9
7. Procedure for Action.....	10
7.1 Filing the Complaint	10
7.2 Processing the File	10
7.3 Resolution of the File.....	10
7.4 Follow-up	10
8. Dissemination of Information	10
9. Validity	11
10. Annex I: Internal Complaint Form for Workplace Harassment Situations	12
Identifying Information	12

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1. Statement of Purpose

Harassment and discrimination in the workplace can severely undermine the dignity, physical and moral integrity, personal freedom, privacy, and health - both physical and psychological - of individuals, constituting an act of violence against fundamental rights. All employees are entitled to a safe and healthy work environment.

NOVASOL CHEMICALS is committed to promoting the development and implementation of policies and procedures that establish safe work environments free of harassment and discriminatory attitudes, fostering labor relations based on respect, dignity, equality, and personal freedom regardless of sex, sexual orientation, gender identity, or gender expression of all employees in the Group.

NOVASOL CHEMICALS declares a zero-tolerance policy towards acts of harassment and discrimination, which will be considered serious misconduct and sanctioned according to the disciplinary regime of the applicable collective agreement.

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Protocol for Prevention and Action in Situations of Harassment in the Workplace

2. Objective

This protocol aims to prevent, raise awareness, and, if necessary, address and eradicate workplace harassment based on sex, marital status, age, racial or ethnic origin, social status, religion, political beliefs, sexual orientation, union affiliation, physical abilities, or language. This protocol complements the existing regulations governing this matter and does not prevent the victim from initiating appropriate legal actions.

3. Scope of Application

This protocol applies to all companies that form part of NOVASOL CHEMICALS. It is applicable both within and outside work centres, including during work trips, training sessions, or social events organized by the company, provided the harassment situation arises from a professional context.

4. Definitions

Workplace Harassment can be:

- Vertical Downward: When the aggressor holds a higher hierarchical position than the victim (e.g., supervisor to subordinate).
- Vertical Upward: When the aggressor holds a lower hierarchical position than the victim (e.g., subordinate to supervisor).
- Horizontal: When both the aggressor and the victim are at the same hierarchical level (e.g., between colleagues).

4.1 Moral or Psychological Harassment

Concept

Defined as exposure to psychological violence directed repeatedly and over time towards one or more persons by others in a position of power within the work relationship, posing a significant health risk.

Examples (not exhaustive):

- Not assigning tasks or assigning unnecessary, degrading, repetitive, or impossible tasks.
 - Limiting communication, ignoring presence, or avoiding contact.
 - Isolating the victim from colleagues.
 - Ridiculing, spreading rumors, or defaming.
 - Inducing errors through misinformation.
 - Denigrating work performance
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4.2 Sexual Harassment

Concept

Any verbal or physical behavior of a sexual nature intended to undermine the dignity of a person, creating an intimidating, degrading, or offensive environment. It does not need to be repetitive to be considered harassment.

Examples of Sexual Harassment Conduct (non-exhaustive list)

- Environmental Sexual Harassment: The harasser creates an intimidating, hostile, humiliating, or offensive environment for the victim through unwanted sexual behaviors. These actions can include:
 - Physical conduct of a sexual nature, such as imposing excessive or unnecessary physical proximity or contact, cornering the person, giving unwanted hugs or kisses, etc.
 - Verbal conduct of a sexual nature, such as spreading rumors about a person's sexual life or preferences, making offensive sexual jokes, obscene sexual comments, sexual insinuations, propositions for sexual encounters or pressure to obtain them, making sexual phone calls, making jokes or comments about the body, appearance, or sexual condition, etc.
 - Non-verbal conduct of a sexual nature, such as making obscene gestures, leering, sending sexual messages or emails, displaying photographs, images, or documents with explicit sexual content, etc.
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Protocol for Prevention and Action in Situations of Harassment in the Workplace

4.3 Harassment Based on Sex

Concept

This is an unwanted behavior related to the person's sex, intended to undermine their dignity and create a hostile work environment. Harassment originating from a worker's pregnancy or maternity, a worker's paternity, or the exercise of a worker's right to work-life balance for childcare is also considered harassment based on sex.

Examples of Conduct Constituting Harassment Based on Sex (non-exhaustive list)

- Using offensive forms or expressions to address a person based on their sex.
 - Laughing at or making offensive jokes about a person based on their sex.
 - Discriminating against a person based on their sex, pregnancy, maternity, or paternity.
 - Undervaluing or unjustly evaluating a person's work based on their sex, or ridiculing their work or intellectual abilities for that reason.
 - Making jokes or offensive comments about a person performing tasks traditionally done by the opposite sex.
 - Limiting a person's working conditions based on their sex, restricting their access to professional training, etc.
 - Ignoring a person's contributions, comments, or actions based on their sex.
 - Deliberately obstructing, directly or indirectly, a person's access to necessary means to perform their job based on their sex.
 - Assigning tasks significantly above or below a person's competencies or abilities, or tasks requiring much lower qualifications than they possess.
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4.4 Harassment Based on Sexual Orientation

Concept

A person's sexual orientation refers to their physical, romantic, or emotional attraction to others. It is unrelated to gender identity or sexual characteristics. Harassment based on sexual orientation refers to any verbal or physical behavior based on the person's sexual orientation that undermines their dignity and creates an intimidating, degrading, or offensive environment..

4.5 Harassment Based on Gender Identity

Concept

Gender identity refers to how individuals perceive their gender and how they live it internally. A person's experienced gender identity may or may not coincide with the sex assigned at birth. Therefore, harassment based on gender identity involves any verbal or physical behavior originating from the person's gender identity that undermines their dignity and creates an intimidating, degrading, or offensive environment.

4.6 Harassment Based on Gender Expression

Concept

Gender expression refers to how a person externally manifests their gender through their behavior and appearance. Gender expression is not necessarily linked to the sex assigned at birth or sexual orientation. Thus, harassment based on gender expression involves any verbal or physical behavior based on the person's gender expression that undermines their dignity and creates an intimidating, degrading, or offensive environment.

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Protocol for Prevention and Action in Situations of Harassment in the Workplace

Examples of Conduct Constituting Harassment Based on Sexual Orientation, Gender Identity, or Gender Expression (non-exhaustive list)

- Using offensive forms or expressions to address a person based on their sexual orientation, gender identity, or gender expression, or insulting them based on any of these reasons.
- Laughing at or making offensive jokes about a person based on their sexual orientation, gender identity, or gender expression, or for not adhering to traditional sex roles.
- Making derogatory comments with homophobic, lesbophobic, biphobic, interfobic, or transphobic connotations, inciting violence.
- Discriminating against a person based on their sexual orientation, gender identity, or gender expression.
- Directly or indirectly promoting the isolation or public and notorious rejection of a person based on their sexual orientation, gender identity, or gender expression.
- Undervaluing or unjustly evaluating a person's work or ridiculing their work or intellectual abilities based on their sexual orientation, gender identity, or gender expression.
- Ignoring a person's contributions, comments, or actions based on their sexual orientation, gender identity, or gender expression.
- Deliberately obstructing, directly or indirectly, a person's access to necessary means to perform their job based on their sexual orientation, gender identity, or gender expression.
- Assigning tasks significantly above or below a person's competencies or abilities, or tasks requiring much lower qualifications than they possess, based on their sexual orientation, gender identity, or gender expression.

5. Principles and Guarantees of the Procedure

The investigation of harassment complaints will be conducted with discretion, sensitivity, and respect for the rights of the complainant and the accused, ensuring the dignity and privacy of all parties involved, guaranteeing the right to physical and moral integrity for the complainant and the right to the presumption of innocence for the accused. Additionally, the following guarantees will be observed during the procedure for any individuals involved:

- Speed: The handling of the case will be prompt and without undue delays to ensure the procedure is completed as quickly as possible.
 - Confidentiality: Information obtained during the procedure, as well as documentation, will be confidential and only accessible to the person conducting the investigation. Personal data will not be included, and individuals will be identified with an alphanumeric code. Participants in the procedure will commit to maintaining the confidentiality of the data and information they learn through the procedure.
 - Protection of Privacy and Dignity: Ensuring the privacy and dignity of the complainant, the accused, and other participants in the procedure.
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- Legal Security, Impartiality, Contradiction, and Right to Defense: Providing an impartial hearing and fair treatment to affected individuals. All participants must act in good faith and with a commitment to clarifying the facts. The presumption of innocence will be respected for the accused. Witnesses are obliged to cooperate in clarifying the facts.
- Possibility of Interim Measures: Interim measures may be established during the processing of the harassment case if deemed necessary.
- Right to Information about the Procedure: Both the complainant and the accused have the right to be informed about the procedure, their rights and duties, the current phase of the procedure, and the outcome.
- Protection Against Possible Retaliation: Ensuring that individuals involved are protected against intimidation, threats, unfair treatment, or any other retaliation. If such acts occur, they will be subject to disciplinary action according to applicable regulations, without prejudice to any corresponding criminal or civil actions.

6. Preventive Measures

To prevent harassment in the workplace, NOVASOL CHEMICALS commits to disseminating this protocol via email to all employees and through informative materials that raise awareness about the need to respect rights related to equality, dignity, personal freedom, sexual freedom, sexual orientation, and gender identity or expression, ensuring a safe and healthy work environment. Actions for awareness, information, and training will be carried out to prevent, detect, and address harassment situations and inappropriate, offensive, and discriminatory behaviors in the workplace.

New hires will be informed about this protocol during onboarding to ensure they know it exists and can consult it at any time. Integration efforts will be made to avoid isolation situations. Compliance with this protocol will be monitored, and it will be updated with new measures and improvements as needed.

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Protocol for Prevention and Action in Situations of Harassment in the Workplace

7. Procedure for Action

All information related to harassment procedures will be confidential. The Compliance Committee will be responsible for investigating complaints.

7.1 Filing the Complaint

The complaint must be submitted in writing by the complainant, detailing the facts and circumstances constituting harassment. The attached form in Annex I may be used. It must include the personal details of the complainant, the accused, a detailed description of the events considered to constitute harassment, any documentary evidence deemed appropriate, and the full names of possible witnesses to the events. For the management of a complaint or inquiry, the following persons are designated and available to the interested parties:

- Cristina Albiac, Supply Chain Department
- Hilde de Baere, HR and Quality Manager
- Annie Okmez, General Manager

Once a complaint is received, an alphanumeric code will be given to each of the affected parties to preserve their privacy.

7.2 Processing the File

Investigations will be conducted impartially, with the option for parties to request the disqualification of investigators with conflicts of interest. The process will be completed within 15 days, extendable by an additional 15 days if necessary.

7.3 Resolution of the File

The Compliance Committee will produce a report determining whether there are indications of harassment. Proven cases will lead to disciplinary actions, and unproven cases will be archived. False accusations may result in disciplinary action.

7.4 Follow-up

One month after implementing measures, a follow-up report will be produced to evaluate their effectiveness. If necessary, additional measures will be proposed.

8. Dissemination of Information

NOVASOL CHEMICALS will promote awareness of this protocol through internal communication channels.

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9. Validity

This policy, approved on September 1, 2024, remains in effect until revised, updated, or repealed.

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10. Annex I: Internal Complaint Form for Workplace Harassment Situations

Identifying Information

Complainant:

Name:

Workplace:

Contact Phone:

Email:

Accused:

Name:

Workplace:

Contact Phone:

Email:

1) Detailed Description of the Facts:

2) List of Evidence/Documents Provided:

3) Names of Potential Witnesses:

4) Location, Date, Signature of the Complainant

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