



Soltec

Action Protocol for Work Harassment Cases

GP-EHS-0017_en

Change Control

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1 Introduction

The company SOLTEC ENERGIAS RENOVABLES, S.L. and its subsidiaries (hereafter SOLTEC) prevent work harassment by not tolerating its occurrence and rooting out any harassment-related behavior; on the one hand, the company does not accept any form of work harassment and, on the other hand, it rolls out coherent prevention actions and sanctions when applicable.

Respecting people's dignity and privacy, combating all forms of discrimination, promoting effective equality between men and women, as well as ensuring physical and moral integrity, security and safety, are fundamental rights of all SOLTEC personnel.

With the aim to protect recognized individual rights, SOLTEC, committed to developing an organizational culture with norms and values combating harassment, establishes the right of workers to being treated with respect and dignity as a basic principle.

SOLTEC commits to implementing procedures for prevention, detection and eradication of psychosocial risks for employees, ensuring a documented action process is in place in case of harassment-related behaviors.

This "Action Protocol for Work Harassment Cases" sets the general action framework for Soltec's harassment prevention and detection policy.

2 Purpose

This protocol establishes the action framework applying to psychological or moral harassment, sexual harassment and discriminatory harassment, with the main purpose of preventing these behaviors at SOLTEC.

Specific objectives

1. Launching prevention-based actions to eradicate any behavior that could lead to harassment at the workplace.
2. Developing a formal action plan to respond to potential behaviors of moral, sexual or discriminatory harassment at the workplace.
3. Establishing an action procedure to efficiently and quickly address incipient claims and prevent conflict occurrence. This would contribute to minimize negative consequences for people and the organization.

Since conducts constituting harassment do not only affect the workers directly involved but also their immediate environment and the company as a whole, Soltec commits to preventing harassment and to addressing claims in line with the following *PRINCIPLES*:

- Everyone has the right to be treated with fairness, respect and dignity, honoring their privacy and physical and moral integrity, not tolerating any form of humiliation, degradation or offense because of their place of birth, race, sex, religion, opinion or any other personal or social situation or condition.
- Any harassment behavior is not only an offense to equal treatment, but also a serious misconduct which will not be tolerated. As a result, the company commits to ensuring a harassment-free work environment.

- Employees have the right to effective protection in the area of work health and safety, which means the company has the obligation to protect them through occupational health and safety policies.
- The company safeguards the right of workers to use the procedures associated to this Protocol, without fear of retaliation or unfair, discriminatory or unfavorable treatment. This protection will be ensured for people putting forward a claim, people providing information related to the claim or helping in any way within the framework of any procedure included in this Protocol.

3 Scope of Application

This protocol applies to all personnel working for the company SOLTEC and subsidiaries. Contractor companies are not included within the framework of this Protocol.

4 Referenced definitions

4.1 Psychological or Moral Harassment at the Workplace

This refers to behaviors of **intense psychological violence** from one or more individuals in a **position of power** (not necessarily hierarchical), against one or more persons with the aim to create an intimidation environment affecting the work life of the victim over a **repeated and prolonged period of time**. This violence occurs within the framework of a **work relationship** but has nothing to do with organizational business needs, resulting in an attack on individual dignity and a health risk.

This type of behavior, exercised over a repeated and prolonged period of time, is intended to psychologically annihilate the victim. Here are some characteristics of this behavior:

- The harasser, as an individual actively involved in the harassment or tolerating it, aims to damage the psychological integrity of the worker or ignore his/her obligation to protect others.
- It results or could have resulted in psychological damage.
- It happens systematically and repeatedly over specific periods of time as part of a preconceived plan to damage the psychological integrity of the employee.
- It occurs over a significant period of time.

There is a severe type of harassment, defined **under criminal law**, which refers to hostile or psychological harassment at the workplace intended to humiliate the victim and results in serious offenses to individual dignity.

On the other end, there are behaviors not considered harassment by law but rendered reprehensible and punishable, although not constitutive of work harassment in the strict sense of the words.

These examples are **NOT** considered Psychological Harassment:

- Behaviors resulting from a symmetric relationship and leading to a work conflict between both parties, either in a specific moment in time or permanently. It is clear that although any conflict impacts the work environment and affects the organization and labor relations, it cannot be considered “psychological harassment” unless the characteristics mentioned in the definition are present.
- When Work Violence actions are exercised from a position of power over the victim but do NOT occur over a repeated and prolonged period of time. This can refer to a significant situation of “psychological risk at the workplace” that is not repeated and prolonged, either because they are occasional or because they were reported at an early stage. These violent behaviors should be prevented and/or eliminated as soon as possible, sanctioning the individuals who conducted them, if applicable. It is important to consider that unless these situations are tackled promptly, they will most likely get worse and could lead to harassment.
- Isolated act: an argument, a moody day, a justified change of location or work center without being asked or an unscheduled shift turnover, among others.
- Legitimate pressure exerted by the boss to promote more or better work.
- Task control or supervision provided it does not affect employee dignity.

A useful reference to determine if a person is subject to Work Harassment is the ***Incidents Log*** (see Annex 2) published by Spain’ National Institute of Occupational Health and Safety. This reference can be used by company personnel prior to the activation of this Protocol to determine if a situation of risk exists.

This reference allows alleged harassment victims to define the work scenarios in which there is conflict with other coworkers and could potentially lead to harassment.

The ***Incidents Log*** is intended to prevent harassment risks or discard the possibility of being a harassment victim. This is ensured by providing a methodical description of potential harassment behaviors and offering companies primary intervention options (in accordance with applicable regulations) for early detection of latent conflicts to avoid or minimize the negative consequences associated to harassment behaviors, even before this Protocol is activated.

To know more about the ***Incidents Log***, see Annex 2.

4.1.1 Types of Harassment at the Workplace

There are three different types of harassment:

- ***Top-down harassment:*** Prolonged, systematic pressure exerted over time by a line manager onto one or more workers.
- ***Horizontal harassment:*** Prolonged, systematic pressure exerted over time by one or more employees onto one worker.
- ***Down-top harassment:*** Prolonged, systematic pressure exerted over time by one or more workers onto their boss.

4.1.2 Harassment Phases

Harassment, as a bullying situation occurring over time, is a process comprised of the following phases:

Conflict phase: Conflict occurrence: occasional personal disputes, different opinions, different objectives, personal frictions. A good or neutral interpersonal relationship can rapidly turn negative.

Stigmatization phase: This begins when one of the parties in the conflict exhibits conducts defined as harassment. What could start as a conflict between two people may lead to a conflict in which multiple individuals show harassing behaviors against a coworker. This phase extends over time due to avoidance or negation by the affected individual, other coworkers or even management.

Company intervention phase: Depending on the leadership style, measures intended to positively solve the conflict (change of position, promoting dialog amongst the parties, etc.) may be implemented. A measure commonly implemented is to change the workstation of the harassed individual, an option that may further increase the feeling of guilt by this person.

Work life exclusion or marginalization phase: During this phase the worker alternates periods of work with others of extended absence. This leads to various pathologies resulting from the harassment phase, including social, psychological and physical effects.

4.1.3 Levels of harassment

Harassment levels are determined by the intensity, duration and frequency with which the different harassment conducts occur. There are three levels:

1. **First level:** The victim is able to face the attacks and stay at the workplace, meaning his/her personal relationships are usually not affected.
2. **Second level:** The victim has difficulties to avoid the attacks and humiliations, making it hard for the individual to stay or come back to the workstation. Family and friends tend to play down the situation.
3. **Third level:** Going back to work is practically impossible and the victim has been damaged to the extent that psychological treatment is required. Family and friends are aware of the severity of the situation.

4.2 Sexual Harassment and Sexual Discrimination

For general purposes, let's take as reference Spain's Organic Law 3/2007, dated March 22, on effective equality between men and women. Article 7 of this Law defines both sexual harassment and sexual discrimination.

"Sexual Harassment" is defined as *"any verbal or physical behavior of a sexual nature intended to or resulting in damage on a person's dignity, especially when an intimidation, degrading or offensive environment is created."*

As for “**Sexual Discrimination**”, it refers to *“any behavior based on the sexual orientation of a person with the aim or effect of attacking their dignity and creating an intimidation, degrading or offensive environment.”*

If the work environment is considered, sexual harassment and sexual discrimination are two terms referring to a conduct of a sexual nature or other sex-based behaviors that affect the dignity of a woman or man at the workplace.

4.2.1 Sexual Harassment

Although reference literature definitions may sometimes be different, all include the same key elements:

- A person being the target of an unwanted conduct. In this context, unwanted means:
 - The person does not request or start this action.
 - The person considers this fact as unwanted and offensive.
- Three types of conducts must necessarily exist: proposal or request of a sexual nature, persistence of this proposal in time and rejection by the person receiving the proposal.
- Behavior of a sexual nature or with sexual connotations.
- Conducts of a sexual nature or with sexual connotations include a wide range of behaviors and actions, some minor (offensive jokes, rude or degrading comments on the appearance of a person) and others severe and potentially resulting in criminal offense (forcing someone into having sex, etc.). These conducts can be verbal, non-verbal or physical.
- The intent or effect is to damage the individual's dignity or to create an intimidating, hostile, degrading, humiliating or offensive environment.

It is important to emphasize that the lack of intention of the individual behaving offensively does not exclude his/her responsibility (otherwise the harassed person would have no choice but to accept and tolerate any type of offensive conduct in cases when no intent to hurt exists).

Creating an intimidating, hostile and humiliating environment usually implies repeated offensive conducts or actions.

It is important to consider that when isolated or infrequent behaviors are significant enough, they could be classified as sexual harassment. Otherwise, it is necessary that repeated, recurrent offensive actions or behaviors exist.

As an example, non-limiting or exclusive, the following behaviors, individually or combined and considering whether they are repetitive or recurrent, may reveal a conduct of sexual harassment:

- Verbal:
 - Making obscene sexual comments.
 - Making offensive sexual jokes.
 - Addressing someone in a degrading or obscene way.
 - Spreading rumors on the sexual life of a person.

- Asking or explaining sexual fantasies or preferences.
- Making rude comments on the physical appearance or body of a person.
- Speaking about one's sexual capacity or skills.
- Recurrent invitations to participate in social leisure activities, even when the person invited has clearly said that he/she does not want to or think it is inappropriate.
- Offering or pressuring to have a sexual encounter or compromising date.
- Requests for sexual favors.
- Non-Verbal:
 - Leering looks.
 - Obscene gestures.
 - Use of graphs, vignettes, drawings, pictures or Internet images of explicit sexual content.
 - Letters, messages or emails containing offensive sexual comments.
- Physical:
 - Excessive physical proximity.
 - Cornering someone with the clear intention of unnecessarily staying alone with the person.
 - Deliberate, unrequested physical contact (unwanted pinching, touching or massaging).
 - Intentionally touching private parts or pretending they were touched accidentally.

There are two types of sexual harassment depending on whether blackmailing exists or not: harassment resulting from a hostile work environment and «quid pro quo» harassment.

Exchange harassment (or «quid pro quo»)

There is sexual blackmailing (this in exchange for that), meaning an employee has to choose between tolerating sexual requests and totally or partially losing some work benefits or conditions.

A person's refusal to consent to sexual conducts is used to deny that person access to training, a job position, a promotion, a pay rise or any other work-related aspect.

It implies abuse of power. This type of harassment implies the harasser holds a position of power to decide on work-related aspects, that is, the harasser has a higher hierarchical position: business person, company manager or legal representative with hierarchical authority over the harassed individual.

Harassment causing a hostile work environment.

This type of behavior leads to an intimidating, hostile and offensive work environment: comments of a sexual nature, jokes, etc. (it usually implies repeated, recurrent actions depending on the severity of the behavior).

It can be exerted by coworkers or third parties who interact with the company one way or another.

It is also important to consider the type of link between the harassed and harassing persons:

- Horizontal harassment: between coworkers.
- Top-down vertical harassment: manager - employee.
- Bottom-top vertical harassment: employee - manager.

4.2.2 Sexual Discrimination

Any situation involving an unwanted behavior based on the sexual orientation of a person with the aim or effect of attacking the dignity of that person and creating an intimidating, degrading, humiliating or offensive environment.

Key elements of this definition:

- A person being the target of an unwanted conduct.

This element is identical to that described in the previous section (sexual harassment).

- It relates to the person's sexuality.

The following situations of sexual discrimination damaging a person's dignity include attacks:

- On a male or female employee simply for being a woman or a man.
- On a female employee simply for being pregnant or a mother.
- On a worker because of his/her gender (having a sexual behavior differing from cultural expectations) or because of exercising his/her right to balance out their professional and personal life.
- On a worker because of their sexual orientation.
- The intent or effect is to damage the individual's dignity or to create an intimidating, hostile, degrading, humiliating or offensive environment.

This element is identical to that described in the previous section (sexual harassment).

As an example, non-limiting or exclusive, the following behaviors could be considered sexual discrimination:

- Discriminatory conducts against a woman just for being a woman or a man.
- Addressing an individual offensively.
- Ridiculing, disdain, the skills, abilities and intellectual capabilities of women or men.
- Making sexist jokes.
- Looking down on the work made by women or men.
- Ridiculing individuals who undertake tasks traditionally associated to the other sex.
- Ignoring someone's contributions, comments or actions (excluding, not taking seriously).

4.3 Discriminatory Harassment

For general purposes, let's take as reference Article 7 of Spain's Law 51/2003, dated December 2, on effective equality, non-discrimination and universal access for handicapped people and Title 2 of Law 62/2003, dated December 30, on fiscal, administrative and social measures. These two laws define Discriminatory Harassment as:

- Any conduct of unfair and unfavorable psychological violence against others merely because:
 - Of their different social category or group, including race, ethnic origin, disability, sexual orientation, political affiliation or trade union membership.

These conducts are legally classified as harassment when their aim or consequence is an attack on the dignity of the harassed person and creating an intimidating, humiliating or offensive environment.

5 Action Procedure

5.1 Action Procedure in case of Work Harassment Claims

General criteria regulating actions and procedure guarantees.

Any action relating to work harassment must aim to favor prompt detection and action, thus preventing conflict deterioration and, above all, minimizing conflict consequences for affected employees.

When a conduct potentially constituting work harassment is detected in any Soltec work center, the guidelines included in this Protocol need to be followed.

The procedure must adhere to the following principles and guarantees:

- Respect and protection of people: it is necessary to exercise discretion in order to protect the privacy and dignity of affected individuals. Actions or proceedings must be implemented with extreme caution and respect for all parties involved, none of which should be unfavorably treated as a result of this situation. Stakeholders can be assisted by an advisor throughout this procedure, if required.
- Confidentiality: People intervening in this procedure must observe confidentiality and discretion and cannot transmit or disseminate information on communication contents or ongoing investigations.
- Proceeding: Investigation and resolution of reported conducts must take place without undue delays to prompt procedure completion in compliance with applicable guarantees.
- Contradiction: The procedure must ensure fair hearing and equal treatment for all affected individuals. All parties must search the truth and clarify reported facts in good faith.

- Restoration for the victims: If harassment resulted in worsened working conditions for the victim, such conditions must be restored to their original situation, in agreement with the victim and within the possibilities of the organization.
- Health protection for the victims: The company must take all the measures considered necessary to safeguard health protection rights for affected workers.
- Retaliation is prohibited: Retaliation against people who report facts, testify as witness or help or participate in a harassment investigation, needs to be explicitly prohibited.

Within the context of this protocol, it is necessary to consider the following:

- Any employee has the right and obligation to:
 - Inform line managers about possible work harassment cases they know of.
 - Be assisted by someone they trust throughout the process.
 - Receive information on claim progress.
 - Receive information on resulting corrective actions.
 - Be treated fairly.
 - Alleged work harassment victims can inform/report his/her situation to the Company, EHS/ HR Departments.
- The person accused of work harassment has the right and obligation to:
 - Be informed about the claim.
 - Receive a copy of the claim and respond.
 - Be assisted by someone they trust throughout the process.
 - Receive information on claim progress.
 - Be treated fairly.

Fake claims

If it is determined that the reported work harassment did not actually occur and that bad faith existed, the necessary disciplinary measures will be implemented.

External claim options in case of work-related violence

The opportunity and convenience of launching a process external to the company will depend on various factors, including the following:

- The severity and scope of the incident(s).
- The position of the alleged harasser in relation to the harassed individual (significant differences in power, status, etc.).
- The will of the alleged victim.
- When the result of internal proceedings is rejected or the conflict remains unsolved.

- Court proceeding.

- Filing a complaint under social law.
- Filing a lawsuit under criminal law.

Alleged harassment victims could terminate in-house resolution proceedings at any time by initiating court proceedings, meaning judicial ruling would prevail in aspects relating to the claim, requirements, procedure, timelines, tests, appeals, etc.

Although employees can initiate this resolution option at any time, the company would prefer exploring all other alternatives included in this procedure before that happens.

5.2 Action Phases

5.2.1 First Phase. Procedure roll-out: Request for intervention

START: Intervention request document. **See Annex 3**

Legitimacy. - Legitimacy to launch this procedure is given to:

- a) The person affected.
- b) Employee representatives and/or officials in the area where the parties provide their services.
- c) The External OHS Service, through data obtained during specific Psychosocial Risk Assessment, Workforce Health Surveillance and Initial Risk Assessment Surveys.
- d) Any employee aware of a potential harassment conduct in the work environment can request the implementation of the procedure described in this Protocol.
- e) The managers of the affected work center or department can request the implementation of this procedure when they have reliable information to justify it.

When the information does not come from the potential victim, the organization needs to confirm the situation and, once confirmed, roll out the actions foreseen in this Protocol.

In cases b, c, d and e the alleged harassment victim needs to be informed of procedure initiation.

The intervention request needs to be presented within six months after knowing about the potential work harassment scenario.

Intervention request report:

The request (**Annex 3: FO-EHS-0021_en**) must contain at least:

- The requester name and contact info (phone number, address, email, etc...).
- Identification of the individuals presumably being harassed.
- A chronological, detailed description of the facts.
- Names of witnesses, if available, whose testimonies the complainant would like the In-house Investigation Commission to listen to.
- Copy of documents or other information considered relevant.
- Intervening parties have the right to be supported by representatives or advisors.

The request must be submitted in writing to the EHS Department management and/or Human Resources Department management.

The Department receiving the request must immediately inform the other Department so that both EHS and Human Resources are aware of the situation. Once the request is received, it must be submitted to Corporate Management in less than 24 hours so that an initial assessment can be made.

Strict confidentiality will be observed to respect the privacy rights of all parties involved. The processing of personal data generated within the framework of this procedure must comply with Spain's Personal Data Protection Act 15/1999 dated December 13, or equivalent regulation in the country where the claim is presented. If that country has no regulation on this topic, the Spanish law will apply.

5.2.2 Second Phase. Initial Assessment

Once the claim report has been provided to Corporate Management, an initial assessment will be made by Corporate Management and the EHS and Human Resources Department Managers (Initial Assessment Committee). A negative decision needs to be reasoned and then returned and filed.

After initial assessment of the reported claim, complementary actions to properly illustrate proceedings can be initiated, requesting the necessary reports, interviews or hearings. The Occupational Health and Safety Service will be informed of Protocol activation when necessary so that it can provide external contributions and opinions.

To ensure protection of people involved in the process and have an initial hearing with them, the Initial Assessment Committee can implement temporary measures or proceedings to prevent further damage, for example relocating involved employees to job positions in which they do not need to interact with one another.

The data gathering process starts with the request for background information to the departments involved, analysis of personal files and other relevant aspects. These proceedings need to be implemented promptly and under the highest levels of confidentiality, discretion and participation by all stakeholders. If necessary, affected individuals and some witnesses or people of interest will be interviewed. In any case, claim investigations will be conducted under the highest levels of sensitivity and respect for the rights of the parties involved, both the alleged harassing and harassed individuals.

During these interviews, both plaintiff and defendant can be assisted, if expressly requested, by an advisor or representative of their choice.

Prior to preliminary investigation completion, the Initial Assessment Committee will issue an **initial assessment report** containing conclusions and proposals within 10 working days after claim filing.

In this phase, four types of situations to be assessed by the Initial Assessment Committee can occur:

- Minor conflict. After studying the subject, the Initial Assessment Committee puts together a resolution proposal.
- Psycho-Social conflict. The EHS Department puts together a resolution proposal.

- Disciplinary responsibility. The Human Resources Department imposes disciplinary actions.
- Work harassment. After studying the subject, the Initial Assessment Committee puts together a report and a resolution proposal.
- Reasonable assumption of work harassment signs, even if the Committee is not yet in a position to issue an accurate assessment.

5.2.3 Third Phase. Resolution Phase: Alternatives

Based on the initial assessment report and initiatives rolled out, suitable actions must be implemented and one of the following alternatives be chosen:

- 1^a. Filing the intervention request after thorough assessment, for example in cases of withdrawal (unless claim investigations continued); lack of purpose or insufficient evidence; or preliminary actions successfully solving the content of the intervention request. In this case it is necessary to inform that the intervention request is filed.
- 2^a. If the testimonies or data provided in the initial assessment report are considered false or if bad intention is noticed in the application request for this Protocol, disciplinary proceedings could be initiated against the people who initiated or participated in proceedings implementation.
- 3^a. If the report concludes that the work conflict is the result of interpersonal issues or other psychosocial risk situations, one of the following measures will be implemented if applicable:
 - a) *In case of conflict*: Solve interpersonal conflicts or propose a “mediator”, to be accepted by the parties.
 - b) *In case of “other problems” within the scope of psychosocial risks*: Implement the corrective actions suggested by the initial assessment report, if any, or have the Occupational Health and Safety Service carry out a Psychosocial Risk Assessment or update of the situation.
- 4^a. If the report concludes *it is a disciplinary offense*, the Human Resources Department will be informed with the aim to initiate disciplinary proceedings.
- 5^a. If reasonable evidence of work harassment is identified, Corporate Management will implement the necessary measures, including the following:
 1. **Implementation of actions to immediately terminate harassment.**
 2. **Classified information proceedings will be initiated, in line with action protocols.**
 3. **Request to open a disciplinary file.**
- 6^a. The initial assessment report evaluates all communications or claims and includes all the information gathered and interviews conducted. If this initial assessment report concluded there are signs of a work harassment case against personnel in the company, even if conclusive data is not yet available, an **“Advisory Committee for Harassment Situations”** called to this effect will begin to study the initial assessment report and all other information available.

1. Establishment of an Advisory Committee.

Acceptance of the initial assessment report, which determines the alleged harassment exists, will result in the establishment of an Advisory Committee within ten working days, as specified in the terms of **point 8**.

During Advisory Committee establishment, an appointed Committee member will be designated as instructor.

2. Investigation

The Advisory Committee, after analyzing the initial assessment report, can terminate the investigation if no signs of work harassment are identified.

If the Advisory Committee decides to continue with the procedure, the Committee instructor can carry out actions to collect additional information and determine whether sufficient work harassment evidence exists.

Upon investigation completion, the instructor will draft a report to be presented before the Advisory Committee. The period to gather information and draft the corresponding report should not exceed fifteen working days.

The entire company has the obligation of collaborating with the instructor throughout the investigation process.

3. Drafting the Advisory Committee conclusion report

Once Advisory Committee investigations are completed, the procedure instructor will send the conclusion report to Corporate Management, the Human Resources Department, the EHS Department and the OHS Department.

Within 15 working days after receiving the report, it is possible to:

- Determine there is no harassment and archive the file. Having said that, it is possible to propose measures to improve the situation. Promote the initiation of disciplinary proceedings due to serious harassment offenses and, if applicable, propose corrective actions.
- If it is considered that the actions carried out by personnel could constitute a criminal offense against legally recognized rights, applicable procedural regulations will be followed.
- If an offense other than harassment is detected, corrective actions will be proposed with the aim to address the situation. If applicable, a disciplinary file could be issued.

5.2.4 Communication of Actions

Resolutions from activation of this work harassment action Protocol will be communicated to process stakeholders.

6 Follow-up and Control

Follow-up and control of proposed corrective actions will correspond to the Departments of Human Resources and EHS, which should keep Corporate Management informed at all times. When there are victims, it is essential to support them and to facilitate their rehabilitation, if need be.

It is necessary to have statistical registry and monitoring in the case of confirmed work harassment cases, informing the OHS service.

7 Work Harassment Prevention and Action Measures

7.1 Work Harassment Prevention

The first and most important way to prevent work harassment is to have a solid organizational design, as recommended for psychosocial risk prevention. This design needs to be complemented with an adequate psychosocial risk evaluation and control system.

In relation to these aspects and with the aim of having an optimal work environment and preventing work harassment at SOLTEC, preventive actions must adhere to the following guidelines:

- Respect for Psychosocial and Ergonomics criteria favoring a good work design.
- Design and apply an adequate psychosocial risk evaluation and control policy.

The EHS Department will be in charge of proposing and promoting preventive measures in each case. In all cases, it is essential that SOLTEC Corporate Management supports the measures presented by the EHS Department.

7.2 Drafting Specific Awareness Strategies

Beyond implementing actions and improving psychosocial conditions at the workplace, it is also necessary to develop specific preventive strategies directly preventing or minimizing harassment conducts.

In this regard, the EHS and Human Resources Departments, with the collaboration of the Occupational Health and Safety Service, will promote and implement specific programs intended to:

- Provide training on conflict prevention and resolution, especially for managers, so that these can recognize and tackle potential conflicts at an early stage.

- Integrate in their training a clear definition of “mandatory” behaviors and “inadmissible” behaviors. These will apply not only to their workers, but to themselves.
- Organize informative sessions for groups of managers and people in charge of the prevention and management of harassment cases. During these sessions, it is important to provide enough information to ensure the company's rejection to work harassment cases is fully understood and prevention and/or resolution procedures are known.
- Ensure cross-functional integration of company principles and commitments in the continuous training program.

Protocol Dissemination:

- Drafting and disseminating informative documents on risks and preventive measures.
- Conducting informative sessions for employees and their representatives to talk to them about rights, regulations and laws protecting them, existing sanctions and the procedure activating this protocol. They should also be informed on liabilities resulting from false or unfair claims.
- Disseminating information on the administrative harassment procedure.
- Informing new recruits on the harassment protocol.
- Having a suggestion box to anonymously report potential work harassment conducts or suspicions, or simply to share improvement proposals.
- To anonymously make inquiries and be advised on harassment issues, please phone our Occupational Health and Safety Service: +34 968 964 144.

8 Advisory Committee

8.1 Members

The Advisory Committee should include:

- A Corporate Management representative.
- A Human Resources Department member.
- An EHS Department member.
- An Applied Psycho-sociology expert designated for that purpose (if considered necessary by the Committee)

Group components will be designated by Soltec's Managing Director (COO, Country Manager).

Committee member designation should ensure personal, emotional and organization autonomy between comprising members and the individuals affected by this procedure.

8.2 Advisory Committee Operation

Committee operation will be determined by:

- Spain's legal and conventional work harassment regulations or by the regulations of the subsidiary where the problem occurs.
- Applicable European Union harassment directives.
- Provisions included in this protocol.
- Operating rules determined by the Committee.

8.3 Conclusions / Recommendations Report

The conclusions and recommendations report needs to include at least the following information:

- Composition of the advisory committee/group.
- Background of the case, claim and circumstances.
- Previous actions: assessments and initial case report.
- Actions. (Testimonies; tests; summary of main facts)
- Conclusions.
- Proposed measures.

9 Recommended Regulations and Literature

U.S.A.:

- Civil Rights Act of 1964.
- Occupational Safety and Health Act of 1970.
- United States Department of Labor Manual Series, Chapter 700: "Policy and Procedures for Preventing and Eliminating Harassing Conduct in the Workplace"

Spain:

- Constitución Española de 27 de diciembre de 1978
- Ley 31/1995 de 8 de noviembre de Prevención de Riesgos Laborales.
- Real Decreto 39/1997, de 17 de enero, por el que se aprueba el Reglamento de los Servicios de Prevención.
- Ley 15/1999, de 13 de diciembre, Protección de Datos.

- Ley 51/2003, de 2 de diciembre, de igualdad de oportunidades, no discriminación y accesibilidad universal de las personas con discapacidad.
- La Ley Orgánica 3/2007, de 22 de marzo, para la Igualdad efectiva de mujeres y hombres, que plantea específicamente la actuación frente a los acosos de tipo sexual y por razón de sexo.
- Código Penal. Ley Orgánica 5/2010, de 22 de junio, por la que se modifica la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal. BOE Núm. 152 de 2010
- NTP 476: El hostigamiento psicológico en el trabajo: mobbing. I.N.S.H.T.
- NTP 489: Violencia en el lugar de trabajo. I.N.S.H.T.
- NTP 854: Acoso psicológico en el trabajo: definición. I.N.S.H.T.
- NTP 891: Procedimiento de solución autónoma de los conflictos de violencia laboral (I).
- NTP 892: Procedimiento de solución autónoma de los conflictos de violencia laboral (II).
- Dirección General de Inspección de Trabajo y Seguridad Social criterio técnico 62/2009.
- Dirección General de Inspección de Trabajo y Seguridad Social, 34/2003 sobre MOBBING.
- Resolución Del Parlamento Europeo sobre el acoso moral en el lugar de trabajo. (2001/2339(INI)).

Mexico:

- Ley Federal del Trabajo.
- Ley General para la igualdad entre mujeres y hombres.
- Ley General de acceso de las mujeres a una vida libre de violencia.
- Código Penal Federal.

Brazil:

- Lei nº 10224, de 15 de maio de 2001.
- Assédio Moral, conhecer, prevenir, cuidar, Ministerio da Saude 2015.
- Assédio Moral e Sexual no Trabalho, Ministerio do Trabalho e Emprego, 2010.
- Código Penal do Brasil.
- Lei nº 13185 de 6 de novembro de 2015.

Chile:

- Ley Número 20607 que modifica el Código de Trabajo, sancionando las prácticas de acoso laboral.

- Código del trabajo.
- Ley 20005 tipifica y sanciona el acoso laboral.

Peru:

- Ley Nº 27942. Ley de Prevención y Sanción del Hostigamiento Sexual.
- Ley Nº 29944. Ley de Reforma Magisterial.
- Ley Nº 30057. Ley de Servicio Civil.
- Ley Nº 29497. Nueva Ley Procesal del Trabajo.
- Código Penal Peruano.

Annex 1: Conducts which Are and Are Not Work Harassment

Psychological harassment against an individual can take many different forms. The conducts listed below can occur in an isolated, simultaneous or consecutive manner. In terms of psychological harassment, the harassment victim will most likely show signs of the conducts listed below.

NON-EXHAUSTIVE LIST OF CONDUCTS RELATED TO HARASSMENT SITUATION (CLASSIFIED PER TYPE).

a) Attacks on victims by means of organizational measures:

- Measures aimed at excluding or isolating a person from professional activities.
- The line manager repeatedly limits the possibilities of a person to talk.
- Abuse of power through persistent disregard or by setting targets within unachievable deadlines or assigning impossible tasks.
- Abuse of power by which the worker is continually not given a task or information without justification.
- Abuse of power by continuously allocating the worker to useless/unproductive tasks with the aim to humiliate him/her.
- Excessive control over a person's performance.
- Disproportionate distribution of the workload, assigning the worker an excessive load compared to his/her coworkers.
- Not including the worker in meetings with coworkers.

- Not providing the worker with instructions or orders needed to do his/her job or providing erroneous information. Giving contradictory orders.
 - Assigning tasks for which the employee is not qualified or is overqualified.
 - Prohibiting other employees to interact or share work-related information with the worker.
 - Blaming the worker for errors he/she did not make and then sharing those false accusations with managers or employees of any department.
- b) Attacking the social relationships of the victim:**
- Prohibiting collaborators from taking to a specific individual or restricting interactions with coworkers.
 - Refusing to communicate with the victim by means of looks and gestures.
 - Refusing to communicate with a person by negating the possibility of direct communication with that person.
 - Not talking to someone.
 - Treating someone as if he/she was not present. (Ignoring).
- c) Attacking the private life of the victim:**
- Permanently criticizing a person's private life.
 - Systematically ridiculing a person's private life.
 - Making comments about the person having psychological problems.
 - Making fun of a person handicaps.
 - Imitating someone's gestures, voice, etc.
 - Making someone look stupid in a repetitive and recurrent way.
 - Making terrorizing phone calls to the victim.
 - Spreading rumors on the person's private life.
- d) Verbal aggressions:**
- Repeated screams or insults.
 - Permanent, nasty criticism on someone's performance.
 - Recurrent verbal threats, coercions and bullying.
- e) Rumors:**
- Repeatedly putting someone down behind their back.
 - Spreading false rumors on a person's work or private life.

NON-EXHAUSTIVE LIST OF SITUATIONS NOT CONSIDERED PSYCHOSOCIAL HARASSMENT

- A one-off, specific violent event (not extended in time)
- Irregular organizational actions affecting the group
- Legitimate pressure to comply with agreements or existing regulations
- An isolated conflict
- Constructive, explicit, justified criticism.
- Supervision-control and the display of authority, provided interpersonal respect exists.
- Arbitrary or excessively authoritarian behaviors impacting the group.

Annex 2: Incidents Log

The purpose of the **incidents log** is to identify possible cases of Psychological Work Harassment (PWH).

PWH is defined as:

Exposure to behaviors of psychological violence from one or more individuals in a position of power (not necessarily hierarchical), against one or more persons over a repeated and prolonged period of time. This exposure occurs within the framework of a work relationship and results in a significant health risk.

This instrument allows the individual being affected by this situation to define the work scenarios in which there is conflict with other coworkers and could potentially lead to harassment.

Using this log could contribute to find preventive solutions and coping strategies, together with specialized professional support, or could be useful to discard the possibility of harassment.

However, this instrument does not unequivocally identify the existence of a PWH scenario. At the earliest stage, it is recommended to go to the company's EHS or HR Department to inquire on any situation perceived as potential harassment. It is recommended that in case of doubt, implementation of the action procedure or protocol for PWH cases is recommended.

It is important to consider that in the case of harassment scenarios, both the OHS Service and other preventive organization agents in the company, have the obligation and commitment to ensure the confidentiality of all elements and people within the scope of this instrument.

How can this log help?

It is proven that when people are victims or even witnesses of violent situations, the memory of that situation tends to change or be altered over time: **Memory of the facts**. Sometimes they are partially or totally forgotten. Thus, it is very important to record, as soon as possible, any type of behavior affecting us, considered offensive, etc.: **Facts will be remembered more vividly**. It is also

essential to write down all associated circumstances within twenty four hours after the situation started or occurred.

It is important to differentiate between the behaviors of clients, suppliers, etc. (“external personnel”) and those of staff. When contractors are involved, insults, threats, etc. should be communicated to SOLTEC prevention personnel, without recording it in the incidents log.

It is also important to differentiate between harassment conducts and conflicts, discrepancies, arguments, differing opinions, etc. resulting from the discussion of task-related aspects (work procedures, etc.) and discrepancies relating to hobbies, preferences and likes (politics, sports, etc.) which could be “annoying” but cannot be considered PWH.

Lastly, over the last few years and as a result of the increasing awareness of harassment situations, some individuals have tried to be seen as harassment victims or magnified dissenting behaviors during their interactions in the company to obtain some kind of benefit.

In short, using the incidents log can be useful for staff and the organization.

1. **RECORD** in the incidents log (page 24) any psychological violence conducts detected.
2. **CHECK** (page 26) whether those conducts could be an indication of Psychosocial Harassment at the Workplace.
3. **TAKE** the incidents diary to the company's EHS or HR Department.

How to use the incidents log?

If you think someone in your company has carried out psychological violence behaviors or actions against you (see described types in Table 1) and when you consider that a new action is carried out or an old one repeated, please complete the boxes in one of the table rows in the next page. If you need to fill the table out, please consider the following:

- **Date:** Day when the action or behavior took place. If a number of actions or behaviors occur in the same day, use a different row each time.
- **Time:** Time when the action or behavior took place.
- **Type(s) of conduct(s):** The definition refers to “exposure to psychological violence conducts”. *What is a psychological violence conduct?* **Table 1** presents a number of examples. Specify the applicable number in the incidents log column (you can write more than one).
- **Place:** Record where the conducts occurred (see **Table 2**).
- **Who carries out the conduct?** Identify the individual(s) who carried out the action. Please follow these instructions:
 - To fill out this column, you need to create a coded list of people.
 - Assign a number to each person who carried out a harassment behavior.
 - Keep the list in a safe place (e.g. at home).
 - Every time a person in the list offends you, write down their number in the box.
 - If a group of people acted together or consecutively, write down their assigned numbers.
- **People present:** It refers to other people present when the action occurred who did not take part and remained as silent witnesses or “on our side”. As in the previous example, use the coded list and assign a number to the people who were present and did not actively participate in the event.
- **Other people affected:** Other people present when the action occurred who were somehow affected by it. As in the previous example, use the coded list.
- **What to do:** Describe your behavior during and after the action. Classify the behavior in accordance with the list in **Table 3**.
- **How it affects me:** On a scale from 0 to 10, please grade the extent to which the situation affected you. You can refer to the options in **Table 4** for help.

Date	Time	Type(s) of conduct	Location	Who carries out the conduct?	People present	Other people affected	What to do	How it affect me
dd/mm/yy	hh:mm	Table 1	Table 2	Personal code	Personal code	Personal code	Table 3	Table 4

REMEMBER:

1. After the event, write down the information as soon as possible not to forget any detail.
2. If a number of actions or behaviors occur in the same day, use a different column each time.
3. Tables 1, 2, 3 and 4 are in the next page.
4. In columns referring to specific people, please use the ID code you included in a list next to the person's name. Keep the list in a safe place (e.g. at home).

TABLE 1: TYPE OF CONDUCT	Code
They shout at me.	1
They give me less responsibilities, tasks, etc., without sufficient explanation.	2
Abuse of power (they don't let me do my job, they set unachievable tasks for me, they reduce significantly my task completion timelines, they intimidate me or threaten me with degradation, dismissal, transfer, etc.).	3
They criticize my job constantly or excessively. They put me down. They are too offensive when assessing my performance.	4
Excessive supervision: my job, my work hours, etc.	5
They exclude me from work meetings, work-related social gatherings, etc. (breaks, meals, dinners, etc.).	6
They blame me for situations not caused by me.	7
They mock me, make fun of me or spread nasty rumors about me, including things not related to work.	8
They reject reasonable requests for holidays, activities outside of work, etc.	9
They don't greet me, they don't talk to me. They behave as if I wasn't there, etc.	10

TABLE 2: LOCATION	Code
In my workstation (isolated).	1
In the workstation of another person.	2
In a workstation-office-room shared with coworkers.	3
In the meeting room.	4
In the break room or transit areas.	5
Outside the work environment (bar, street, restaurant, etc.).	6

TABLE 3: WHAT TO DO	Code
I do nothing, I don't respond, I hold back or go somewhere else.	1
I try to respond/discuss but their conduct continues or worsens.	2
I respond/discuss and their conduct ends.	3
I respond vehemently and the situation turns into an open dispute.	4
I speak to my bosses, coworkers or employees about the situation (or to prevention agents, OHS personnel, etc.).	5

TABLE 4: HOW IT AFFECTS ME	Code
It bothers me, but my mood remains the same.	1
It bothers me and I feel slightly upset.	2
I get upset but in less than two hours I am back to my regular mood.	3
I get upset and it takes me over because I can stop thinking about what happened.	4
I get really upset. I cannot stop thinking about what happened and it really affected my mood outside of work. Sometimes I recall what happened, even in my sleep.	5

How do I know I am the victim of PWH?

The incidents log is an instrument which only shows signs of being a PWH victim. To analyze the situation from a preventive approach and determine the measures to be implemented, it is necessary to report the facts to the EHS or HR Department. It is recommended to report to them in the following cases:

1. Fill out six entries or rows in the table.
2. Presence of conducts 2, 3, 4, 6, 7, 8 or 10 in the "Type(s) of conduct" column.
3. Having graded the disruption above 7.

Even if none of the three situations included in the previous levels is observed, and considering that the main purpose is to prevent work-related risks, it is recommended to put forward an inquiry (please remember it is strictly confidential) if one row in the self-registry page of the Incidents Log was filled out.

Annex 3: Request for intervention (FO-EHS-0021_en)

Intervention request document associated to work harassment

Requester:

- People affected Department Manager Representative
 Occupational Health and Safety Service

Type of harassment

- Psychological Sexual Sexual discrimination Sexual orientation
 Other forms of discrimination:

Requester information

Full name: _____

Tax ID number: _____ Sex: M F

Phone number: _____ Position/Unit: _____

Work Center: _____ Area or Department: _____

Work Information:

- Permanent Temporary Other:

Job Position: _____ Seniority: _____

Name of the affected person (if different from requester)

Full name: _____

Tax ID number: _____ Sex: M F

Phone number: _____ Position/Unit: _____

Work Center: _____ Area or Department: _____

Work Information:

- Permanent Temporary Other:

Job Position: _____ Seniority: _____

Description of the facts

Attached documentation

<input type="checkbox"/>	YES:	<input type="checkbox"/>	NO:
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Request

I request the activation of the protocol for harassment prevention, response and resolution. Harassment can be of a psychological, sexual or racial nature, among other forms of work discrimination.

Place and date

Signature of the person concerned

The personal information included in this request will be treated confidentially and in accordance with data protection standards.

(The form should be addressed to Human Resources, EHS or the suggestion box)