



PROTOCOL FOR THE  
PREVENTION OF CASES  
OF HARASSMENT AND  
DISCRIMINATORY  
BEHAVIOUR

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## Introduction

*Organic Law 3/2007, of 22 March, for effective equality between women and men, as well as Royal Decree 901/2020, of 13 October, regulating equality plans and their registration, and Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom, include, among workers' labour rights, protection from gender harassment and gender-based harassment, among others; and, to this end, companies have a legal duty to respect the principles of equal treatment and opportunities in the workplace.*

To this end, companies must draw up equality plans that include, *inter alia*, measures to prevent gender harassment and gender-based harassment. In this regard, working conditions that prevent harassment must be promoted and, in addition, specific procedures must be established to prevent harassment and to provide a channel for complaints or claims that may be made by those who have been subjected to it.

To comply with the latter, Valoriza has adopted a protocol for the prevention and action in cases of harassment and discriminatory acts in accordance with the following.

### Statement of principles

Valoriza expresses its strongest commitment to the principles of *non-discrimination and equal opportunities* in the development of its staff's professional careers. In this regard, Valoriza is committed to promoting a work environment free of any discrimination and any conduct that may entail harassing conduct.

In accordance with this commitment, all staff must be treated with dignity, and no harassing conduct of any kind is allowed or tolerated; neither shall discriminatory acts on the basis of origin, race, colour, religion, age, disability, marital status, gender orientation, or any other characteristic be permitted.

Accordingly, any use of information that is contrary to the right to privacy and intimacy or that involves an action that sets out to disrespect, degrade or humiliate its employees shall be prohibited.

All employees have the right to be treated with dignity and respect and to work in a professional environment that promotes equal employment opportunities and prohibits all discriminatory practices, including harassment.

Valoriza, in accordance with its policy of zero tolerance of any manifestation of violence, harassment, verbal abuse, abuse of authority at work, discrimination or any other conduct that results in an intimidating or offensive environment, declares that relationships between people in the work environment must be free of bias, prejudice and harassment.

Therefore, Valoriza is committed to creating, maintaining and protecting, with all possible measures at its disposal, a work environment where the dignity and freedom of all the people who work in it are respected.

All Valoriza employees are responsible for ensuring a working environment in which the dignity and equal treatment of all people is respected. Staff with responsibility on the basis of their position will be particularly entrusted with the task of ensuring and preventing situations of harassment of any kind from occurring within their area.

Everyone within the scope of this Protocol have the right to avail themselves of the procedure contained therein, with assurances that they will not be subjected to intimidation or unfair, discriminatory or unfavourable treatment. This protection shall extend to everyone involved in such proceedings.

If it occurs, help must be guaranteed to the person who suffers it and any repetition of the situation must be prevented, by all possible means.

Furthermore, any employee who becomes aware of the existence of an alleged case of harassment or a discriminatory act must report it, as soon as possible, by one of the means set out in this protocol. Both the tolerance of harassing behaviour and the concealment of such behaviour may result in disciplinary action in accordance with current regulations.

## **Chapter I. Purpose and scope of application**

### **1. Purpose**

This protocol aims to prevent and avoid cases of harassment or discriminatory acts in the workplace and, if they occur, to ensure that the appropriate procedure is in place to resolve them and prevent them from being repeated. The aim of these measures is to guarantee harassment-free work environments in Valoriza's workplaces, in which all people are obligated to respect integrity and dignity in the professional and personal spheres.

### **2. Scope of application**

This protocol is applicable to all persons working in any Valoriza company in which direct or indirect management control is exercised. The same criterion applies in joint ventures. Its geographical scope is worldwide, without prejudice to modifications or adaptations that may be required by the regulations of the country in question.

## **Chapter II. General concepts**

### **1. Definitions**

***Workplace harassment or mobbing:*** any conduct or practice that, within the scope of the employment relationship, and in a systematic and recurring manner over time, entails an undermining of or attack on the employee's dignity, in order to subjugate

him or her emotionally and psychologically, negatively affecting the work environment; and in such a way that their abilities for professional advancement or permanence in the job are nullified or diminished.

This occurs if there are behaviours such as the exclusion of the employee from relationships with his or her colleagues, the failure to assign tasks or work that is absurd or below the worker's professional capacity or competencies, or the humiliation, contempt or devaluation of the employee in public.

**Gender harassment:** any behaviour, verbal or physical, of a gender nature that has the aim or effect of violating a person's dignity; in particular, when an intimidating, degrading or offensive environment is created.

**Gender-based harassment:** any behaviour based on a person's gender, with the purpose or effect of violating their dignity and creating an intimidating, degrading or offensive environment.

**Harassment on the basis of gender orientation:** any behaviour carried out against a person on the basis of his or her gender that may be considered offensive, humiliating, violent or intimidating with the purpose or effect of violating their dignity and creating a discriminatory environment.

**Harassment based on gender identity and expression:** any behaviour 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.

**Cyberbullying:** harassment at work, gender harassment, gender-based harassment, on the basis of gender orientation, gender identity and expression when these are carried out through digital media. In particular, through the recording, dissemination or publication of messages or images that affect the privacy or freedom of the victim in the workplace.

All the forms of harassment described above can occur between people of the same or different hierarchical level, whether or not they have a relationship of dependency within the entity's organisational structure or workplace, provided that there is a position of power.

**Sextortion:** the blackmailer is a person hierarchically superior to the victim, who conditions, directly or indirectly, a work decision (access to employment, permanence, improvement of working conditions, etc.) on the acceptance of the sexual proposal (blackmail).

**Environmental Harassment:** behaviour of a gender nature, of any kind, which has the consequence of producing an intimidating, hostile, offensive and humiliating context. The harasser may be of a higher or equal professional category to the victim. Example: comments, jokes, calendars and posters with erotic or pornographic content...

**Sexual assault:** violating another person's sexual freedom without their consent. In any case, acts of sexual content that are carried out using violence, intimidation or abuse of a position of superiority or violation of the victim will be considered.

**Discriminatory acts:** acting unfavourably towards an employee or group of employees on the basis of their marital status, family situation, birth, ethnic origin, age, gender orientation, religious or political beliefs, membership of trade unions or any other personal or social condition or circumstance and which may take the form of a change of duties, personal insults, derogatory comments about aspects of their personal or professional life, offensive criticism, etc., with the purpose or effect of creating an intimidating, hostile, or offensive work environment and which may adversely interfere with an individual's job performance and employment opportunities.

In short, these are behaviours that are intended to isolate or ridicule a person because of a personal condition or circumstance that distinguishes them from the rest of the workforce. They are expressly prohibited in Valoriza's principles of behaviour and action.

## 2. Preventive measures.

To prevent, avoid and penalise harassment behaviour at Valoriza, the following measures will be taken:

- This protocol will be included in the onboarding plan for new staff.
- This protocol will be published both on the intranet and on Valoriza's external website or through the relevant means of dissemination.
- A training module on gender equality between men and women will be established in order to prevent harassment at Valoriza.
- Data disaggregated by gender on interventions and cases of workplace and gender-based harassment will be available annually. This data will be published with the utmost professionalism and the anonymity of the people involved will be maintained at all times.
- The principle of zero tolerance of such conduct shall be respected, and the disciplinary measures provided for in the applicable employment law shall be used, if necessary.
- The principle of co-responsibility will be established in the monitoring of work behaviour, with a special onus on managers and management staff.

## 3. Principles of action.

Valoriza guarantees that the procedure described below will be implemented whenever a complaint of harassment or discriminatory act occurs.

The procedure of action shall be governed by the following principles, which shall be observed at all times:

- A. **Priority and urgent processing.** The procedure shall be agile and swift. It shall offer transparency and equity. The investigation and resolution of the reported allegation must be carried out with due professionalism, diligence and without undue delay; so that the procedure can be completed in the shortest possible time and with due respect for the assurances.
- B. **Impartiality and right to challenge.** The procedure must ensure a fair hearing and fair treatment for everyone involved. Everyone involved in the proceedings shall act in good faith in the search for the truth and the clarification of the alleged facts. Therefore, an exhaustive investigation of the facts is sought and, if necessary, directed by specialised professionals.
- C. **Duty of confidentiality.** The persons involved in the procedures provided for in this protocol have the duty to maintain confidentiality regarding the facts that they know due to their position in conducting the investigation and evaluation of the complaints; they may not make use of the information obtained for their own benefit or that of third parties, or to the detriment of the public interest.
- D. **Respect for and protection of the persons involved.** Valoriza will take the appropriate measures to guarantee the right to the protection of the dignity and privacy of everyone involved in the procedure; in particular that of the persons allegedly harassed and the alleged harasser, respectively.
- E. **Respect for the rights of the parties.** It will be ensured that the investigation of the complaint is carried out with sensitivity and respect for the rights of each of the parties.
- F. **Assurance of action** by taking the necessary measures, including, where appropriate, disciplinary measures against the person or persons who carry out harassing and/or discriminatory acts. Likewise, with regard to those who make false accusations or complaints, especially when bad faith is proven.
- G. **Freedom from retaliation**, guaranteeing that there will be no adverse treatment or negative effect on a person as a result of the submission by him or her of a complaint or statement aimed in any way at preventing the situation of harassment and initiating the procedure. The same guarantee shall encompass those acting as witnesses in the proceedings.
- H. **Duty of information.** With regard to harassment cases, the conclusions of the investigation and the actions taken will be forwarded, where appropriate, to the Monitoring Committees of Valoriza's equality plan.
- I. **Personal data protection.** Valoriza will guarantee, at all times, the privacy and protection of the personal data of the participants in the process, committing to comply with current legal regulations on personal data protection and the guarantee of digital rights, applying the policies and procedures approved by

Valoriza.

The use of this protocol does not prevent any person within its scope of application from being able to appeal, at any time, to the relevant labour authorities, as well as, where appropriate, to the courts of justice in defence of their legitimate rights.

#### 4. Powers

To guarantee the effectiveness of the Code of Ethics, Valoriza has the ***Regulatory Compliance Unit (UCN)***, which is a collegiate, executive and autonomous body, made up of representatives from various departments of Valoriza and appointed by the Board of Directors.

The UCN is responsible for investigating, processing, instructing and proposing disciplinary action in relation to any conduct constituting a possible breach of the Code of Ethics and other regulations included in Valoriza's Regulatory Compliance Model.

Valoriza has a permanent, ad hoc committee, which is entrusted by the UCN with the investigation and processing of harassment complaints, called the ***Committee for the Prevention of Harassment (CPA)***.

### **Chapter III. Procedure for the action of the Committee for the Prevention of Harassment (CPA)**

#### 1. Initiation of the procedure.

**The report** will trigger the procedure, taking into account the following criteria:

- 1) The communication shall contain at least the following information:
  - The identification of the Informant, if anonymity is not chosen, and contact details.
  - Identification of the person reported and the position held.
  - A detailed and meticulous description of all the facts, narrated chronologically, with the people involved, the background and any other relevant information.
- 2) The report may be submitted by the Informant, the workers' representatives, or any other person who has knowledge of the facts.
- 3) The report will be communicated through any means valid in law, preferably through the Ethics Channel available both on the intranet and on the external website of Valoriza in the links provided for this purpose or by post by means of a letter addressed to the Regulatory Compliance Unit sent to Valoriza's address: Calle Condesa de Venadito, no. 5, 28027 Madrid.

## **2. Preliminary phase.**

When the CPA receives a complaint in accordance with the provisions set out in the previous section, it will in the first instance:

- Check that the communication complies with the requirements set out in the previous section. Otherwise, the person who filed it will be required to correct or complete it.
- Assess the existence of possible indications of harassment in the reported facts, in accordance with the definitions contained in this protocol, in order to activate the next phase of the procedure.
- Propose, where appropriate, the adoption of the necessary precautionary measures, before initiating the investigation; for which it will be communicated to the Regulatory Compliance Unit, which in turn will communicate it to Valoriza's Human Resources Management for its implementation.

In the event that the facts reported do not reveal any indications of harassment, in the meaning defined in this protocol, the procedure will be concluded by notifying the informant of the department of the company with the powers to handle their report.

## **3. Investigation.**

The CPA may coordinate with the corporate labour relations department of the relevant business unit or country, so that it can provide the necessary support in the investigation of the case, carrying out the actions and preparing the reports required for this purpose by the Committee.

During this investigation, both the parties and the witnesses will be heard and any steps deemed appropriate will be carried out.

The parties may be assisted and supported by a person they trust, whether or not they are the workers' representative, who must maintain confidentiality regarding the information to which they have access.

They may also provide all the means of proof at their disposal.

At any time during the investigation and provided that no evidence of harassment is found and the circumstances of the case are taken into account, a swift solution may be reached and agreed between the parties.

This will be communicated to the relevant Valoriza Human Resources Department, so that the appropriate measures can be taken to carry out the solution reached.

#### **4. Conclusion.**

Once the investigation has been completed, the committee will draw up an investigation report that will contain a description of the alleged facts, the circumstances, if any, the repetition of the conduct and the degree of impact on work obligations, which will be forwarded to the UCN for ratification, if necessary.

In any case, it must include proposals for the adoption of measures with respect to the facts assessed by the CPA and which have been objectively proven on the basis of the steps taken.

The report of the investigation must be drawn up as soon as possible or, where appropriate, no later than 30 days from the date on which the investigation of the case has been assigned, unless there are circumstances beyond the committee's control that cause this period to be delayed, in which case they must be stated in the report.

#### **5. Adoption of measures**

In the event that the existence of harassment is proven, the UCN will propose to the Human Resources Department the measures to be adopted.

The Human Resources Department, taking into consideration the UCN's recommendations, will make the relevant decision no later than 3 months from the acknowledgement of receipt of the complaint submitted, which may be the ratification as final of the interim measures adopted during the processing of the case, or the adoption of other measures.

In the event that the existence of harassment is not proven, but other aspects related to the work environment or a possible labour conflict have been detected, the CPA may include in its proposal for the adoption of measures, that the Human Resources Department study those that can put an end to such a situation.

#### **6. Entry into force**

This Procedure was approved by the Board of Directors of Valoriza Servicios Medioambientales, S.A., on 20 March 2024.

With its entry into force, this Procedure derogates any other internal regulation in this matter that may have existed up to now. This document shall be disseminated as appropriate through Valoriza's usual communication channels

Versions record:

DATE	EDITION	REVISION	RESPONSIBLE PARTY	CHANGES DESCRIPTION
29 November 2023	V1	Changes.	Regulatory Compliance Unit	Initial draft.
06 February 2024	V2	Changes.	Regulatory Compliance Unit	Draft V2.
06 March 2024	V3	Board Approval.	Regulatory Compliance Unit	Board Approval version.
20 March 2024	V4	Board Approval.	Board	Board Approval.