

PROTOCOL FOR THE PREVENTION OF AND ACTION AGAINST SEXUAL HARASSMENT, GENDER-BASED HARASSMENT AND OTHER CONDUCT CONTRARY TO SEXUAL FREEDOM AND MORAL INTEGRITY IN THE WORKPLACE OF RAMÓN GARCÍA CONTRACT, S.L.



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COMMITMENT OF RAMÓN GARCÍA CONTRACT, S.L. IN THE MANAGEMENT OF THE PREVENTION AND ERADICATION OF SEXUAL HARASSMENT, GENDER-BASED HARASSMENT AND OTHER CONDUCT CONTRARY TO SEXUAL FREEDOM AND MORAL INTEGRITY AT WORK

This protocol will be applied in the companies of the *RAMÓN GARCÍA GROUP*: CARPINTERÍA RAMÓN GARCÍA, S.A., COCINA HOGAR ORDES, S.L., **RAMÓN GARCÍA CONTRACT, S.L.**, PLUS ATOUT, S.L., INVERSIONES GARCÍA GÓMEZ MESÍA, S.L. Y MAQUINARIA AND ELECTRODOMÉSTICOS ORDES, S.L.

With the present protocol, **RAMÓN GARCÍA CONTRACT, S.L.** declares its zero tolerance towards the concurrence throughout its organisation of conduct constituting sexual harassment, harassment on grounds of sex or contrary to sexual freedom and moral integrity.

By adopting this protocol, **RAMÓN GARCÍA CONTRACT, S.L.** wishes to underline its commitment to the prevention of and action against these behaviours, informing of its application to all personnel who provide services in its organisation, whether they are its own personnel or from other companies, including people who, not having an employment relationship, provide services or collaborate with the organisation, such as people in training, those who carry out non-labour practices or those who carry out voluntary work.

RAMÓN GARCÍA CONTRACT, S.L. also assumes the commitment to make known the existence of this protocol, indicating the need for strict compliance with it, to the companies to which its own personnel travels, as well as to the companies from which the personnel working for **RAMÓN GARCÍA CONTRACT, S.L.** originates. Thus, the obligation to observe the provisions of this protocol will be stated in the contracts signed with other companies.

If the alleged harassing person is outside the company's management and, therefore, **RAMÓN GARCÍA CONTRACT, S.L.** 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 commercial relationship between the two companies may be terminated.

The protocol shall apply to situations of sexual harassment, gender-based harassment and other conduct contrary to sexual freedom and moral integrity occurring during, in connection with or as a result of work:

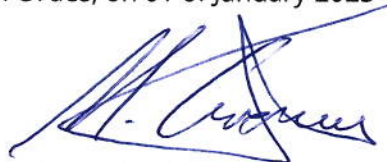
- a) in the workplace, including in public and private spaces when they are a workplace;

- b) in places where workers are paid, where they take their rest or meal breaks, or where they use sanitary or washing facilities and changing rooms;
- c) on work-related travel, trips, social or training events or activities;
- d) in the context of work-related communications, including communications via information and communication technologies (digital, virtual or cyber-bullying);
- e) in accommodation provided by the employer;
- f) on journeys between home and place of work.

This protocol is implemented in coherence with the European Framework Agreement on harassment and violence in the workplace and complies with the requirements of ILO Convention 190 on the elimination of violence and harassment in the world of work; article 48 of Organic Law 3/2007, of 22 March, for the effective equality of women and men; article 12 of Organic Law 10/2022, of 6 September, for the comprehensive guarantee of sexual freedom; Royal Decree 901/2020, of 13 October, which regulates equality plans and sexual freedom in the workplace; Article 12 of Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom; Royal Decree 901/2020, of 13 October, which regulates equality plans and their registration and amends Royal Decree 713/2010, of 28 May, on the registration and deposit of collective bargaining agreements and collective labour agreements and Article 14 of Law 31/1995, of 8 November, on the prevention of occupational hazards.

In fact, **RAMÓN GARCÍA CONTRACT, S.L.** by committing itself to the measures that make up this protocol, manifests and publicises its express will to adopt a proactive attitude both in the prevention of these conducts - awareness and information of behaviours not tolerated by the company and in the dissemination of good practices and implementation of as many measures as are necessary to manage the complaints or claims that may arise in this respect, as well as to resolve them as appropriate in each case.

In Ordes, on 01 of January 2023



Manuel García Gómez - *Management*

CHARACTERISTICS AND STAGES OF THE PROTOCOL

In order to comply with the commitment with which this protocol begins and in the terms set out so far, the company **RAMÓN GARCÍA CONTRACT, S.L.** implements a procedure for prevention and action against sexual harassment, gender-based harassment, as well as any other conduct contrary to sexual freedom and moral integrity, with the intention of establishing a mechanism that sets out how to act in a comprehensive and effective manner in the face of any of these behaviours. To this end, this protocol brings together the three types of measures established in section 7 of the Annex to Royal Decree 901/2020 of 13 October:

1. Preventive measures, with a statement of principles and identification of conduct that could constitute sexual harassment, harassment on grounds of sex or conduct contrary to sexual freedom and moral integrity.
2. Proactive or procedural measures to deal with the aforementioned conduct in order to channel any complaints or claims that may arise and any applicable precautionary and/or corrective measures.
3. Identification of reactive measures depending on what has been concluded and, where appropriate, the disciplinary regime.

2.1 PREVENTIVE GUARDIANSHIP

2.1.1. Declaration of principles: Zero tolerance for conduct constituting sexual harassment, gender-based harassment and any other conduct contrary to sexual freedom and moral integrity.

The company **RAMÓN GARCÍA CONTRACT, S.L.** formalises the following declaration of principles, in the sense of underlining how relations between company personnel should be and the conduct that is not tolerable in the organisation.

This protocol is applicable to any behaviour constituting sexual harassment, harassment on grounds of sex - including those committed in the digital environment - as well as any other conduct contrary to sexual freedom and moral integrity that may occur in **MAQUINARIA Y ELECTRODOMÉSTICOS ORDES, S.L.**

MAQUINARIA Y ELECTRODOMÉSTICOS ORDES, S.L., by implementing this procedure, assumes its commitment to prevent, not tolerate, combat and prosecute any manifestation of these behaviours in its organisation.

Harassment is, by definition, a multi-harmful act that affects several legal interests, among which the dignity of the worker stands out as a positivisation of the right to life and to physical, mental and moral integrity. The affectation of dignity, however, does not prevent such an act from also causing damage to other legal interests, such as equality and the prohibition of discrimination, honour, self-image, privacy, health, etc., but even so, it will always by definition be contrary to dignity. Sexual harassment and harassment on grounds of sex is always a violation of the dignity of the person who suffers it and constitutes discrimination on grounds of sex.

RAMÓN GARCÍA CONTRACT, S.L. will not allow or tolerate conduct that could constitute sexual harassment and/or gender-based harassment in any of its manifestations or any other behaviour that is contrary to sexual freedom and moral integrity. The company will sanction both those who engage in offensive conduct and 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 **MAQUINARIA Y ELECTRODOMÉSTICOS ORDES, S.L.**, as well as those of the people who provide services in the company. In particular, they will refrain from behaviour that is contrary to dignity, privacy and the principle of equality and non-discrimination, always promoting respectful conduct.

Notwithstanding the above, if they believe that they are being harassed or become aware of a situation of sexual harassment or gender-based harassment, any male or female worker shall have the possibility, by means of a complaint or claim, to activate this protocol as an internal, confidential and rapid procedure in order to eradicate it and remedy its effects.

Once the corresponding informative file has been carried out, if the concurrence of any of the aforementioned conducts is confirmed, **RAMÓN GARCÍA CONTRACT, S.L.** will sanction whoever corresponds, committing itself to use all its management and sanctioning power to guarantee a working environment adequate to the principles of health and safety at work and free of sexual violence and sexist discriminatory conducts.

2.1.2 Identifying behaviours

2.1.2.1 Definition and conduct constituting sexual harassment

According to art. 7.1 of Organic Law 3/2007, of 22 March, for the effective equality of women and men, and without prejudice to the provisions of the Criminal Code, for the purposes of a protocol, any verbal or physical behaviour of a sexual nature that has the purpose or has the effect of violating the dignity of a person, in particular when it creates an intimidating, degrading or offensive environment, constitutes sexual harassment.

Any sexual harassment shall be deemed to be discriminatory.

The conditioning of a right or an expectation of a right on the acceptance of a situation constituting sexual harassment or harassment on grounds of sex shall also be deemed to constitute discrimination on grounds of sex.

By way of example and without being exclusive or limiting, the following conduct could constitute sexual harassment:

Verbal behaviours:

Examples of verbal conduct constituting sexual harassment include, but are not limited to, on a case-by-case basis, annoying sexual advances, propositions or pressure for sexual activity; offensive flirtations; suggestive remarks, innuendoes or obscene comments; unwanted phone calls or social media contacts; jokes or comments about sexual appearance.

Non-verbal behaviours:

Display of sexually suggestive or pornographic pictures, objects or writings, lewd looks, gestures; letters or messages in e-mails or on social networks of an offensive nature and with a clear sexual content.

Physical behaviours:

Deliberate and unsolicited physical contact, unwanted hugs or kisses, excessive and unnecessary physical contact.

"Quid pro quo" sexual harassment or sexual blackmail

Among the behaviours constituting sexual harassment, we can distinguish "quid pro quo" sexual harassment or sexual blackmail, which consists of forcing the victim to choose between submitting to sexual requirements, or losing or being harmed by certain benefits or working conditions, affecting access to professional training, continued employment, promotion, remuneration or any other decision in relation to this matter. To the extent that it involves an abuse of authority, the perpetrator is the person who has the power, either directly or indirectly, to provide or withdraw a benefit or condition of employment.

Environmental sexual harassment

In this type of sexual harassment, the harasser creates an intimidating, hostile, degrading, humiliating or offensive environment for the victim as a result of unwanted attitudes and behaviour of a sexual nature. It can be carried out by any member of the company, regardless of position or status, or by third parties located in some way in the work environment.

2.1.2.2 Definition and conduct constituting gender-based harassment

Definition of harassment on grounds of sex:

Harassment on grounds of sex is any conduct carried out on the basis of sex with the purpose or effect of violating the dignity of a person and of creating an intimidating, degrading or offensive

environment.

Harassment on grounds of sex shall be deemed to be discriminatory.

In order to appreciate that a situation that can be classified as harassment on grounds of sex actually exists in a specific situation, a series of elements that form a common denominator must be present, among which the following stand out:

- a) Harassment, understood as any intimidating, degrading, humiliating and offensive conduct that originates externally and is perceived as such by the person who suffers it.
- b) Objective attack on the victim's dignity and subjectively perceived by the victim as such.
- c) Pluriofensive result. The attack on the dignity of the person who suffers harassment on grounds 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.
- d) That this is not an isolated event.
- e) The reason for these behaviours must be related to the fact that they are women or 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, harassment on grounds of sex can also be suffered by men when they carry out 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 children or dependents.

The conditioning of a right or an expectation of a right on the acceptance of a situation constituting harassment on grounds of sex shall also be deemed to constitute discrimination on grounds of sex.

Gender-based harassment can be carried out by hierarchical superiors, as well as by male or female colleagues or hierarchical inferiors. It is caused by gender stereotypes and roles and is usually aimed at belittling people of one sex simply because they belong to the same sex, especially women, undervaluing their abilities, technical competences and skills.

Conduct constituting harassment on grounds of sex:

By way of example, and without excluding or limiting, the following are a series of specific conducts which, fulfilling the requirements set out in the previous point, could constitute harassment on grounds of sex at work if they were to occur repeatedly.

Attacks with organisational measures:

1. Judging the person's performance in an offensive way, hiding their efforts and abilities.
2. Questioning and overruling the person's decisions.
3. Not assigning any tasks or assigning meaningless or degrading tasks.
4. Denying or concealing the means to carry out the work or providing incorrect information.
5. Assigning work that is much higher or much lower than the person's skills or qualifications, or that requires much lower qualifications than those possessed.
6. Contradictory or impossible to comply with orders.
7. Theft of belongings, documents, work tools, deleting files from the computer, tampering with work tools causing damage, etc.
8. Threats or pressure on people who support the person being harassed.
9. Manipulation, concealment, return of correspondence, calls, messages, etc., from the person.
10. Denial or difficulties in accessing permits, courses, activities, etc.

Actions intended to isolate the target:

1. Changing the person's location by separating him/her from his/her peers (isolation).
2. Ignore the presence of the person.
3. Do not address the person.
4. Restricting colleagues from talking to the person.
5. Not allowing the person to express him/herself.
6. Avoid all eye contact with the person.
7. Remove or restrict the means of communication available to the person (telephone, email, etc.).

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

1. Threats and physical aggression.
2. Verbal or written threats.

3. Shouting and/or insults.
4. Frightening phone calls.
5. Provoking the person, forcing them to react emotionally.
6. Intentionally incurring expenses to the detriment of the person.
7. Damage to the workplace or your belongings.
8. Requiring the person to perform work that is dangerous or harmful to his or her health.

Attacks on privacy and personal or professional reputation:

1. Manipulating personal or professional reputation through rumour, denigration and ridicule.
2. Imply that the person has psychological problems, try to get the person to undergo a psychiatric examination or diagnosis.
3. Making fun of gestures, voice, physical appearance, disabilities, name-calling, etc.
4. Criticism of nationality, political or religious attitudes and beliefs, private life, etc.

2.1.2.3 Violence in the digital sphere

When the conduct referred to in this Protocol takes place using information and communication technologies, via the internet, telephone and social networks (it is not necessary for the aggressor and victim to have physical contact in person), we will be dealing with digital violence or cyber-violence.

The [State Strategy to Combat Male Violence 2022 - 2025](#) based on the recommendations of the first evaluation report of the Group of Experts on Combating Violence against Women and Domestic Violence (GREVIO) of November 2021, states that three specific dimensions of digital violence should be taken into account: online and technology-facilitated stalking*, online sexual harassment, and the digital dimension of psychological violence, each with the following implications:

Online and technology-facilitated harassment					
Threats (sexual, economic, physical or psychological)	Reputational damage	Monitoring and compilation of in-private training (spyware) (1)	Identity theft	Request for sex	Harassment with accomplices to isolate her

Online sexual harassment				
Threatened or non-consensual dissemination of images or videos (revenge porn)	Non-consensual taking, production or capturing of intimate images or videos (2)	Exploitation, coercion and threats (sexting, sextortion, threatening rape, doxing (3), outing (4))	Sexualised bullying (5)	Cyberflashing (6)

(1) Spyware is software that has such a goal.

(2) It includes acts of "upskirting" and the taking of "creepshots" (stolen and sexualised photos) and the production of digitally altered images in which a person's face or body is superimposed ("fake pornography") using artificial intelligence.

(3) Disclose personal information or identity.

(4) Disclosure of sexual orientation.

(5) Rumours, publication of sexualised comments, impersonation, sharing of sexual content or sexual harassment of others, thereby affecting their reputation and/or livelihood.

(6) Sending unsolicited sexual images through dating or messaging applications, texts, or using technologies such as Airdrop or Bluetooth.

The digital dimension of psychological violence					
All forms have a psychological impact	Individual acts that are not criminalised when combined with the mentality of mass and repetition	Sexist hate speech	Intimidation, threats to victims or their families, bullying, harassment, embarrassment, and defamation	Incitement to suicide or self-harm	Economic abuse (7)

(7) Internet banking, deterioration of the victim's credit rating through the use of cards without permission, or financial contracts without consent.

* As the Recommendation points out, it often involves the tactic of monitoring or spying on the victim, on their various social media or messaging platforms, their emails and phone, stealing passwords or cracking or hacking their devices to access their private spaces, by installing spyware or geolocation applications, or by stealing their devices. Attackers can also assume the identity of the other person or monitor the victim through technological devices connected through the Internet of Things, such as smart home appliances.

2.1.2.4 Criminal conduct contrary to sexual freedom and moral integrity

Article 12 of Organic Law 10/2022 of 6 September on the comprehensive guarantee of sexual freedom establishes that all companies must promote working conditions that **prevent the commission of crimes** and other conducts against sexual freedom and moral integrity at work.

For the purposes of this protocol, it is necessary to clarify that when the indications of the reported conduct constitute a crime, the company will immediately take the necessary precautionary measures to protect the victim from the aggressor and will urgently inform the Public Prosecutor's Office.

Among the criminal conducts relevant here, a distinction should be made between those that are contrary to moral integrity and those that are contrary to sexual freedom.

With regard to the first of these, **crimes against moral integrity**, it is necessary to refer to art. 173 of the Penal Code, which states that of the Penal Code, which states that: *"Anyone who inflicts degrading treatment on another person, seriously undermining their moral integrity, will be punished with a prison sentence of six months to two years..... The same penalty will be imposed on those who, in the context of any employment or civil service relationship and taking advantage of their relationship of superiority, repeatedly carry out hostile or humiliating acts against another person which, without constituting degrading treatment, involve serious harassment of the victim..... The same penalties will be imposed on those who address another person with expressions, behaviour or propositions of a sexual nature that create an objectively humiliating, hostile or intimidating situation for the victim, without constituting other more serious offences.*

With regard to the latter, i.e. **offences against sexual freedom**, in [Title VIII of the Criminal Code](#), a distinction must be made between:

- a) CHAPTER I. Sexual assaults (art.178, art.179, art.180).
- b) CHAPTER II. Sexual assaults on minors under the age of sixteen (art.181, art.182, art.183, art.183 bis).
- c) CHAPTER III. Sexual Harassment, (art.184).
- d) CHAPTER IV. Offences of exhibitionism and sexual provocation (art.185, art.186).
- e) CHAPTER V. Offences relating to prostitution and sexual exploitation and corruption of minors (art.187, art.188; art.189; art.189 bis; art.189 ter).

The description of the offences is set out in Annex I to this Protocol.

2.2 THE PROCEDURE FOR ACTION

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

Lodging a complaint or claim

Activation of the harassment protocol

Maximum deadline: 2 working days

Information dossier

Maximum deadline: 10 working days

Resolution of the harassment case

Maximum deadline: 3 working days

Follow-up

Maximum time limit: 30 días
calenday days

The procedure to be followed is as follows:

2.2.1 Submission of the complaint or claim, activation of the protocol and processing of the administrative file

- 1)** The company designates **PAULA PAZ RAMA** and **SAMUEL GARRIDO BARREIRO** as the person responsible for investigating, investigating and following up on any complaint or claim received regarding sexual harassment, gender-based harassment - including those committed in the digital sphere - or any other behaviour contrary to sexual freedom and moral integrity. For the appropriate purposes, all persons providing services in the organisation shall be informed of this designation and it shall be clearly and concisely stated how such reports or complaints may be made to the organisation.
- 2)** In the event of absence due to holidays, illness or any other legal cause, **MINERVA BARROS GENDE** may act as substitute for any of the incumbent persons.
- 3)** The complaint may be lodged by the person who feels harassed or has suffered any of the following such conduct or whoever has knowledge of such a situation.
- 4)** In order to guarantee the confidentiality of any complaint, denunciation or communication of a harassment situation, **RAMÓN GARCÍA CONTRACT, S.L.** makes available a channel to make the denunciations through www.gruporg.eu, in the upper right margin is indicated "Regulatory Compliance" in the "Responsible Channel". Only non-anonymous announcements will be accepted. Only the person in charge of processing the complaint will have access to the reports made, and through whom the presentation of this type of reports or complaints can be made. This is without prejudice to the possibility of also accepting complaints or denunciations that may be submitted secretly, but not anonymously, in writing and in a sealed envelope addressed to the person in charge of handling the complaint. In order to protect the confidentiality of the procedure, the person in charge of handling the complaint shall give a code number to each of the parties concerned.
- 5)** Confidentiality shall be guaranteed regardless of the way in which complaints are handled. Once a complaint has been received, the person in charge of handling it shall give a code number to each of the parties concerned.
- 6)** Once received, within a maximum period of 2 working days, the procedure for its processing will be activated. Any complaint or claim will be presumed to be true.
- 7)** **PAULA PAZ RAMA**, the person who initiates the complaint or claim, will first try to deal with the complaint informally. In the event that the conflict cannot be resolved in the informal procedure, a rapid and confidential investigation will be carried out within 10 working days, in which the affected persons and proposed witnesses will be heard and any necessary

documentation will be requested, without prejudice to the provisions on the protection of personal data and confidential documentation. The persons who are requested shall cooperate as diligently as possible.

In any case, the impartiality of their actions shall be guaranteed, so that in the event of any kind of kinship by blood or affinity with any or some of the persons affected by the investigation, close friendship, manifest enmity with the persons affected by the procedure or direct or indirect interest in the specific process, they shall abstain from acting and shall inform the company so that they may replace them. In the event that, despite the existence of these grounds, the abstention does not occur, any of the persons affected by the procedure may request the disqualification of that person.

- 8) During the processing of the case, the victim will be heard first and then t h e person being reported. Both parties involved may be assisted and accompanied by a person they trust, whether or not they are part of the legal and/or trade union representation of the workers, who must maintain confidentiality regarding the information to which they have access. In compliance with the principle of contradiction, the party against whom the complaint is lodged shall always be heard.
- 9) 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 victim and/or the complainant, who shall in no case be treated unfavourably for this reason, and for the person complained of, whose guilt shall not be presumed. All persons involved in the process shall be under the obligation of confidentiality and secrecy with regard to all information to which they have access.
- 10) During the processing of the case, at the proposal of the person in charge of the investigation, the management of the company will adopt the necessary precautionary measures leading to the immediate cessation of the situation of harassment, without these measures entailing permanent and definitive damage to the working conditions of the persons involved. Apart from other precautionary measures, the management of **RAMÓN GARCÍA CONTRACT, S.L.** will separate the alleged harasser from the alleged victim.
- 11) Once the investigation has been completed, the person who has processed the case shall draw up a report containing the facts, the testimonies, the evidence given and/or collected, concluding whether or not, in his/her opinion, there are indications of harassment, in any of its manifestations, or of any other behaviour contrary to sexual freedom and moral integrity.

If, from the evidence gathered, there are indications of harassment, in any of its manifestations, or of any other behaviour contrary to sexual freedom and moral

integrity, in the conclusions of the report, the investigating person will urge the company to adopt the appropriate sanctioning measures, and may even, in the case of a very serious offence, propose the disciplinary dismissal of the aggressor.

If the evidence does not reveal any signs of sexual harassment, harassment on grounds of sex or other conduct contrary to sexual freedom and moral integrity, the investigating officer shall state in the record that the evidence has not revealed the existence of such conduct.

If, even though there is no harassment in any of these manifestations, nor any action contrary to sexual freedom and moral integrity, any inappropriate action or behaviour susceptible of being sanctioned is detected, the person in charge of the investigation will also urge the management of **RAMÓN GARCÍA CONTRACT, S.L.** to adopt the measures considered pertinent in this respect.

- 12) None of the proceedings shall prevent the persons involved from requesting any judicial, administrative or any other type of proceedings that may be appropriate.
- 13) When the investigating person appreciates indications of criminal conduct, he/she will transfer the complaint to the management of **RAMÓN GARCÍA CONTRACT, S.L.** proposing the immediate adoption of the corresponding precautionary measures to separate the victim from the alleged harasser and the urgent transfer to the Public Prosecutor's Office. Apart from any other precautionary measures that may be adopted, the alleged harasser will always be separated from the victim and, under no circumstances, will the victim be forced to change position, working hours or location within the company.

2.2.2 The resolution of the harassment case

The management of **MAQUINARIA Y ELECTRODOMÉSTICOS ORDES, S.L.**, once it has received the conclusions of the investigating person, will take the decisions it deems appropriate within 3 working days, being the only one empowered to decide on the matter. The decision taken will be communicated in writing to the victim, the person denounced and the person in charge of the investigation.

Likewise, the decision finally adopted in the file shall also be communicated to the legal representatives of the workers, if any, and to the person responsible for occupational risk prevention. In this communication, in order to guarantee confidentiality, no personal data shall be given and the numerical codes assigned to each of the parties involved in the case shall be used.

In view of the conclusions report drawn up by the investigating person, the management of **RAMÓN GARCÍA CONTRACT, S.L.** will proceed to:

- a) file the proceedings in the archives and draw up a report on the matter.

- b)** adopt whatever measures it deems appropriate in accordance with the suggestions made by the procedure's investigating committee. By way of example, the following decisions may be taken by the company in this regard:
- a.** physically separating the alleged aggressor from the victim, by means of a change of position and/or shift or timetable. In no case shall the victim be forced to change position, working hours or location within the company.
 - b.** 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 offences and penalties provided for in the collective agreement applicable to the company or, where appropriate, in Article 54 of the Workers' Statute.

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

1. transfer, displacement, change of post, working day or location.
2. suspension from employment and pay.
3. the time limitation for promotion.
4. disciplinary dismissal.

In the event that the sanction against the aggressor is not the termination of the contractual relationship, the management of **RAMÓN GARCÍA CONTRACT, S.L.** will maintain an active duty of vigilance towards the worker when they return to work (in the case of a suspension), or in their new position in the case of a change of location. But always and in any case, the fulfilment of eradicating the aggressive conduct 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.

The management of **RAMÓN GARCÍA CONTRACT, S.L.** will adopt the necessary preventive measures to avoid repetition of the aggressor's behaviour or conduct, will reinforce training and awareness-raising actions and will carry out actions to protect the victim's health and safety, including, among others, the following:

- Assessment of psychosocial risks in the company including sexual violence as an additional occupational risk.
- Adoption of surveillance measures to protect the victim.
- Adoption of measures to avoid recidivism of sanctioned persons.
- Psychological and social support for the victim.

- Modification of working conditions that, with the consent of the person who has been harassed, are deemed beneficial to his or her recovery.
- Training or retraining for the professional updating of the harassed person when he/she has been on IT for a prolonged period of time.
- Carrying out new training and awareness-raising actions for the prevention, detection and action against sexual violence, sexual harassment and gender-based harassment, aimed at all those who work in the company.
- Information and training for women workers on the risks of sexual violence in the workplace.

2.2.3 Follow-up

Once the file has been closed, and within a period of no more than thirty calendar days, the persons in charge of processing and investigating the complaint or claim will be obliged to monitor the agreements adopted, that is to say, their compliance and/or the result of the measures adopted. The result of this follow-up shall be the subject of the appropriate report, which shall include the proposed measures to be adopted in the event that the events causing the procedure continue to occur and shall also analyse whether the proposed preventive and sanctioning measures have been implemented, where appropriate. This report shall be sent to the management of the company 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 affected parties.

Monitoring will also be carried out in those situations in which the company has adopted the corresponding precautionary measures and has transferred the complaint to the Public Prosecutor's Office, on the grounds that the conduct could constitute a criminal offence.

DURATION, ENFORCEABILITY AND ENTRY INTO FORCE

The content of the present protocol is of obligatory compliance, coming into force in **RAMÓN GARCÍA CONTRACT, S.L.** on 01 January 2023, or failing that, as of its communication to the company staff, through the company's INTRANET, as well as in the ORDES factory (at the staff entrance and at the entrance to the workshop from the changing rooms area) and in the MESÍA FACTORY (at the entrance to the offices), remaining in force for 4 years.

However, a review and adaptation of the protocol will be necessary in the following cases.

- At any time during its validity in order to reorient the fulfilment of its objectives of prevention and action against sexual harassment, gender-based harassment or any other behaviour contrary to sexual freedom and moral integrity.
- When their lack of compliance with legal and regulatory requirements or their inadequacy is revealed as a result of action by the Labour and Social Security Inspectorate.
- 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, and organisation.
- When a judicial decision condemns the company for failing to prevent and eradicate behaviour contrary to sexual freedom and/or moral integrity or determines the lack of adaptation of the protocol to legal or regulatory requirements.
- When duly motivated circumstances make it necessary.

The present procedure does not preclude the right of the victim to report, at any time, to the Labour and Social Security Inspectorate, as well as to the civil, labour or criminal courts.

MODEL OF COMPLAINT OR CLAIM IN THE COMPANY RAMÓN GARCÍA CONTRACT, S.L.

I. Company or companies in which the events took place

- CARPINTERÍA RAMÓN GARCÍA, S.A.
- RAMÓN GARCÍA CONTRACT, S.L.
- COCINA HOGAR ORDÉS, S.L.
- PLUS ATOUT, S.L.
- INVERSIONES GARCIA GÓMEZ MESÍA, S.L.
- MAQUINARIA Y ELECTRODOMÉSTICOS ORDES, S.L.

II. Person reporting the facts

- Person who has suffered harassment:
- Other (Specify):

III. Details of the person who has been harassed

Name:

Surname:

National Identity Card No. [DNI]:

Position:

Type of contract/employment
relationship: Telephone:

Email:

Address for notifications:

IV. Details of the aggressor

Name and surname:

Professional group/category or position:

Workplace:

Name of the company:

V. Description of the facts

Give an account of the events reported, indicating date(s) and place(s) where they occurred and including possible witnesses. Attach as many numbered sheets as necessary.

VI. Witnesses and/or evidence

If there are witnesses, please indicate name and surname:

Attach any means of proof you consider appropriate (emails, WhatsApp, voice recordings, calls, videos, medical leave, etc.).

VII. Application

The complaint or claim is considered to have been submitted to _____ and the procedure foreseen in this protocol for the prevention of and action against sexual harassment, gender-based harassment and other conduct contrary to sexual freedom is initiated.

Place and date:

Signature:

For the attention of the person in charge of the complaint procedure against sexual harassment, harassment on grounds of sex and other conduct contrary to sexual freedom in the company **MAQUINARIA Y ELECTRODOMÉSTICOS ORDES, S.L.**

Contact e-mail: paula.paz@gruporg.eu