



Protocol for the Prevention and Action against Workplace Harassment

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1. SOCIAL CONTEXT AND LEGAL FRAMEWORK

Europamundo Vacaciones (EMV) is a company with a staff composed mainly of women, specifically 65 % female workers. Within this team, there is staff from different nationalities, among which are: Brazilian, Chilean, Argentinean, Mexican, Peruvian, Venezuelan, Colombian, Paraguayan, French, Spanish, Rumanian, Armenian, Indian, Japanese, and Moroccan. Among the guides there are Spanish, Portuguese, French, Italian, Greek, Serbian, Croatian, Bulgarian, Albanese, Turkish, Jordanian, Russian, Brazilian, Uruguayan, Mexican, Argentinian, Colombian, Cuban, Venezuelan, and American from the US.

Given this composition, EMV grants great importance to diversity and multiculturalism; a reflection of the globalized world that endows the organization with specific characteristics that undoubtedly enrich the workplace but require a specific approach due to its casuistry.

This existing cultural diversity within the company implies different customs, visions, and perspectives. There is a mutual understanding, collaboration, and continuous learning, working as a bridge between people who may initially appear distant from each other.

Therefore, an environment free from all forms of discrimination and harassment must be preserved, diversity is not an obstacle but should be a value statement, a declaration of intent, and a pillar that extends beyond nationality to other areas such as religion, race, functional diversity, gender, or sexual orientation.

As we shall see, workplace harassment is not only a problem of the person who suffers or commits it, but a problem that affects the whole organization by having an impact on all those who are part of it, altering the normal functioning of the company and its working environment, its productivity, competitiveness and rentability, the motivation and satisfaction of the workforce, and the workers turnover as well as the company's external image.

It should be stressed that although sexual harassment and harassment on grounds of sex may be suffered regardless of age, profession, sector, or category, the majority of those affected are women, with statistics showing figures ranging between 40% and 60% of female workers who have suffered it. There are highly vulnerable groups such as the lone woman with family responsibilities, women entering into traditionally male dominated professions or categories for the first time, women in their first employment, functional diversity women, immigrant women or women belonging to ethnic minorities, women on casual, temporary, or subcontracting contracts; and, finally, homosexual and young men who are susceptible of suffering harassment by women or other men, especially by hierarchical superiors.

Thus, it is the responsibility of the company to adopt prevention and action mechanisms against harassment situations, and of employees to adopt attitudes based on ethical principles of non-discrimination, dignified treatment, and respect for the integrity of colleagues, subordinates, superiors, and customers. Both the Management and the entire workplace are jointly involved, also guaranteeing the sustainability, competitiveness, and growth of EMV.

For all the above reasons, EMV publishes this document, in the knowledge that the definition and implementation of an anti-harassment protocol is an essential instrument to concretise and enforce the protection of fundamental human rights – particularly the right to physical and moral integrity, and the right to non-discrimination on grounds of sex – and the obligation to protect the health and safety of workers.

This compromise takes into account the alignment with the principles contemplated in the supplementary document on global discrimination and anti-harassment policies of the Code of Conduct of the JTB Group, the parent company of EMV. However, this protocol has been elaborated based on EMV's needs with particular attention to the Spanish Law, as endorsed by this document.

At the regulatory framework level, it is necessary to underline:

INTERNATIONAL SCENE

- * ILO Convention 111 on Employment and Occupation Discrimination.
- * Recommendation No. 19 on workplace violence in services sectors and measures to combat this phenomenon.

Within the JTB Group, it is worth mentioning Articles 1 and 2 of the Code of Conduct:

"Respect for human rights

We shall respect all essential rights guaranteed by the constitutions of different countries and international declarations. We shall embrace the diversity, individuality, and the intrinsic values of each person and shall not discriminate unjustly".

EUROPEAN SCENE

- * Communication from the Commission to the Council and the European Parliament transmitting the European framework agreement on harassment and violence at work. /COM(2007) 686 final/.
- * Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation.
- * Commission Recommendation 95/131/EEC of 27 November 1991 on the protection of the dignity of women and men at work L 049 , 24/02/1992 [Official Journal L 49 de 24.2 1992]. Code of Conduct to prevent sexual harassment.
- * Council Resolution of 29 May 1990 on the protection of the dignity of women and men at work.

NATIONAL SCENE

- * Technical Criteria 26/2009 on actions of the Labour and Social Security Inspection on Harassment and Violence at Work.
- * Royal Legislative Decree 5/2000 of 4 August, approving the consolidated text of the Law on Infringements and Penalties relating to labour regulation (Article 8)
- * Law 29/1998 of 13 July regulating Contentious Administrative Dispute Jurisdiction (Article 19.1.i)
- * Law 1/2000 of 7 January on Civil Procedure (Article 11 bis).
- * Royal Legislative Decree 1/1995 of 24 March approving the consolidated text of the Statute of Workers. (Articles 4.2.e, 54.2 and 95.14).
- * Law 36/2011 of 10 October regulating the Labour Jurisdiction (Articles 175 a 182). Article 96.
- * Organic Law 10/1995 of 23 November of the Criminal Code (Article 184).
- * Spanish Constitution (Articles. 9.2, 10.1, 14, 15, 18.1, and 35.1).
- * Technical Note INSHT.
- * Royal Legislative Decree 1/1994 Of 20 June, Which Approves The Revised Text Of The General Social Security Act.
- * Organic Act for effective equality between Women and Men 2009.
- * Organic Law 15/1999 of 13 December of personal data protection
- * Law 21/2000 of 29 December on the rights of information concerning the health and autonomy of the patient, and the clinical documentation.
- * Law 41/2002, of 14 November, regulating patient autonomy and rights and obligations of information and clinical documentation
- * **Spanish Organic Act 3/2007 of 22 March on Effective Equality between men and women** (Articles 6, 7, 8, 9, 10, 11, 12, 13, 48, and 62), including a specific stipulation for the private sector mandating the adoption of a protocol to prevent sexual harassment and harassment on the ground of sex, and to design mechanisms to enable the reporting line and resolution of possible situations of harassment that may arise in organisations, along with the definition of such conduct. Thus, it expressly states that “*Employers must*

foster working conditions that prevent sexual harassment and harassment on the grounds of sex and institute specific procedures to prevent such conduct and for handling accusations or claims formulated by the persons affected".

2. OBJECTIVES

The document presented here is intended as a tool to help the organisation, workers, and their legal or trade union representatives to define and implement a protocol to prevent and deal with harassment at work in any of its aspects within the company.

The main objectives of this protocol are:

- To provide information and guidelines to identify and understand what harassment is, the typologies that exist, and the nature of each of these.
- To provide tools for prevention.
- To articulate effective channels of protection and response in the framework of the organisation.

3. SCOPE OF APPLICATION

EMV aims to guarantee the occupational health and safety of any person providing services on its premises or for the organisation and must ensure a safe and healthy working environment, exempt from risks to the physical or the psychological integrity of the persons involved in all aspects that fall within the sphere of competence of the company.

The protocol applies to all individuals providing services in or for EMV, including management, subcontractors, and freelancers. Insofar as EMV is unable to act under this protocol since the subject is beyond its competence, it must contact the company in question to seek a solution; if appropriate, the harasser must be sanctioned, and if not, the contractual relationship may be reviewed or even dissolved.

This protocol is intended to provide EMV employees or those working for EMV with a framework of reference to ensure a harassment-free environment, as well as guidelines to be followed for the activation of an action procedure in the event of unacceptable behaviour, harassment, or bullying. In this way, a serious and respectful treatment of the

subject is sought, in which empathy and confidentiality are valued, besides contributing to the development of investigations of ethical quality and social responsibility.

Every member of EMV - workers, management staff, subcontractors, and self-employed individuals - shall be considered within the scope of application of this protocol, and must respect the dignity of others, refraining from any conduct that may constitute harassment. Any worker has the right to submit a written or verbal complaint, under the procedure subsequently regulated.

EMV also ensures that its Good Practices Committee, its Risk Prevention Group, together with HR and CSR, perform appropriate training on the matter of Workplace Harassment, including sexual and sexist harassment, and the consequences on the health of the individuals affected, at all hierarchical levels of the organisation. It is of paramount importance to update the training for personnel in this area **at least once a year**, in particular for the Good Practices Committee, the Risk Prevention Group, CSR, and HR, along with management and middle management, by scheduling a training course of at least one day's duration.

Awareness of this protocol must also be ensured for the entire personnel. **Dissemination shall be done by email to all EMV employees and main Stakeholders, notifying its creation, and its publication on the EMV website and in Bitrix. However, this does not exempt from publicising the existence of the document on notice boards and in circulars. As an alternative to the online consultation, a paper handbook is also recommended, which may be delivered by hand and kept separately.**

The disclosure document should include the names and email contact details of the current Working Group.

On the other hand, every effort shall be made to ensure that both customers and suppliers of EMV are aware of the policy of the company in this respect.

4. DEFINITION

Spanish Organic Act 3/2007 of 22 March and two of its articles are quoted beforehand to contextualise the subsequent definitions:

Article 3. The principle of equal treatment for women and men.

The principle of equal treatment for women and men means the absence of all direct or indirect discrimination on the grounds of sex, in particular as regards maternity, the assumption of family obligations, or marital status.

Article 6. Direct and indirect discrimination.

1. Direct discrimination is regarded to be a situation where one person is treated less favourably on the grounds of sex than another is, has been, or would be treated in a comparable situation.

2. Indirect discrimination is regarded to be a situation where an apparently neutral provision, criterion, or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion, or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary.

3. In whatsoever event, instructions to directly or indirectly discriminate on the grounds of sex will be regarded to be discriminatory.

WHAT DO WE UNDERSTAND BY HARASSMENT??

In line with the preceding paragraphs, the first step to prevent harassment is to establish a definition, to enable those who experience or witness harassment to recognise it:

Harassment refers to any unwanted conduct related to racial or ethnic origin, religion or belief, opinion, disability, birth, age, sex, gender identity or sexual orientation or any other personal or social status or circumstance of a person that is intended to, or has the effect of, violating his or her dignity and creating an intimidating, humiliating and offensive environment.

- Psychological harassment, sexual harassment and harassment on grounds of sex are offences against the integrity and dignity of individuals.
- **The seriousness of harassment differs depending on the aggression, the context, the status of the victim and its duration over time. However, any manifestation of harassment is a significant violation of the psychophysical health, wellbeing and dignity of the person on the receiving end.**
- Harassment may occur both inside and outside the workplace (it shall be considered as workplace harassment whenever the parties are in an employment relationship) and may have an impact on precontractual selection, professional training, continuity of employment, career promotion and improvements in working conditions.

In the event of harassment, as an organisation responsible for the welfare of the employee, EMV is under an obligation to act, irrespective of the professional status and the nature of the employment relationship of the complainant.

Psychological harassment (mobbing)

It is the exposure to conduct of intense psychological violence directed, repeatedly and over a prolonged period of time, towards one or more persons, by another person/s acting from a position of power that is not necessarily hierarchical, with the purpose or effect of creating an intimidating environment that disrupts the victim's working life. This violence implies both an assault on the dignity of the person and a serious risk to his or her health.

- The processes are manifested through **behaviours of psychological violence** (humiliation, criticism, stigmatisation, social isolation or different intensities of verbal violence) that represent an offence to the dignity and/or to the physical or psychological integrity of the person who is subjected to them.
- This set of behaviours is characterised by the **intentionality** of the practitioner, a **high level of systematisation** and **persistence over time**.

A defining characteristic of this process is the **asymmetry** in the resources and possibilities for the person under siege to defend him/herself against

these types of behaviour.

The behaviour of psychological abuse without all the components of repetition and persistence over time appropriate to psychological harassment may also be treated preventively and/or promptly terminated and, where appropriate, sanctioned in accordance with the disciplinary code of the organisation, regardless of whether or not it is considered harassment.

Examples of behaviour that may constitute psychological harassment:

- Discrediting and disqualifying the victim, explicitly or subtly.
- Encouraging isolation of the victim.
- Inducing the victim to perform work-related errors.
- Unjustifiably questioning a worker's decisions.
- Assigning a worker demeaning or misinformed tasks.
- Changing a worker's location by separating him/her from co-workers.
- Humiliation and public ridicule.
- Shouting and insulting a worker.
- Spreading rumours about a worker.
- Attacks on a worker's political beliefs and attitudes.
- Attacks on a worker's religious attitudes and beliefs.
- Derision and contempt based on the nationality or ethnicity of a worker.
- Derision and contempt derived from the functional diversity of a worker.
- Constantly criticising a worker's private life.
- Imitating with mockery the gestures and voices of a worker.
- Suggesting there are psychological problems in a worker.
- Denial of speech and hindering direct communication.
- Threats of dismissal.
- Threats of physical violence.
- Cyberbullying, regardless of the modality: mobile phone, e-mail, social networks or microblogging, blogs, websites, SMS, instant messaging, etc.

Sexual harassment

Sexual harassment is defined as any behaviour, verbal or physical, of a sexual nature, unwanted and offensive to the recipient, that is exhibited with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, degrading, or offensive environment. At times, one single incident of harassment may constitute sexual harassment if sufficiently offensive or criminal in nature.

- **It is in any case a matter for the recipient to determine whether particular conduct is sexually unwanted.**
- *It is important to note that a situation of harassment occurs in the context of a power relationship between the person who harasses and the person who is being harassed, a power that may be hierarchical, social, moral, and/or physical.*

As can be observed, the factors to be considered for such a definition are that sexual harassment is an **unwanted act**, of a **sexual nature**, which **directly attacks the person** and **affects the quality of the work** of the person who receives this violence.

Es It is important to understand that the **repetition** of the below mentioned events may have psycho-physical consequences for the victim, and in addition, it confers a special gravity to the offence.

On certain occasions, owing to the humiliating and denigrating nature, **a sole event** may in itself constitute a case of sexual, gender-based and psychological harassment, regardless of the need for repetition.

Examples of conduct that may constitute sexual harassment:

- Making sexual comments about a person's clothing, anatomy, or looks.
- Displaying sexually suggestive glances and gestures.
- Making taunts or innuendos of sexual nature.
- Groping or fondling, which may be apparently unintentional.

- Explicit requests for sexual favours under coercion.
- Telling lies or spreading rumours about a person's personal sex life.
- Any behaviour conducted on the grounds of the gender or sexual orientation of an individual, with the purpose or effect of violating the dignity of the person, and of creating an intimidating, degrading, or offensive environment.

Types of sexual harassment:

- **Quid pro quo** (or “this for that” situation): the harassed person is forced to choose whether to submit to sexual demands or lose certain benefits or working conditions (i.e. it is sexual blackmail). The refusal of the harassed person to engage in sexual conduct is used to deny access to training, work, promotion, salary advancement or any other aspect of employment. This type of harassment implies abuse of authority and, therefore, is exercised by individuals who possess the power to control the employment relationship: hierarchical superiors, management personnel, legal representatives.
- **Environmental:** The active subject of the harassment creates an intimidating, hostile, degrading, humiliating or offensive work environment for the victim, as a consequence of unwelcome comments or jokes of sexual nature in a repetitive and insistent manner. Generally conducted by fellow workers themselves or by third parties related to the organisation.

Harassment on grounds of sex or sexual orientation

Harassment on grounds of sex or sexual orientation is considered to be any unwanted behaviour based on a person's, sexual orientation, gender identity or gender expression with the purpose or effect of violating the dignity of the person and of creating an intimidating, hostile, degrading, humiliating or unpleasant environment.

- **Harassment on grounds of pregnancy and maternity of women at all professional levels** is particularly frequent and serious. This harassment generally begins when a worker announces her pregnancy; or upon her returning to work after maternity leave or seeking some of the employment

rights provided for in this scenario.

- This type of harassment is rooted in discrimination on the basis of sex, sexual orientation or a sexual role of a person.
- Generally, harassment on grounds of sex manifests itself in the repetition and accumulation of offensive conduct. However, ***the repetition of harassing behaviour and the express rejection of the victim is not a prerequisite for determining that the conduct constitutes sexual harassment or harassment on grounds of sex.***

Examples of conduct that may constitute harassment on grounds of sex or sexual orientation:

- Unfavourable treatment of women on the grounds of pregnancy or maternity:
 - ✓ modification of working conditions,
 - ✓ degradation of responsibilities,
 - ✓ unlawful dismissal.
- Unfavourable or humiliating treatment of women by the mere fact of being women or of other persons on the grounds of sexual orientation, gender role or transsexuality:
 - ✓ profesional discrediting,
 - ✓ Vexation and humiliation,
 - ✓ career restriction.

Differentiating sexual harassment and harassment on grounds of sex

SEXUAL HARASSMENT	HARASSMENT ON GROUNDS OF SEX	SEXUAL ORIENTATION HARASSMENT
KEY POINTS		
Unwanted behaviour by the receiver		
Behaviour of a sexual nature or sexually connoted.	Motivated by the gender of the receiver.	Motivated by the sexual choice or orientation of the receiver
Causes the effect of violating the dignity or integrity of a person, or of creating an intimidating, hostile, degrading and humiliating environment.		
May be physical, verbal or non-verbal	Generally, not an isolated behaviour but a systematic and cumulative repetition of offensive behaviour	
	Any less favourable treatment of women relating to pregnancy or maternity constitutes a direct discrimination on the grounds of sex.	

Source: Generalitat de Catalunya

The principal difference between sexual harassment and harassment based on the grounds of sex or sexual preference consists in the fact that the latter conduct does not necessarily have to be sexually connoted.

Harassment on grounds of gender expression and/or identity

Any discriminatory, hostile or degrading conduct directed at a person on the basis of his or her transsexual or transgender status.

Some examples are:

- Denying promotion possibilities on the basis of being transsexual or transgender.
- Using sexist humour about transgender or transsexual people.
- Repeatedly and consciously naming a person who is undergoing sexual reassignment or who has already completed the process of sexual reassignment with the name he/she had before starting the process.
- Expelling or questioning persons with regulated or non-regulated gender expression or identity for using a particular bathroom or changing room.

Other discriminations

Any distinction, exclusion or preference based on race, colour, sex, religion, political opinion, national extraction, or social origin which has the effect of nullifying or impairing equality of opportunity or treatment in employment and occupation (including access to vocational training facilities and admission to employment and occupations, as well as working conditions).

The procedure set out in this protocol shall apply to any action **involving discrimination** on grounds of racial or ethnic origin, religion or belief, functional disability, age, sexual orientation, opinion, place of birth, residence, sex or any other personal or social circumstance.

A breakdown of the most common characteristics is included, although they are neither unique nor exclusive:

Personal characteristics	No person should be discriminated against on the grounds of:
Race / Colour	<ul style="list-style-type: none"> • Race; • physical characteristics attributed to their race such as the texture of the hair, the colour of the skin, or facial features, etc.); • Conditions predominantly affecting a specific race; • Pigmentation, complexion, and/or skin tone, etc.; • Cultural practices or characteristics commonly associated with race or ethnicity (e.g., traditional dress, manner of speech, etc.). <p>Note: Discrimination on the grounds of race or skin colour may occur among individuals of different races or ethnicities and individuals of the same race or ethnicity.</p>
Origin/Ancestry	<ul style="list-style-type: none"> • Birthplace. • Ancestry; • Culture; • Family name associated with a specific origin; • Linguistic characteristics common to a specific ethnic group; • Accent; • Immigrant status (with permit). <p>Note: origin/ancestry differs from race or nationality.</p>

<p>Religious/Beliefs</p>	<ul style="list-style-type: none"> • Religious beliefs; • Religious practices, including teaching, observing holy days, attending congregations, wearing religious symbols, etc. <p>Note: 'Religion' comprises not only traditional institutionalised religions (e.g. Buddhism, Christianity, Hinduism, Islam, Judaism) but also other religious, ethical or moral beliefs (e.g. believers, atheists, agnostics).</p>
<p>Functional diversity</p>	<p>Persons with the skills, experience, education or other requirement needed to perform the indispensable functions of the position (with or without the inclusion of relevant adaptations) shall not be unfavourably treated because of:</p> <ul style="list-style-type: none"> • Functional diversity (in interaction with the environment, a health condition which involves deficits in functioning, activity limitations or restrictions on participation in daily life); • History of functional disability (e.g. cancer under control or in remission); • The belief held against someone because of a perceived functional disability, even when the person is not actually disabled; • Known relationship or association (e.g. partner, descendant, volunteer work, etc.) with a person(s) with a functional disability.

Age	<ul style="list-style-type: none"> • Chronological age <p>Note: Specific employment decisions may be taken on the basis of the length of service of an employee in EMV.</p>
Marital status	<ul style="list-style-type: none"> • Marital status, past sentimental background (e.g., singleness, engagement, marriage, divorce, widowhood, separation, etc.)

5. COMPLAINT CHANNELS

In order to provide advice to people experiencing harassment and to help resolve the problem, a **Working Group** is created. The members must have previous training in the subject, both at a global level in the company and in the workplace.

WORKING GROUP

REGULATORY RULES OF THE WORKING GROUP OR REFERENCE GROUP ON THE EMPLOYMENT HARASSMENT PROTOCOL OF EUROPAMUNDO.

1.- What is the Working Group and what is its role?

The members of the working group detailed in point 3 should not be department heads except for CSR and HR, i.e. in the ratio of 2 heads and 4 core employees.

In accordance with the commitment of EMV to equal treatment and opportunities, it is constituted on an equal number basis - six people, three men, and three women. Given the even number, and in order to avoid ties in decision-making, a casting vote is granted to one of the members, who will rotate every 6 months among the core members and shall act as Coordinator of the Working Group during this 6-month period, after which a new coordinator will be elected.

Since this protocol has an **indefinite duration** in terms of a permanent obligation to have it in place, the composition of the Working Group may remain stable over time as long as the relevant functions are fulfilled in the case of HR, CSR, Committee and the Prevention and Emergency Group, and the two members of

the office must be renewed every 4 years.

In the event of an alteration in its composition, a replacement shall be elected by nomination by the Good Practices Committee or the Prevention, HR, and CSR Group

A review of the Working Group shall be conducted at the latest after four years in case it needs to be modified and adapted to the development of its responsibilities, including the possibility for the Working Group to be elected by all the employees of the company, if so decided by them.

The Working Group, as a guarantor of good practice, consultative body, and internal instructor for the processing of complaints. It will be totally neutral, impartial, and will maintain absolute confidentiality, and is made up of the persons of reference who are responsible for the work of dealing with harassment based on their knowledge and dedication to the prevention of and action in the face of harassment. Having acquired training in the matter, it shall be responsible for assisting complainants in the implementation of the procedure, as well as in the initial demarcation of the existence or not of harassment, and shall also carry out advisory work.

The functions are as below:

-Raise awareness of harassment in the workplace among the entire workforce, by regularly disseminating this protocol and suggesting actions in this regard.

-Ensure that information on harassment prevention is disseminated in an appropriate way to all staff by monitoring the communication channels and the tools provided for this purpose.

- Attention to the complainant, representation of the same and advice, and support in the circumstances that may arise throughout the process.

-Investigation of the reported facts -counting with external assistance if required through the provision of all information and documentation related to the case. as well as the establishment of good relations with all personnel involved (whether they are senior management or non-management staff) in order to count on their collaboration and involvement. In this sense, the members are promoters of good practices.

-Proposal of the preventive measures, as it deems appropriate.

-Drafting of reports in relation to the cases investigated, urging, if appropriate, the opening of disciplinary proceedings

-Supervision that the preventive measures, actions foreseen and sanctions imposed are being effectively implemented, as well as that the complainant or any other person related to

the situation or complaint made has not received reprisals, threats, or any type of pernicious conduct derived from the process.

-Monitoring of the complaints lodged and the resolution of cases, with a view to conduct a biennial follow-up report on the implementation of the protocol.

There shall be no direct relationship of any kind between the members of the Working Group and the complainant or the person the complaint has been raised against, in order to avoid positioning. In case there was any contact, this person should leave the Working Group until the case has been resolved.

EMV could create the figure of the "good man or woman" as a bridge person between the harassed and the Working Group to facilitate the work of support and investigation of the reported facts and even the possibility of advice from an independent external agent and specialist in workplace harassment mediation.

2.- Allocation of resources.

Europamundo's Management will provide the necessary resources for the functioning of the Working Group.

3.- Composition of the Working Group.

The Group will be composed of 3 women and 3 men, with 6 members as follows:

- 1.- 1 member of the Good Practice Committee.
- 2.- 1 member of the CSR Department.
- 3.- 1 member of the HR Department.
- 4.- 1 Member of the Emergency, First Aid, and Occupational Risk Prevention Group.
- 5.- 2 members of the office, non-management.

The member of the Good Practices Committee will be chosen by the Committee itself, and the member of the Prevention and Emergencies Group will be the person chosen by the Prevention and Emergencies Group itself or whoever nominates him/herself, the member of the CSR Department will be the person in charge or chosen by him/her, as well as the HR department and the two office departments, which will be consulted.

The contact e-mail of each of its members can be found on the EMV website at the following link:

https://www.europamundo.com/rse_mediacion.aspx

4.- Length of tenure of the members of the Working Group.

The duration of all members of the Working Group shall be 4 years, extendable

if so decided by their respective decision-making groups, and in the case of the 2 members of the office, their replacement shall be proposed to the office.

5.- Termination or resignation of members of the Working Group.

1.- The termination or cancellation of the Working Group shall take place in the following cases:

- a) By resignation communicated in writing by the interested party.
- b) Due to long-term sick leave from work due to illness.
- c) Due to maternity leave.
- d) By the termination of office decided by 3/5 of the members of the Committee in cases where he/she violates impartiality, neutrality or confidentiality, or is unfit to perform his/her duties in the Working Group.
- e) Because he/she is sanctioned by the company or is proven to be the perpetrator of harassment.
- f) Because his or her term of office has expired, and he or she decides not to stand for re-election.

2.- The termination as a member of the Working Group shall also be caused by the termination of the position in EMV, S.L.

3.- Replacement.

Members who are dismissed or leave for any of the above reasons will be replaced by their own groups, i.e. G.P. Committee, HR, CSR, or Emergency Group, and Office, and once they return to work they will return to their position in the Working Group if they so decide.

6.- Organisation of the Working Group.

The working group shall meet as specified in the Workplace Harassment Protocol.

The Working Group must produce annual evaluation reports.

Regarding the frequency of meetings, it would be advisable to hold a specific meeting once every 6 months, with minutes being taken.

7.- Method of communication with the Working Group.

To contact the Working Group, in order to comment, report or denounce an event, the following e-mail address will be made available:

protocolo.acosolaboral@europamundo.com

In order to preserve the privacy and confidentiality of the person being harassed, he/she may approach up to a maximum of 3 members of the Working Group, and these will be the only ones in charge of carrying out the study and investigation of the person affected.

Our parent company JTB Corporate has an additional contact for commenting, informing, or denouncing an event, regardless of whether this is done with the Europamundo Working Group.

Contact Details Compliance Officer / Whistleblowing Hotline

Compliance Officer
Elias-Canetti-Strasse 2
8050 Zürich
Switzerland

E-mail: compliance-officer@jtb-europe.com

Telephone (direct): +41 (44) 325 20 90

Telephone (mobile): +41 (79) 834 27 6

8.- Modification of the Rules of the Working Group.

The Working Group shall be governed by the rules presented in this document, with the possibility of revision and adaptation throughout the development of the group's activity, in order to adapt them to the circumstances that may arise at any given time.

These rules must be agreed upon by all EMV employees, and therefore every 4 years a period will be opened for the revision and modification of the rules, if necessary.

In the event that there is a witness or any person who has knowledge of a situation of harassment, he/she may also make a verbal or written complaint to the Working Group.

Complaint

The more information in the brief, the quicker and more effective the research will be. It is recommended to include the following elements:

→ People involved

- Types of behaviour
- Dates and places where the misconducts took place
- Possible witnesses
- Identification of the potential victim of harassment
- Evidence attesting to the harassment (e-mails, messages, recordings...)

These complaints will have two channels for resolution. They may be resolved through an informal or formal procedure.

Informal procedure

Once the complaint has been notified, and in the case of actions that can be classified as minor, by the person who feels harassed or by a third party who has knowledge that these behaviours are taking place, the Working Group must carry out an investigation with as much documentary evidence or interviews as necessary always guaranteeing the total confidentiality of the individuals involved.

Under no circumstances shall the person being harassed be urged to confront the harasser.

Remedies that may be available during the informal procedure include:

- Informal communication: Whenever the complainant proposes it and wishes to be supported in communicating to the reported party that their behaviour is unwanted and should cease.

Once the veracity of the complaint has been established, the person reported will be contacted confidentially to inform him/her of the existence of a complaint about his/her conduct and disciplinary responsibilities. The person reported may then offer any explanations he/she deems appropriate.

In this informal settlement procedure, the Working Group shall confine itself exclusively to transmit the complaint and to inform the person reported of the potential disciplinary responsibilities.

The aim of the informal procedure will be to solve the problem unofficially; sometimes, simply informing the perpetrator of the offensive and/or intimidating

consequences of his/her behaviour is enough to resolve the issue.

The procedure will take place within a **maximum of seven working days**. In principle, the counselling must be based on the credibility of the complainant and must protect the confidentiality of the procedure and the dignity of the persons concerned. To this end, the parties concerned will be assigned numerical codes at the beginning of the procedure.

Likewise, the Working Group shall seek sufficient protection for the victim and the complainant, in terms of their safety and health, intervening to prevent the continuation of the alleged harassment situations and proposing the necessary precautionary measures for this purpose, taking into account the possible physical and psychological consequences arising from this situation, paying special attention to the work circumstances surrounding the victim.

Within seven working days of **the submission of the complaint**, the proceedings shall be terminated. Only in exceptional and imperative cases may the time limit be **extended by three days**.

The outcome of the informal procedure will be immediately brought to the attention of the company's management and HR by ensuring that the information is confidential and has been coded.

In the event that circumstances were to become more complex and EMV required assistance to resolve any of the processes, external consultancy assistance could be required. This will be done upon the specific request of a particular case.

Formal procedure

Initiation of the process: The complaint, prior assessment, and adoption of precautionary measures. The complaint, which may be made **orally or in writing**, shall be made to the Working Group, and this shall initiate the formal procedure. It should preferably be in writing, in the case of the person harassed, and always in the case of it being presented by a witness. However, verbalisation or testimony is sufficient grounds for an investigation.

Thus, in the case of verbal complaints, the Working Group shall assess the source, nature, and seriousness of the complaint, and if it finds sufficient evidence, it shall act ex officio to investigate the situation reported. In this way, any person who becomes aware of any act of harassment may report the situation personally or through third parties.

The Working Group shall ensure the utmost seriousness and confidentiality of all formal complaints, **under penalty of sanction if this principle is not respected.**

Once the complaint has been received, the investigation has begun and its credibility has been confirmed, the Working Group will request a written and duly signed complaint from the victim, if this has not already been done and is appropriate. At that point, the situation shall be communicated in a **confidential and codified manner to the company's management and HR** so that both, in their particular case, may adopt precautionary measures such as, if possible, the immediate removal of the active and passive subjects of the harassment to prevent the situation damaging to the victim's health and integrity from continuing to occur. Under no circumstances may these measures entail any harm or detriment to the victim's working conditions, nor any substantial modification of the same.

Process development

The Working Group shall give notice of the filing of the complaint as soon as possible to the person reported, in addition to giving him/her a hearing.

Both the complainant and the person reported may request the presence of other members of the representative bodies, or, if deemed appropriate, of other workers for the purpose of giving evidence as witnesses.

The role of these people is:

- Support the accused person or victim.
- Help ensure that fair treatment is being provided and that the person affected is emotionally able to cope with the meetings.
- Help clarify procedures and misunderstandings if any.
- Help the person prepare for the meeting.

It will not be the role of these people to obstruct the process on his/her behalf.

Witnesses, both on behalf of the accused person and of the complainant, will always be asked to participate in any possible interviews.

An attempt will be made to gather all the information with a single explanation of the facts by the victim (unless it is essential to establish further interviews for the resolution of the case), guaranteeing **confidentiality and speed in the process**.

Process conclusion. Application of disciplinary measures

Within a maximum period of **ten working days** from the submission of the complaint, the Working Group shall draw up and approve a **detailed report** on the harassment case investigated, indicating the conclusions reached, the aggravating or mitigating circumstances observed and, where appropriate, shall proceed to propose the appropriate disciplinary measures. This report shall be forwarded to the **company management and/or Human Resources** immediately. Only in exceptional cases and in urgent need may the period be **extended by five days**.

It shall be guaranteed that there will be no reprisals against persons who report, testify, assist or participate in harassment investigations, as well as against persons who oppose or criticise any such conduct, either against themselves or against third parties. The adoption of measures involving unfavourable treatment of any of the aforementioned subjects (persons, complainants, witnesses, etc.) shall be sanctioned in accordance with the disciplinary regime regulated below.

If there has been retaliation or harm to the victim during the harassment, the victim shall be restored to the conditions they were in before the harassment.

Responsibilities

1. Responsibility in terms of Social Security

Article 123 of the Royal Legislative Decree 1/ 1994 provides for the possibility of a surcharge of economic benefits in the event of an accident at work (which includes harassment) and /or occupational disease:

(1) All economic benefits which are caused by accidents at work or occupational disease shall be increased, depending on the seriousness of the fault, from 30 to 50 per 100, when the injury occurs by machines, devices or installations, (a) centres or workplaces which do not have the use of regulatory precautions, have them unused or in poor condition, or where the general or particular safety and hygiene measures at work have not been observed; or elementary health or personal adequacy to each job, having regard to its characteristics and of the age, sex and other conditions of the worker. (2) The liability for the payment of the surcharge set out in the previous paragraph shall be borne directly by the infringing employer and shall not be the subject of any insurance, with any agreement or contract being made to cover it, being void in full compensate or transmit it.

¹ Royal Legislative Decree 1/1994 Of 20 June, Which Approves The Revised Text Of The General Social Security Act

2. Administrative Responsibility

According to Law on Offences and Sanctions in the Social Order², sexual harassment and harassment on grounds of sex constitute an offence both in terms of labour relations and in terms of prevention of occupational risks.

→ Section 1. Violations in the field of industrial relations. Subsection 1.

Infringement on individual and collective labour relations:

Article 8. Very serious infringements : (13) Sexual harassment, when it occurs within the scope to which it reaches the faculties of business management, whatever the active subject of the same. (13 bis.) Harassment on the grounds of racial or ethnic origin, religion or beliefs, disability, age or sexual orientation, and harassment on the grounds of sex, when occurring within the scope of the powers vested in company management, regardless of the identity of the actor, provided the employer fails to adopt the measures required to prevent such behaviour when it comes to her/his attention.

→ Section 2. Violations in the field of occupational risk prevention.

Article 12. Serious infringements: (24 e) Failure of health and safety coordinators to comply with the obligations, other than those mentioned in the previous paragraphs, established in the occupational risk prevention regulations when such non-compliance has or may have serious repercussions in relation to health and safety on site.

² Royal Legislative Decree 5/2000 Of 4 August, which approves the revised text of the Law on Offences and Sanctions in the Social Order

3. Criminal Responsibility

As far as sexual harassment is concerned, Article 184 of the Criminal Code criminalises sexual harassment as an offence against sexual freedom and indemnity:

Chapter III, on sexual harassment. Article 184:

(1) Whoever solicits favours of a sexual nature, for himself or a third party, within the setting of a continuous or usual work relation, teaching or service provision relation, and by such conduct causes the victim a situation that is objective and seriously intimidating, hostile or humiliating, shall convict of sexual harassment and punishes with a sentence of imprisonment of three to five months or a fine from six to ten months. (2) Should the party guilty of sexual harassment have committed the act availing himself of a situation of labour, teaching, or hierarchical superiority, or specifically or tacitly warning of harm of the victim in relation to the lawful, expectations that person may have within the setting of that relation, the punishment shall be five to seven months of imprisonment or a fine of ten to fourteen months. (3) When the victim is especially vulnerable, due to age, illness, or circumstances, the punishment shall five to seven months imprisonment or a fine of ten to fourteen months in the cases foreseen in Section 1, and of imprisonment for six months to one year in the cases foreseen in Section2 of this Article.

Classification of offences and penalties

VERY SERIOUS MISCONDUCT	
Sexual Blackmail	The conditioning of access to employment, a condition for employment or the retention of employment, on the acceptance of a favour of a sexual nature by the victim, whether or not the explicit or implicit threat of such conditioning is actually fulfilled.

Environmental harassment and sexual, gender-based or psychological harassment	The creation of an intimidating, hostile or humiliating work environment involving sexual or psychological content, whenever, owing to the seriousness of the act and other concurrent circumstances are deemed a very serious violation, in accordance with the principle of proportionality. In all cases, physical aggression shall be considered very serious.
Retaliatory actions	Retaliation against persons who denounce, testify, support, or participate in the investigation of harassment, and against persons who oppose any such conduct, either against themselves or against third parties. themselves or against third parties.
Crime accomplishment	The facts constitutive of a crime after the conviction of the accused person by a court of law.

1. Penalties for very serious misconduct

- Suspension of employment and salary from 16 to 60 days; loss of category from 6 months and 1 day to definitive; displacement from 3 months to 1 year; definitive transfer and dismissal.
- The temporary or definitive loss of the category will be done by downgrading the sanctioned worker to a maximum of two salary levels, and he/she will have to perform all the duties of the new post.
- If the loss of category is not definitive, once the entry in his/her personal file has been cancelled, he/she may re-apply for promotion to the previous post.
- Sanctions consisting of suspensions of employment and salary resulting from ignorance of the Protocol, mistakes, misperception of the situation caused, etc., may be supplemented by training days outside working hours when this measure is considered appropriate by the company Management to avoid repetition of the offences in question.

- The use of this procedure shall in no way prevent the victim from using the corresponding judicial protection procedure at any time he/she deems appropriate on the basis of the fundamental right to "effective judicial protection".

SERIOUS MISCONDUCT
Unmodest or compromising invitations; obscene gestures directed at colleagues; unnecessary physical contact, touching; clandestine observation of people in private places, such as toilets or changing rooms; public and repeated disqualifications of the person and their work; continuous and vexatious comments on physical appearance, ideology or sexual choice; the issuing of contradictory orders that are impossible to carry out simultaneously; the issuing of vexatious orders; attitudes involving extreme and continuous surveillance; orders to isolate and segregate a person; any other order of the same degree of seriousness.

2. Penalties for serious misconduct

- Transfer from 1 to 3 months, suspension of employment and salary from 3 days to 16 days. .

Minor offences	
Suggestive and distasteful remarks, jokes or comments about appearance or looks, and deliberate verbal abuse of libidinous content; use of pornographic images or posters in workplaces and on work tools, provided they are not considered serious misconduct.	
Aggravating circumstances	<p>The abuse of hierarchical superiority, as well as the repetition of the offensive conduct after the victim has made use of the remedial procedures, shall in all cases be considered a qualified aggravating circumstance.</p> <p>They are also considered aggravating circumstances the use of malice aforethought (i.e. the use of means, ways or forms in the execution that directly tend to ensure the indemnity of the active subject).</p>

Extenuating circumstances	Not having any sanction noted in his/her file; having proceeded, through spontaneous repentance, to repair or diminish the effects of the offence, to give satisfaction to the offended person, or to confess to the offence.

3. Penalties for minor offences

- Verbal warning, written warning, suspension from employment and pay for up to two days; letter of censure.

6. CONFIDENTIALITY AND DATA PROTECTION OF THE PERSONS CONCERNED

Protection

In all cases and at all times throughout the procedure, the privacy, **confidentiality, and dignity of the persons concerned shall be protected.** Likewise, the necessary protection shall be provided for the victim's safety and health, taking into account the possible physical and psychological consequences that may arise from the situation, paying particular attention to the working circumstances in which the alleged harassed person finds himself/herself.

In the event that the existence of harassment, in any of its forms, is established and the sanction imposed on the harasser does not lead to his/her departure from the company, appropriate measures shall be taken to ensure that the harasser and the victim do not coexist in the same working environment, whenever possible. Similarly, the company must facilitate the necessary measures to protect both parties in the event that the existence of harassment has not been proven. In these measures - which may not involve either an improvement or a detriment to their contractual conditions - the harassed person will always have preferential treatment over the alleged harasser.

In the event of the victim remaining in a state of temporarily unfitness to work, this will be considered as a professional contingency (occupational disease or accident at work).

Confidentiality

The information generated and provided by the proceedings in the application of this protocol shall be confidential and shall only be accessible to the personnel directly involved in its processing. This information shall be subject to the regime provided for in article 22 of Law 31/1995 of 8 November on prevention of occupational risks, and articles 10 and 11 of Organic Law 15/1999 of 13 December on personal data protection. For these purposes, this information shall be treated in the same way as confidential information.

Therefore, strict confidentiality will be maintained throughout the entire procedure, and all internal investigations will be carried out with due respect for both the complainant and the reported. **All persons involved in the process will be bound by confidentiality and will remain identified in the file.**

Reprisals

Reprisals arise when any adverse treatment or adverse effect occur on a person as a consequence of his/her filing a complaint, grievance, claim, report, lawsuit or appeal, of any kind, aimed at preventing discrimination against him/her and demanding effective compliance with the principle of equality.

- If reprisals or acts of discrimination are committed by the person reported against the complainant, the victim or other persons involved in the process, whether or not sexual and/or gender-based harassment has been established, appropriate disciplinary measures shall also be taken.
- On the other hand, orders to discriminate and decisions by the company to treat employees unfavourably as a reaction to a complaint made within the company or to an administrative or judicial action aimed at enforcing compliance with the principle of equal treatment and non-discrimination shall be considered null and void.

Also reflected in Spanish Organic Law Act 3/2007, concretely in the following article:

Article 9. Indemnity to reprisal.

Discrimination on the grounds of sex is also regarded to exist in the event of any adverse treatment of or negative effect suffered by persons owing to the lodging of a complaint, claim, accusation, suit, or appeal of any nature intended to prevent their discrimination or demand effective compliance with the principle of equal treatment for women and men.

False allegations

If it is determined that no such situation of harassment has existed, while at the same time specifying the bad faith of the accusation, the corresponding disciplinary measures will be taken. However, **it is necessary to point out that the impossibility of proving a situation of harassment does not imply that the complaint is false or that there is bad faith**; especially in situations such as these, with all their particularities and the privacy in which they usually occur, difficulties are encountered when it comes to proving them. Moreover, studies to date show that less than 1% of sexual harassment complaints or allegations are false.

Although there is no presumption of guilt on the part of the person reported, it should be noted that in situations of harassment the principle of "reversal of the burden of proof" prevails:

In those complaints when the plaintiff alleges and provides substantiated evidence of discrimination on grounds of sex, sexual orientation or identity, racial or ethnic origin, religion or beliefs, disability, age, harassment, and any other case of violation of a fundamental right or public freedom, it shall be for the defendant to provide an objective, reasonable and sufficiently proven justification for the measures taken and their personality.

* (Article 96, Law 36/2011 of 10 October regulating the Labour Jurisdiction)

Evaluation and monitoring

The Working Group will monitor the reports submitted and the resolution of cases with the

aim of producing an **annual** monitoring report on the implementation of this protocol. This report will be submitted to management and HR.

Information to victims

The Working Group will inform potential victims of the public services available in the work location to ensure their adequate protection. *An information table is attached in Annex III.*

7. CONCLUSION

EMV wishes to express its total rejection of these acts, and will not tolerate any conduct that leads to harassment of any kind. It, therefore, ensures a healthy, safe, tolerant, and respectful working environment. To achieve this goal, respect for these principles of dignity and integrity must be promoted by all staff members. Of particular importance are the staff in charge, who are responsible for ensuring that harassment does not occur.

Annex 1: Request for intervention for harassment at work

Complainant

- Person affected
- Human Resources
- Occupational Health and Safety Department
- Unit or department affected
- Co-worker
- Hierarchical superior

Reported situation

- Psychological harassment
- Sexual harassment
- Harassment on the basis of sex
- Harassment on the basis of sexual orientation
- Harassment on the basis of gender identity
- Other forms of discrimination. Specify

Personal and professional data of the person affected

Name and Surnames:

NIF:

Sex:

Contact telephone number/e-mail:

Work location:

Management unit to which he/she reports:

Job title:

Length of service:

Employment relationship:

Description of the events.

Annexed documentation:

Yes. Specify:

No

Request:

I request the activation of the protocol for the prevention of and action against harassment in the workplace.

Location and date:

Signature:

Annex 2: Informed consent for the investigation of a harassment case

_____, with ID / PASSPORT NUMBER _____, I authorise the Harassment Prevention Working Group to take appropriate action regarding situations of sexual, gender-based, psychological, or other discriminatory conduct.

Furthermore, I also declare that:

- That all persons involved in the resolution of the case will act with secrecy and reserve in defense of the confidentiality that protects them, as provided for in the Organic Law 15/1999 of personal data protection, and if applicable, of the medical data as provided in Law 21/2000 on the rights of information concerning the health and autonomy of the patient, and the clinical documentation, and the Law 41/2002 regulating patient autonomy and rights and obligations of information and clinical documentation.
- I am aware of the contents of the protocol for the prevention of and action against harassment in the workplace, in relation to the rights and duties derived from it and the effects that its application may cause.

Location and date

Signature:

ANNEX 3: Short guide for the person who feels harassed created by the Ministry of Health, Social Services, and Equality

This guide is provided for companies to ensure maximum dissemination to all staff working in the company.

What can I do if I feel harassed?

a. Request information:

- i. To my company on the specific procedures for action.
- ii. Workers' representatives should contribute to the prevention of sexual harassment and harassment based on sex.
- iii. To the information and advice service of the Women's Institute and for Equal Opportunities.

b. Initiate the informal or formal procedure established in the company, in accordance with the provisions of the procedure or protocol for the prevention and treatment of sexual or gender-based harassment that exists in my company.

c. File a report, which can never be anonymous and can be submitted to the Labour and Social Security Inspection, the Police, or to the duty court.

Where can I get information or assistance?

Instituto de la Mujer y para la Igualdad de Oportunidades

C/ Condesa de Venadito nº 34.28027 Madrid

- Free information telephone number: +34 900 191 010
- Free information telephone number (DTS for deaf people): +34 900 152 152

Opening times: 9:00 to 23:00 hours. Monday to Friday.