

HARASSMENT PREVENTION PROTOCOL

1.- Rights Statements:

EXKAL assumes that the attitudes of harassment become an offense to the dignity of workers, so harassment will not be allowed or tolerated in the workplace.

2. Harassment definition:

The term harassment reaches all conducts, statements or requests, made with a certain repetition and consistency, which could be considered offensive, humiliating, violent or intimidating, always occurring in the workplace or during it, which involves the insult, contempt, humiliation, discrimination or coercion of the protected person in the psychological, sexual and / or ideological, but could adversely affect their integrity through degradation of working conditions, whatever the reason leading to the realization of that behavior.

The term includes events listed below, although these are not a closed list, making it possible to include cases not specifically defined in it:

- ✓ Actions to isolate the professional activity of a protected person with attacks on its performance, handling and clearing his reputation or functions.
- ✓ Abuse of power, setting unattainable goals or impossible work assignments, excessive performance control and unwarranted denial access to training or improving periods.
- ✓ Deliberated physical contact and unsolicited comments, gestures or sexual innuendo without consent, requests for sexual favors, and other behavior that is consequent upon or intended discrimination, abuse or humiliation of the employee on grounds of sex.
- ✓ Actions to discriminate, isolate and discredit a person because of their ideological affiliation, political or trade union, manipulating their reputation or hinder their representative role in the organization.

3. Harassment Types:

3.1. Bullying or Mobbing:

- Bullying definition: Bullying is defined as a situation in which an employee or group of employees engaged in an extreme psychological violence, abusive and unfair in a systematic and recurrent, for a long time, on another employee or employees in the workplace, with in order to destroy communication networks of the victim, destroying his reputation, undermine his

self-esteem, disrupt the performance of their duties, deliberately degrading the working conditions of the victim / s, and finally get that person to leave his job, producing a continuous and progressive damage to their dignity.

- Bullying types: Descending (top to bottom position), Horizontal (same hierarchical level), Ascending (bottom to top position).

- Preventive actions for bullying: Communication to staff, shared responsibility and special order directors and managers, training programs in the company.

3.2. Sexual Harassment:

- Sexual Harassment definition: Sexual harassment is conduct of a sexual nature or other conduct based on sex, affecting the dignity of women and men at work, and externalized through a verbal or physical conduct manifested in actions, gestures or words, whose active subject must know that such conduct is reprehensible and socially aware, by manifestations of the taxpayer, that such conduct is unwanted by the victim.

4. Action Procedure:

The procedure must be **agile and quick**, giving credibility to ensure the **protection of the right to privacy and confidentiality of people** affected and non-repeated explanation of the facts by the harassed, unless strictly necessary. Also protect the safety and health of the victim. To this end, the parties agree to approve the protocol creating the figure of "advisor to confidential", whose mission will be to receive complaints and allegations of harassment, in all its manifestations, occurring, acting with the worker home, or in place, with the express permission of it, to try to reach a settlement. This / a consultant / she is appointed from among the members of the Committee of the System and will be the **General Manager**.

To start this protocol, the protected person must lodge a complaint with the Management Systems Department, who will provide information on the development of the proceedings and referred to the "advisor to confidential " will provide advice regarding the procedure action initiated.

Establishing a **Monitoring Committee** of social responsibility actions EXKAL (System Committee) in which follow apply to situations of harassment in the workplace are detected. It shall be composed, among other charges authorized by the consultant.

5. Final Provisions:

- ✓ The content of the Protocol is mandatory, and came into force after its communication to staff via existing media **EXKAL** while maintaining existing legal or conventional rules do not force your fitness or experience indicate its necessary adjustment.
- ✓ If signs warn of misconduct or crime, "advisor to confidential" suspend the procedure by notifying the Department of Management Systems.
- ✓ All information relating to complaints regarding harassment will be treated in a manner that protects the privacy rights of the parties involved.
- ✓ The initiation of proceedings under this Protocol shall not interrupt or extend the terms of claims and remedies under existing legislation.
- ✓ Without prejudice to any precautionary measures can be taken, the filing of a judicial action suspends the procedure specified in this Protocol.
- ✓ The parts acknowledge the possibility of the emergence of temporary difficulties arising from the implementation of this Protocol, promising to urgently negotiate solutions to these complications.

Marcilla 20/12/2010.

Signed:

Alfonso Antoñanzas

General Manager