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PROTOCOL FOR THE PREVENTION OF AND ACTION AGAINST SEXUAL HARASSMENT AND GENDER-BASED HARASSMENT AT GREENERGY

Proposed by	Reviewed by	Approved by
Human Resources	Appointments and Remuneration Comm	Board of Directors


Date: 3/03/2023

Date: 14/03/2023

Date: 22/03/2023

Knowledge Matrix

- ALL FUNCTIONS, AREAS OR DEPARTMENTS
- 1. FINANCIAL DEPARTMENT
- 2. STRATEGY & CAPITAL MARKETS
- 3. LEGAL & COMPLIANCE
- 4. HR, IT & GENERAL SERVICES
- 5. DEVELOPMENT
- 6. M&A
- 7. ENERGY
- 8. POWER GENERATION & EQUITY
- 9. EPC
- 10. SERVICES
- 11. PURCHASING
- 12. INTERNAL AUDIT
- OTHER:


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Control Requirements

The Control requirements resulting from this policy are as follows:

Risk	Description of the risk	Responsible department	Summary of controls in place
04.01.01	That workers are unaware of the existence of this protocol.	Human Resources	- Training - Outreach activities
04.01.02	Workers do not have the means to report situations of harassment.	Investigation and Monitoring Committee	- Whistleblowing channel - E-mail address

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1.- OBJECTIVE

With this protocol, GREENERGY declares its zero tolerance for the occurrence of conduct constituting sexual harassment and gender-based harassment throughout its organisation.

In this protocol, GREENERGY underlines its commitment to the prevention of and action against sexual harassment and gender-based harassment in any way shape or form. GREENERGY informs that this protocol applies to all personnel who provide services in its organisation, whether they are its own personnel or from other companies, including any persons without an employment relationship who provide services or collaborate with the organisation, such as trainees, those who carry out non-work placements and those who do voluntary work.

This protocol complies with the requirements of Spanish law in articles 46.2 and 48 of Organic Law 3/2007, of 22 March, for the effective equality of women and men, RD 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. As it is considered a "best practice" for the management body, Greenergy wishes to extend the scope of the protocol to all companies in its group.

2.- SCOPE

This document applies to all GREENERGY employees, as well as to all Group companies, including investee companies in which GREENERGY has effective control or the possibility of effective control.

It is the responsibility of the above-mentioned natural and legal persons, regardless of their function within the organisation or company of the Group to which they belong, to be familiar with this document, to ensure that it is respected and complied with.

The group's internal regulations are part of the employee's contractual obligations and therefore any breach of them will lead to the appropriate disciplinary sanctions.

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3.- PROTOCOL FOR THE PREVENTION OF AND ACTION AGAINST SEXUAL HARASSMENT AND GENDER-BASED HARASSMENT IN GREENERGY

3.1. GREENERGY'S COMMITMENT TO THE MANAGEMENT OF SEXUAL AND/OR GENDER-BASED HARASSMENT

GREENERGY endeavours to make this protocol's existence known, indicating the need for strict compliance with it, to companies to which its own personnel are seconded, as well as to companies from which personnel working at GREENERGY originate. Thus, the obligation to observe the provisions of this protocol shall be stated in any contracts signed with other companies.

If the alleged harasser is outside the company's management and GREENERGY is therefore unable to implement the procedure in its entirety, it shall contact the competent company in order for it to take appropriate measures and, if necessary, punish the person responsible, warning them that, if they fail to do so, any business relationship between the two companies may be terminated.


The protocol shall apply to situations of sexual harassment or gender-based harassment that occur at work, in connection with work 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) During work-related travel, trips, social or training events or activities;
- d) In the context of work-related communications, including through information and communication technologies (virtual harassment or cyber-bullying);
- e) In accommodation provided by the employer.
- f) When commuting between home and work

By committing to the measures within this protocol, GREENERGY expresses and publicises its willingness to adopt a proactive attitude both in the prevention of harassment - awareness-raising and information on behaviour not tolerated by the company - and in the dissemination of good practices and the implementation of any measures necessary to manage complaints and reports that may arise in this regard, as well as to resolve them as appropriate in each case.

3.2. CHARACTERISTICS AND STAGES OF THE PROTOCOL FOR THE PREVENTION OF AND ACTION AGAINST SEXUAL AND/OR GENDER-BASED HARASSMENT

3.2.1 Preventive protection against harassment

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3.2.1.1. Declaration of principles: Zero tolerance for conduct constituting sexual harassment and gender-based harassment.

GREENERGY formalises the following declaration of principles to underline how relations between company staff should be, and what behaviour is not tolerable in the organisation.

This harassment protocol is applicable to any behaviour constituting sexual or gender-based harassment that may occur at GREENERGY.


GREENERGY, by implementing this procedure, assumes its commitment to prevent, not tolerate, combat and prosecute any manifestation of sexual harassment or gender-based harassment within its organisation.

Harassment is, by definition, a multi-harmful act that affects several legal interests, including the dignity of the worker as part of the right to life and to physical, mental and moral integrity. However, harm to dignity does not prevent such an act from also causing harm to other legal interests such as equality and the prohibition of discrimination, honour, self-image, privacy, health, etc. Nevertheless, it is by definition always harmful to dignity. Sexual harassment and gender-based harassment always affect the dignity of the person who suffers it and constitute discrimination on grounds of sex.

Within GREENERGY, conduct that could constitute sexual or gender-based harassment in any of its manifestations will not be permitted or tolerated. The company will penalise both those who engage in offensive conduct and those who promote, encourage and/or tolerate it. All company personnel are obliged to respect the fundamental rights of all those who make up GREENERGY, as well as those who provide services to the company. In particular, they shall 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 they are being harassed or become aware of a situation of sexual or gender-based harassment, any employee can activate this protocol as an internal, confidential and rapid procedure for the purpose of eradicating it and remedying its effects.

Once the corresponding informative file has been opened, if sexual harassment or gender-based harassment is confirmed, GREENERGY will sanction any offenders, using all its management and sanctioning powers to guarantee a working environment free of violence, sexist and discriminatory conduct on grounds of sex and in accordance with the principles of health and safety at work.

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3.2.1.2. Concept and conduct constituting sexual harassment and gender-based harassment

3.2.1.1.2.1 Definition and conduct constituting sexual harassment

Definition of sexual harassment

For the purposes of this protocol, sexual harassment is any behaviour, verbal or physical, of a sexual nature that has the purpose or effect of violating a person’s dignity, in particular when it creates an intimidating, degrading or offensive environment.

Any sexual harassment shall be deemed to be discriminatory.

Any conditioning of a right or an expectation of a right on the acceptance of a situation constituting sexual harassment shall also be deemed to constitute gender-based discrimination.

By way of example and without limitation, the following conduct could constitute sexual harassment:

Verbal behaviour:

- Allegations of sexual advances, propositions or pressure for sexual activity;
- Offensive flirtations;
- Insinuating comments, hints or obscene remarks;
- Unwanted phone calls or social media contacts.
- Jokes or comments about sexual appearance.

Non-verbal behaviour:

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

Physical Behaviour:

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

“Quid pro quo” sexual harassment or sexual blackmail

"Quid pro quo" sexual harassment or sexual blackmail consists of forcing the informant to choose between submitting to sexual demands, 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 harassing person will be one

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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 informant 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.

3.2.1.2.2 Definition and conduct constituting gender-based harassment

Definition of gender-based harassment


Gender-based harassment is any conduct carried out **on the basis of a person's sex** with the purpose or effect of violating their dignity and of creating an intimidating, degrading or offensive environment.

All gender-based harassment is discriminatory.

For a specific situation to be classified as gender-based harassment, a series of elements must be present, including:

- a)** Harassment, i.e., any intimidating, degrading, humiliating or offensive behaviour that originates externally and is perceived as harassment by the person who suffers it.
- b)** Any objective attack on the informant's dignity which is subjectively perceived by the informant as such.
- c)** Multi-offensive outcome. Any attack on the dignity of the person who suffers gender-based harassment does not prevent the concurrence of damage to other fundamental rights of the informant, such as the right not to suffer discrimination, an attack on their mental and physical health, etc.
- d)** For it not to be an isolated event.
- e)** The reason for this behaviour must be related to the fact that they are women, or because of biological circumstances that can only affect them (pregnancy, maternity, breastfeeding); or that have to do with reproductive and care functions that, as a result of social discrimination, are presumed to be inherent to women. In this sense, gender-based harassment 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 gender-based harassment also constitutes gender-based discrimination.

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Conduct constituting gender-based harassment

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 gender-based harassment 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 work, or assigning meaningless or demeaning work.
4. Denying or concealing the means to carry out the work or providing incorrect information.
5. Assigning work that is much higher or lower than the person's skills or qualifications, or that requires much lower qualifications than those possessed.
6. Orders that are contradictory or impossible to comply with.
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 harassed person.
9. Manipulation, concealment, return of the person's correspondence, calls, messages, etc.
10. Denial or difficulties in accessing permits, courses, activities, etc.

Actions intended to isolate the target group

1. Changing the location of the person by separating him/her from his/her peers (isolation).
2. Ignoring the presence of the person.
3. Not addressing the person.
4. Restricting colleagues from talking to the person.
5. Not allowing the person to express him/herself.
6. Avoiding all eye contact.
7. Removing or restricting the means of communication available to the person (telephone, email, etc.).

Activities affecting the physical or mental health of the informant

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.

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7. Damage to their workplace or their belongings.
8. Requiring the person to perform work that is dangerous or harmful to their health.

Attacks on private life and personal or professional reputation

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

3.2.2 Procedure for action

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

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3.2.2.1. Determination of the Investigating Committee

An investigating and monitoring committee for cases of sexual harassment and gender-based harassment is established, and consists of the following persons:

- **Ms. Mercedes Español Soriano**
- **Mr. Luis Rivas Álvarez**
- **Mr. Álvaro Ruíz**
- **Mr. Alberto Benito Sánchez**

In the event of absence due to holidays, illness or any other legal reason, the following person may act as a substitute for any of the incumbent members:

- **Ms. Emi Takehara**

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To ensure the utmost confidentiality of this procedure, the persons who are members of this Commission shall be permanent.

The Committee shall have a duration of four years at the end of which the GREENERGY Administrative Body shall renew the Committee or replace its members as it deems appropriate for a further term of the same duration. The aforementioned persons who form part of this Investigation Commission shall remain completely impartial with respect to the parties concerned. Therefore, in the event of any kind of kinship by blood or affinity with one or more of the persons affected by the investigation, intimate friendship, manifest enmity with the persons affected by the procedure or direct or indirect interest in the specific process, they shall abstain from acting. In the event that, despite the existence of these causes, abstention does not occur, any of the persons affected by the procedure may apply to the Commission itself, for the disqualification of said person or persons from the Commission.

In addition, this Commission, either by its own agreement or at the request of any of the persons concerned, may request the hiring of an external expert who may accompany it in the investigation of the procedure.

This Committee shall meet no later than 3 working days from the date of receipt of a complaint, allegation or knowledge of inappropriate behaviour, in accordance with the procedure established in this protocol for its presentation.

Any report, communication, complaint or report of behaviour that could be considered sexual or gender-based harassment shall be dealt with anonymously within the Committee. Complaints, allegations and investigations will be treated in strict confidence, consistent with the need to investigate and take corrective action, bearing in mind that it may directly affect the privacy and honour of individuals.


3.2.2.2. The initiation of the procedure: The complaint or allegation

At GREENERGY, the Executive Compliance Committee, through the Compliance Officer, is responsible for managing and processing any complaint or report that may be filed in accordance with this protocol by anyone who provides services in this organisation.

GREENERGY employees should be aware that, except in cases of malice or bad faith, they will not be penalised for activating the protocol.

Complaints shall always be secret, and can be anonymous. In any case, GREENERGY shall guarantee the confidentiality of the parties concerned.

In order to guarantee the confidentiality of any complaint, allegation or communication of a harassment situation, GREENERGY has set up the e-mail account **canald@greenergy.eu** to which only the Executive Compliance Committee will have

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access and which will pass on the information to the Investigating Committee, when it is a matter that could constitute sexual harassment or gender-based harassment.

Complaints or allegations may be submitted secretly, in writing and in a sealed envelope addressed to Greenergy, either to Compliance or to Human Resources. In order to protect the confidentiality of the procedure, the person in charge of handling the complaint will give a code number to each of the parties concerned.

A reporting system has also been made available to employees through the Whistleblower Channel, accessible via the corporate website. This channel is defined as a prevention mechanism or tool, which allows the organisation to know and establish the corresponding measures in the event of non-compliance or illegal behaviour. This channel will only be accessible to the Compliance Executive Committee, which will pass the information to the Investigating Committee, in the case of an event that could constitute sexual harassment or gender-based harassment.

Upon receipt of a complaint in any of the aforementioned modalities, the person who has received the complaint shall immediately inform the Investigation Commission.


The complaint through any of the methods described above will be necessary for the initiation of the procedure under the terms set out in the following section.

3.2.2.3. The preliminary phase or informal procedure

This phase is optional for the parties and depends on the willingness of the informant. The aim of this preliminary phase is to resolve the harassment situation in an urgent and effective way in order to achieve the interruption of the harassment situations and to reach a solution accepted by the parties.

Once the information, complaint or allegation has been received, the Instructing Commission, or the person or persons designated by them, will interview the person affected, and may also interview the person affected by the information or both parties, request the intervention of expert personnel, etc.

This informal procedure or preliminary phase shall have a maximum duration of seven working days from the receipt of the complaint or denunciation by the investigating Commission. Within this period, the Investigating Committee shall conclude this preliminary phase, assessing the consistency of the complaint, indicating whether or not the purpose of the procedure has been achieved and, where appropriate, proposing any actions it deems appropriate, including the opening of the informative file. The entire procedure shall be urgent and confidential, protecting the dignity and privacy of the

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persons concerned. The file shall be confidential and shall be accessible only to the Commission.

Notwithstanding the above, the Investigating Committee, given the complexity of the case, may skip this preliminary phase and proceed directly to the processing of the informative file, which it shall communicate to the parties. Likewise, if the person being harassed is not satisfied with the solution proposed by the investigating committee, the informative file will be processed.

In the event of not proceeding to the informative file, the solution adopted in this preliminary phase will be recorded and the Greenergy Administrative Body will be informed.

3.2.2.4. The information dossier or formal procedure

If the preliminary phase is not activated or if the procedure cannot be resolved, the informative file will be opened.


The Instructing Commission shall nominate a person or persons from the Commission itself to carry out an investigation¹ to decide whether or not the alleged harassment has occurred after hearing the affected individuals and any witnesses, holding meetings or requesting any necessary documentation, without prejudice to the provisions on the protection of personal data and confidential documentation.

Persons called upon during this investigation process shall cooperate as diligently as possible.

During the processing of the case, at the proposal of the investigating committee, the management of GREENERGY shall adopt the necessary precautionary measures leading to the immediate cessation of the situation of harassment, without such measures entailing permanent and definitive damage to the working conditions of the persons involved. Apart from other precautionary measures, GREENERGY may separate the alleged harasser from the informant.

In the course of the procedure, the informant shall first be heard and then the person complained against shall be heard. Both parties involved may be assisted and accompanied by a person of their trust, whether or not he/she is a legal and/or trade union representative, who shall maintain confidentiality regarding any information to which he/she has access.

¹ The investigation shall be prompt, confidential and based on the principle of all parties having a fair hearing. Any complaint, allegation or claim raised shall be presumed to be true.

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The Investigating Committee may, if it deems it appropriate, seek external advice on harassment and equality and non-discrimination during the investigation of the procedure. This external expert is obliged to guarantee the utmost confidentiality with regard to everything that he/she may have knowledge of or access to as a member of the Commission for the resolution of the conflict in question, and shall be subject to the same causes for abstention and recusal as the members of the Investigation Commission.

Once the investigation has been completed, the Commission shall draw up a report stating the facts, the testimonies, and the evidence gathered and/or collected, concluding whether or not, in its opinion, there are indications of sexual or gender-based harassment.

If the evidence gathered it shows indications of harassment, the Instructing Committee will use the conclusions of its report to urge Greenergy’s Disciplinary Committee to adopt appropriate sanctions, and may even, in the case of a very serious case, propose the dismissal of the aggressor.

If the investigation carried out does not reveal evidence of harassment, the Commission shall state in the minutes that the test expressly carried out does not reveal the existence of sexual or gender-based harassment.


In the case of no harassment being found, but inappropriate behaviour or sanctionable violence is found, the Harassment Investigation Committee shall also urge the management of GREENERGY to take any measures it deems appropriate in this regard.

Within the Harassment Investigation Commission, decisions shall be taken by consensus, whenever possible, and failing that, by majority vote.

The procedure shall be swift and efficient, and the privacy, confidentiality and dignity of the persons concerned shall be protected in all cases. Throughout the entire procedure, strict confidentiality shall be maintained and all internal investigations shall be carried out tactfully and with due respect, both for the informant, who shall in no case be treated unfavourably for this reason, and for the person affected by the information, whose proof of guilt requires the concurrence of evidence in the terms provided for in the labour regulations in the case of violation of fundamental rights.

All persons involved in the process are obliged to act in strict confidentiality and to maintain secrecy and professional secrecy with regard to all information to which they have access.

This formal development phase should take no more than ten working days. If there are reasons which, due to their complexity, require a longer period, the Investigating

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Committee may agree to extend this period, but in no case by more than three additional working days.

3.2.2.5. The resolution of the harassment case

The Disciplinary Committee , once it has received the conclusions of the Investigating Committee, shall take the decisions it deems appropriate within 3 working days, and shall be the only body empowered to decide on the matter. The decision taken shall be communicated in writing to the informant, to the person complained against, and to the investigating committee, who shall keep any information to which they have access strictly confidential.


Based on these previous results, GREENERGY management will proceed to:

- a)** File the proceedings in the archives and make a record of them.
- b)** Adopt as many measures as it deems appropriate in accordance with the suggestions made by the Committee investigating the harassment procedure. By way of example, the following are some of the decisions that the company can take in this regard:
 - a)* Physically separate the alleged aggressor from the informant, by changing position and/or shift or schedule. In no case shall the harassment reporter be forced to change her 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 will be sanctioned by applying the table of offences and penalties provided for in the applicable regulations.

Possible sanctions to be considered for the aggressor may include the following:

- 1.** Transfer, displacement, change of post, working day or location.
- 2.** Suspension from employment and pay.
- 3.** Temporary limitation on promotion.
- 4.** Disciplinary dismissal.

If the offender is not dismissed, GREENERGY management will maintain an active duty of care towards the offender when he/she returns to work (in the case of suspension), or in his/her new position in the case of a change of location. However, compliance with the eradication of harassment will under no circumstances end with a mere change of post or a suspension. Subsequent monitoring and control of the situation by the company are also necessary.

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GREENERGY management will take the necessary preventive measures to avoid a recurrence of the situation, reinforce training and awareness-raising actions and carry out actions to protect the health and safety of the whistleblower, including the following:

- a. Assessment of psychosocial risks in the company.
- b. Adoption of surveillance measures to protect the whistleblower.
- c. Adoption of measures to avoid re-offending of sanctioned persons.
- d. Psychological and social support for the person being harassed.
- e. Modification of working conditions that, with the consent of the person reporting harassment, are deemed beneficial to their recovery.
- f. Training or retraining for the professional updating of the harassed person if he/she has been on Temporary Incapacity (TI) for a prolonged period of time.
- g. Carrying out new training and awareness-raising actions for the prevention, detection and action in the face of sexual harassment and/or gender-based harassment, aimed at all persons providing their services in the company.

3.2.2.6. Follow-up


Once the file has been closed, and within a period of no more than thirty calendar days, the investigating committee shall be obliged to follow up on the agreements adopted, i.e. on compliance with and/or the result of the measures adopted. The result of this monitoring will be recorded in the appropriate report, which will include any measures to be adopted if the events causing the procedure continue to occur, and will also analyse whether any proposed preventive and sanctioning measures have been implemented. The report shall be sent to the management of the company, to the legal and/or trade union representatives of the employees, subject to the precautions indicated in the procedure regarding the confidentiality of the personal data of the parties concerned.

3.2.2.7. Precautionary Measures

If necessary, from the beginning and until the closure of the procedure, once the indications of the existence of harassment have been verified, precautionary measures may be adopted to protect the informant, such as: suspension of employment of the informant or of the person affected by the information as the circumstances make advisable, separation from work during the investigation, or similar measures.

Under no circumstances may these measures entail any detriment or impairment of the victim's working conditions, nor any substantial modification of the same, nor may they imply a "prior judgement" on the content of the resolution of the case.

3.3. DURATION, ENFORCEABILITY AND ENTRY INTO FORCE

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The contents of this protocol must be complied with. They come into force as soon as the protocol is communicated to the company's staff through the channels provided for this purpose.

Review and adaptation of the protocol will be necessary in the following cases:

- At any time during its term in order to reorient the fulfilment of its objectives of prevention and action against sexual harassment and gender-based harassment
- If its lack of compliance with legal and regulatory requirements or its 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 or organisation.
- If a court decision condemns the company for discrimination based on sex or sexual orientation or determines that the protocol does not comply with legal or regulatory requirements.

4.- RESERVATION CLAUSE


The GREENERGY Group and the different companies that comprise it expressly reserve the right to unilaterally modify, update and/or eliminate any matter regulated in this regulation, without any condition contained within being understood to be consolidated.

5.- TRANSITIONAL PERIOD

No transitional period is established for this rule.

6.- ANNEXES

Annex No.	Title
1	

ID: 04.02	TITLE	
Version: 1.0	Owner: Human Resources	Security Level: Public
Published:	Level: I	Page 20 of 20

The printed version is uncontrollable. The controlled version exists only in the electronic archive.

7.- ABBREVIATIONS AND DEFINITIONS

Abbreviation	Description
N/A	N/A
N/A	N/A

8.- MAJOR CHANGES COMPARED TO THE LAST REVISION

Version:	Description of the change
1.0	Initial version