

**PROTOCOL FOR PREVENTION AND ACTION IN CASES
OF HARASSMENT AND DISCRIMINATORY ACTS**

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Introduction

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

For this purpose, companies must develop equality plans that include, among others, measures to prevent sexual harassment and harassment on the basis of sex. In this sense, working conditions that prevent harassment must be promoted and, in addition, specific procedures must be arbitrated for the prevention of harassment and to channel complaints or claims that may be made by those who have been the subject of such behaviour.

In order to comply with the above, Sacyr has been provided with a harassment and discrimination prevention and complaints management protocol, in accordance with the following.

Declaration of Principles

Sacyr expresses its absolute and firm commitment to the principles of *non-discrimination and equal opportunities* in the development of its employees' careers. To this end, Sacyr is committed to fostering a work environment that is completely free of discrimination or any conduct that could constitute harassment.

In accordance with this commitment, all employees must be treated with dignity, without allowing, or tolerating, any type of harassing conduct; nor will discriminatory acts be allowed on the basis of origin, race, colour, religion, age, disability, marital status, sexual orientation or any other characteristic.

In this same sense, any use of information that is contrary to the right to privacy and intimacy or that entails an action that is intended to disrespect, degrade or humiliate its employees will be prohibited.

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

Sacyr, as part of its commitment to a zero-tolerance policy to any display of violence, harassment, verbal abuse, abuse of authority in the workplace, discrimination, or any other conduct that creates an intimidating or offensive environment, declares that all workplace relationships should be free of bias, prejudice, and harassment.

Therefore, Sacyr is committed to creating, maintaining, and protecting in every possible way a working environment that respects the dignity and freedom of all its workers.

All Sacyr employees will have a responsibility to guarantee a working environment that respects everybody's right to dignity and to equal treatment. Employees whose position entails a higher degree of responsibility will have a special commitment to guarantee and prevent any cases of harassment within their circle of influence.

Anyone who falls within the scope of application of this Protocol will have the right to use its procedures with the certainty that no intimidation and no unjust, discriminatory, or unfavourable treatment shall occur as a result. This protection shall be extended to anyone else who intervenes in said procedure.

Should this happen, help must be guaranteed for the victim, and every possible step shall be taken to prevent the situation from reoccurring.

Likewise, any employee who is aware of a possible case of harassment or discrimination should communicate it as soon as possible through any of the channels stated in this Protocol. Either tolerating or covering up harassment behaviours, were it to become known, may also lead to disciplinary action, in accordance with current regulations.

Chapter I. Purpose and scope of application

1. Purpose

This protocol is intended to prevent and avoid harassment or discriminatory acts in the work environment and, if they occur, to ensure that the appropriate procedure is in place to resolve them and prevent them from being repeated. Through these measures, we aim to guarantee that all Sacyr work sites will provide a harassment-free work environment, where everyone's integrity, as well as their professional and personal dignity, will be respected.

2. Scope of Application

This protocol applies to all persons working at any Sacyr company in which direct or indirect management control is exercised. The same criterion applies to any temporary joint ventures, Consortia, Joint Ventures, SPVs and other associative entities in which any company of the Sacyr Group participates. Its geographical scope is worldwide, without prejudice to the possible modifications or adaptations required by the regulations of the corresponding country.

Chapter II. General Concepts

1. Definitions

Workplace Harassment or Mobbing: any conduct or practice that, within the scope of the employment relationship, and in a systematic and recurring manner over time, leads to a detriment or attack against the dignity of the employee, in order to abuse him or her emotionally and psychologically, negatively affecting the work environment; and in such a way that his or her professional promotion prospects or tenure in the job are annulled or diminished.

This occurs when any of the following behaviours occurs repeatedly and regularly over a period of time: a co-worker is excluded from relationships with their colleagues, an employee is not assigned any tasks or is only assigned absurd or menial tasks that are below their professional aptitude, or an employee is publicly humiliated, disparaged, or undervalued.

Sexual Harassment: any sexually-suggestive behaviour, whether physical or verbal, which is intended to result in or results in harm to a person's dignity, especially when it creates an intimidating, degrading, or offensive environment.

Harassment Based on Gender: any behaviour that targets someone because of their gender, which is intended to result in or results in harm to their dignity or creates an intimidating, degrading, or offensive environment.

Harassment Based on Sexual Orientation: any behaviour directed against an individual because of their sexual orientation that may be considered offensive, humiliating, violent, or intimidating with the purpose or effect of attacking their dignity and creating a discriminatory environment.

Harassment Based on Gender Identity and Expression: any behaviour or conduct that, for reasons relating to gender expression or identity, takes place with the purpose or effect of attacking dignity and creating an intimidating, hostile, degrading, offensive or segregated environment.

Cyberbullying: conduct that represents harassment at work, for sex, for reasons related to sex, sexual orientation, gender identity and expression, when conducted through digital means. In particular, by recording, disseminating or publishing messages or images that affect the privacy or freedom of the victim in the workplace.

All of the modalities of harassment described above may occur between individuals of the same or different hierarchical level, whether or not they have a relationship of dependency within the organic structure of the entity or the workplace, provided that there is a position of power involved.

Sexual Blackmail: a blackmailer is a person in a position of hierarchical superiority over a victim, who directly or indirectly makes work-related decisions (access to employment, future permanence in the post, improving work conditions, etc.) conditional on the acceptance of a sexual proposal (blackmail).

Work Environment Harassment: this is sexually-charged behaviour, of any type, which results in an intimidating, hostile, offensive, or humiliating environment. The harasser may be of a higher or the same professional category as the victim. Example: comments, jokes, teasing, calendars and posters with erotic or pornographic content...

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

Discriminatory Acts: a discriminatory act is defined as one where an employee or group of employees are subjected to unfavourable treatment on the basis of their civil status, family situation, birth, ethnic origin, age, gender, sexual orientation, religious or political affiliation, union membership

or any other personal or social circumstance. This may take the form of a change of duties, personal insults, derogatory comments on an employee's personal or professional life, offensive criticism, etc. made with the intent or resulting in an intimidating, hostile, or offensive work environment, which may hinder an individual's work performance or employment opportunities.

In summary, these are behaviours that attempt to isolate or ridicule a person due to any personal conditions or circumstances that make them different from their co-workers. These behaviours are expressly forbidden by Sacyr's Code of Conduct and Behaviour.

2. Preventative Measures

In order to prevent, avoid, and sanction harassment behaviours in Sacyr, the following measures shall be adopted:

- This Harassment Protocol will be included in the onboarding plan for new employees.
- This Harassment Protocol will be published on the company's intranet and on Sacyr's external website, or through any relevant channels.
- A training session on gender policies and equality between men and women will be established in order to prevent acts of harassment within Sacyr.
- Management will collect yearly figures, de-aggregated by gender, on any interventions and complaints linked to work, sexual and gender-based harassment. This data will be published with the utmost degree of professionalism and will always preserve the victim's anonymity.
- A zero-tolerance policy against harassment behaviours will be established, and if necessary, any relevant disciplinary measures will be used in accordance with the law.
- The concept of joint responsibility will be established, and a higher degree of watchfulness will be expected for supervisors and managers.

3. Operational Principles

Sacyr guarantees the activation of the following procedure whenever a complaint regarding harassment or discrimination is filed.

Any procedures for action will be guided by the following principles at all times:

1. **Priority and Urgent Processing.** The procedure will be agile and fast. It will provide transparency and fairness. Any investigation or resolution of reported matters shall be performed with professionalism and diligence, without any unnecessary delay, so that it may be completed in as little time as possible without compromising due process.
2. **Impartiality and Cross-Checking.** All proceedings shall guarantee an impartial audience and an egalitarian treatment for all affected persons. Anyone intervening in the process shall act in good faith and seek the truth behind the reported matter. Therefore, an in-depth investigation of the incident will be sought, and if needed, it will be directed by specialised professionals.
3. **Duty of Confidentiality.** Anyone involved in the proceedings described in this Protocol will be bound to maintain confidentiality regarding any information discovered while investigating or evaluating a complaint. This information shall not be used for their own benefit or that of that of third parties, or against the public interest.
4. **Respect and Protection of Persons Involved.** Sacyr shall take appropriate measures to ensure the right to the protection of the dignity and privacy of all persons involved in the proceedings; and very particularly that of persons who are allegedly the victim and perpetrator of the harassment, respectively.
5. **Respect for Each Party's Rights.** When investigating a complaint, any inquiry must be carried out in a sensitive manner, respecting the rights of all those affected.
6. **Guarantee of Action.** Taking the necessary measures, including, where appropriate, those of a disciplinary nature against the person or persons who carry out harassing conduct and/or discriminatory acts. Likewise, in relation to anyone who makes a false charge or complaint, especially when bad faith is proven
7. **Protection against retaliation.** Guaranteeing that there will be no adverse treatment or negative effect for any person as a result of the filing of a complaint or statement aimed at preventing the situation of harassment and initiating the procedure. This same guarantee shall be extended to anyone who acts as a witness in the proceedings.
8. **Duty of Information.** The Company will relay all relevant information on harassment complaints, the conclusions of the investigation, and the measures enacted as a result of the same, to the relevant Monitoring Commissions for Sacyr's Equality Plan.
9. **Protection of Personal Data.** Sacyr will guarantee the privacy and protection of the personal data of the parties involved in the process at all times, committing to comply with the current legal regulations on the

protection of personal data and the guarantee of digital rights, applying for this purpose the various policies and procedures approved by Sacyr.

The use of this protocol does not prevent any person within its scope from being able to bring the matter to the attention of the corresponding labour authorities at any time, as well as, where appropriate, to the courts of justice, in order to defend their legitimate rights.

4. Competence

In order to guarantee the efficacy of its Code of Ethics and Conduct, SACYR has a **Regulatory Compliance Unit (RCU)**, a collegiate organisation with executive power and autonomy, composed of representatives from different Sacyr corporate departments and designated by the Audit Commission.

The RCU is tasked with investigating, processing, reviewing, and proposing any sanctions related to any possible violations of the Code of Ethics and Conduct or of any other regulations included in Sacyr's Regulatory Compliance Model.

Sacyr has a Committee, ad hoc, to which the RCU entrusts the investigation and processing of complaints of harassment, called **Harassment Prevention Committee (HPC)**.

Chapter III. Operational Procedures of the Harassment Prevention Committee (HPC)

1. Start of Procedure

The complaint, will begin the procedure, according to the following criteria:

- 1) The text of the complaint must include, at least, the following information:
 - The identity of the complainant, in case of not opting for anonymity, as well as their contact information.
 - The identity of the alleged perpetrator, as well as their position in the Company.
 - A detailed and thorough description of the facts, arranged chronologically, detailing the people involved, the background, and any other relevant information.
- 2) The affected person, the workers' representatives, or any other person who has knowledge of the facts may file the complaint.
- 3) The complaint will be communicated through any valid means in Law, preferably through the Ethical Channel, available both on the Sacyr Intranet and external website (www.sacyr.com), or by means of a letter sent to Sacyr's registered address at calle Condesa de Venadito, no. 7, 28027 Madrid.
- 4) Through the Ethical Channel, "verbal complaints" may be sent that must meet the above requirements.

2. Preliminary Phase

Once a complaint has been received in accordance with the provisions of the previous section, the HPC will firstly begin by:

- Verifying that the complaint meets the requirements set forth in said previous section. Otherwise, the person who filed the complaint will be required to correct or complete it.
- Evaluating the existence of possible evidence of harassment in the facts reported, in accordance with the definitions contained in this protocol, in order to activate the next phase of the procedure.
- Proposing, where appropriate, the adoption of the necessary precautionary measures, before initiating the investigation; for this purpose, it will be communicated to the Sacyr People Management Office for application.

In the event that the reported facts do not reveal signs of harassment, in the sense defined in this protocol, the procedure will conclude by notifying the informant of the area of the company with competence to deal with their communication

3. Investigation

The HPC may coordinate its actions with the corporate labour relations area of the corresponding business unit or country, in order for them to provide the necessary support in the investigation of the complaint, carrying out the actions and preparing the reports that are required for this purpose by the Committee.

During the investigation phase, both the affected parties and any witnesses shall be heard, and any other necessary procedures will be carried out.

The parties involved may be aided or accompanied by a trusted person, who may or may not be a worker's representative and who will be bound by the duty of discretion over any information they may access. They may also provide all the means of proof available to them.

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

This will be communicated to the corresponding Sacyr People Management so that the appropriate measures are taken to carry out the solution reached.

4. Conclusion

Once the investigation has concluded, the Committee will draft a report on its conclusions that will include a description of the reported facts, the circumstances surrounding them, the degree of repetition of such incidents, if applicable, and the degree of impact they had on job performance. This report shall be forwarded to the RCU for ratification, if appropriate.

This final report of conclusions must be prepared as soon as possible or, if applicable, not later than 30 days from the time the investigation of the complaint was assigned, unless there are circumstances outside the control of the committee that cause that period to be delayed, in which case they must be reflected in the report.

5. Implementation of Measures

Once the existence of harassment is proven from the report prepared by the HPC, it will be the RCU which, after hearing the HPC, will propose to the People Management the measures to be adopted.

People Management, after considering the recommendations issued by the RCU, will issue a final decision within a maximum of 7 days. This decision may involve the ratification as definitive of any preliminary measures adopted during the processing of the complaint, if any, or the adoption of separate measures, including the necessary disciplinary actions, including dismissal of the employee in the case of very serious violations.

Within a maximum period of 30 days, People Management must confirm to the RCU the adoption of such measures.

In the event that harassment is not proven, but other aspects related to the work climate or a possible labour conflict have been detected, the HPC may include in its proposal for the adoption of measures, that People Management study those measures that may put an end to said situation.

Likewise, should it be proven that a complaint is false or has been lodged in bad faith, the employee who filed it may be subjected to any disciplinary action deemed applicable by both current legislation and the framework of violations and sanctions set by any applicable Collective Agreement – up to and including dismissal in the case of very serious violations.

Validity

This protocol shall have an indefinite duration until such time as a subsequent one is approved that repeals or modifies it.

DOCUMENT MODIFICATION CONTROL		
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