

**PROTOCOL FOR THE 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, which regulates equality plans and their registration, and Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom, include, among the labour rights of workers, protection against sexual harassment and harassment based on sex, among others; and, to this end, companies are obliged to respect the principles of equal treatment and opportunities in the workplace.

Likewise, *Law 4/2023, of 28 February, for the real and effective equality of trans people and for the guarantee of the rights of lesbian, gay, trans, bisexual and intersex people* (hereinafter, LGBTI), as well as their families, provides for specific measures aimed at the prevention, correction and elimination of all forms of discrimination against this group, among them the obligation to have an action protocol in the company for dealing with harassment or violence against LGBTI people.

To this end, companies must draw up equality plans that include, among others, measures to prevent sexual harassment and harassment based on sex. In this sense, working conditions that prevent harassment must be promoted and, in addition, specific procedures must be arbitrated for its prevention and to channel complaints or claims that may be made by those who have been subjected to it.

To comply with the latter, Sacyr has equipped itself with a protocol for the prevention and action in cases of harassment and discriminatory acts in accordance with the following.

Statement of Principles

Sacyr expresses its firmest commitment to the principles of *non-discrimination and equal opportunities* in the development of the professional careers of its staff. In this regard, Sacyr is committed to promoting a work environment free of all discrimination and any conduct that may imply harassment.

In accordance with this commitment, all personnel must be treated with dignity, without any type of harassing behavior being allowed, or tolerated; Discriminatory acts on the basis of origin, race, color, religion, age, disability, marital status, sexual orientation, sexual identity, gender expression, or any other characteristic shall not be permitted.

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

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

Sacyr, in accordance with its zero-tolerance policy towards any manifestation of violence, harassment, verbal abuse, abuse of authority at work, discrimination or any other conduct that generates an intimidating or offensive environment, declares that relationships between people in the work environment must be characterized by being free of bias, prejudice and harassment.

Therefore, Sacyr is committed to creating, maintaining and protecting, with all possible measures at its disposal, a work environment where the dignity and freedom of all the people who work in it are respected.

All Sacyr employees are responsible for ensuring a work environment in which the dignity and equal treatment of all people is respected. Staff with responsibility by reason of their position will be especially entrusted with the task of guaranteeing and preventing situations of harassment of any kind from occurring within their scope.

All persons falling within the scope of this protocol have the right to make use of the procedure included in this protocol, with guarantees that they will not be subjected to intimidation or unfair, discriminatory or unfavourable treatment. This protection shall be extended to all persons involved in such proceedings.

If it occurs, help must be guaranteed to the person who suffers it and prevent, with all possible means, that the situation is repeated.

Likewise, any employee who is aware of the existence of an alleged case of harassment or a discriminatory act must report it, as soon as possible, by one of the means contemplated in this protocol. Both the tolerance of harassing behaviour, and the cover-up of these, can have disciplinary effects in accordance with current regulations.

Chapter I. Purpose and scope of application

1. Object

This protocol aims to prevent and avoid cases of harassment or discriminatory acts in the workplace and, if they occur, to ensure that the appropriate procedure is in place to resolve them and prevent them from recurring. These measures are intended to guarantee harassment-free work environments in Sacyr's workplaces, in which all people are obliged to respect integrity and dignity in the professional and personal spheres.

2. Scope of application

This protocol is applicable to all persons working in any Sacyr company in which direct or indirect management control is exercised. The same criterion is applied to those 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 that may be 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 recurrent manner over time, entails a detriment or attack on the dignity of the employee, in order to subjugate them emotionally and psychologically, negatively affecting the work environment; and in such a way that their capacities for professional promotion or permanence in the job are nullified or diminished.

This occurs if there is continuous and repeated conduct such as the exclusion of the employee from relationships with his or her colleagues, the lack of assignment of tasks or work that is absurd or below the professional capacity or competence of the worker, or the humiliation, contempt or underestimation of the employee in public.

Sexual harassment: any behaviour, verbal or physical, of a sexual nature that has the purpose or effect of violating the dignity of a person; in particular, when it creates an intimidating, degrading or offensive environment.

Harassment based on sex: any behaviour carried out on the basis of a person's sex, with the purpose or effect of violating their dignity and creating an intimidating, degrading or offensive environment.

Harassment on the basis of sexual orientation: any behaviour carried out against a person because of their sexual orientation that can be considered offensive, humiliating, violent or intimidating with the purpose or effect of violating their dignity and creating a discriminatory environment.

Harassment on the basis of sexual identity and gender expression: any behaviour or conduct that, for reasons of gender expression or sexual identity, is carried out with the purpose or effect of violating dignity and creating an intimidating, hostile, degrading, offensive or segregated environment.

Sexual identity: internal and individual experience of sex as each person feels and defines it, which may or may not correspond to the sex assigned at birth.

Gender expression: the manifestation that each person makes of their sexual identity.

Trans person: A person whose sexual identity does not correspond to the sex assigned at birth.

LGTBIphobia: is any attitude, conduct or speech of rejection, repudiation, prejudice, discrimination or intolerance towards LGBTI people for being LGBTI, or being perceived as such.

Cyberbullying: harassment at work, sexual, gender-based, sexual orientation, gender identity and expression when these are carried out through digital means. In particular, through the recording, dissemination or publication of messages or images that affect the privacy or freedom of the victim in the workplace.

All the forms of harassment described above can occur between people 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.

Sexual blackmail: the blackmailer is a person hierarchically superior to the victim who conditions, directly or indirectly, some employment decision (access to employment, permanence, improvement of working conditions...) on the acceptance of the sexual proposal (blackmail).

Environmental harassment: behaviour of a sexual nature, of any kind, which has the consequence of producing an intimidating, hostile, offensive and

humiliating context. The harasser may be of a higher or equal professional category than the victim. Example: comments, jokes, jokes, calendars and posters of erotic or pornographic content...

Sexual assault: Violating the sexual freedom of another person without their consent. In any case, acts of sexual content that are carried out using violence, intimidation or abuse of a position of superiority or violation of the victim will be considered.

Discriminatory acts: acting unfavourably towards an employee or group of employees on the basis of their marital status, family situation, birth, ethnic origin, age, sex, sexual orientation, religious or political ideas, membership of trade unions or any other personal or social condition or circumstance that may take the form of a change of duties, personal insults, making derogatory comments about aspects of their personal life or offensive criticism, etc., with the purpose or effect of creating an intimidating, hostile, or offensive work environment and may adversely interfere with an individual's job performance and employment opportunities.

In short, these are behaviors with which it is intended to isolate or ridicule a person for a personal condition or circumstance that distinguishes him or her from the rest of the workforce. They are expressly prohibited in Sacyr's principles of behavior and action.

2. Preventive measures

To prevent, avoid and punish harassing behaviour in Sacyr, the following measures will be adopted:

- This protocol will be included in the reception plan aimed at new staff.
- This protocol will be published both on the intranet and on Sacyr's external website or through the corresponding media outlet.
- A training module on gender equality between men and women will be established, in order to avoid situations of harassment at Sacyr.
- Data disaggregated by sex will be available annually on interventions and cases of work, sexual and gender-based harassment. The publication of this data will be done with the utmost professionalism and the anonymity of the people involved will be maintained at all times.
- The principle of not tolerating such conduct shall be respected, employing, if necessary, the disciplinary measures provided for in the applicable labour legislation.

- The principle of co-responsibility will be established in the monitoring of work behaviour, with special entrustment to managers and management staff.

3. Principles of action

Sacyr guarantees the application of the procedure described below when a complaint of harassment or discriminatory act occurs.

The procedure for action will be governed by the following principles, which must be observed at all times:

1. **Priority and urgent processing.** The procedure will be agile and fast. It will offer transparency and fairness. The investigation and resolution of the facts denounced must be carried out with due professionalism, diligence and without undue delay; so that the procedure can be completed in the shortest possible time and with due respect for the guarantees.
2. **Impartiality and contradiction.** The procedure must ensure a fair hearing and fair treatment for all persons involved. All persons involved in the proceedings shall act in good faith in the search for the truth and the clarification of the facts denounced. Therefore, an exhaustive investigation of the facts is sought and, if necessary, directed by specialized professionals.
3. **Duty of confidentiality.** The persons involved in the procedures provided for in this protocol have the duty to maintain confidentiality about the facts that they learn by reason of their position in the exercise of the investigation and evaluation of complaints, without being able to make use of the information obtained for their own benefit or that of third parties, or to the detriment of the public interest.
4. **Respect and protection of the people involved.** Sacyr will adopt the appropriate measures to guarantee the right to protection of the dignity and privacy of all the people involved in the procedure; and in a very special way that of the people allegedly harassed and harassed, respectively.
5. **Respect for the rights of the parties.** It will be guaranteed that the investigation of the complaint is carried out with sensitivity and respect for the rights of each of the parties.
6. **Guarantee of action** by adopting the necessary measures, including, where appropriate, disciplinary measures against the person or persons who carry out harassing behaviour and/or discriminatory acts. Likewise,

in relation to anyone who makes a false accusation or complaint, especially when bad faith is proven.

7. **Indemnity against retaliation**, guaranteeing that there will be no adverse treatment or negative effect on a person as a result of the presentation by them of a complaint or statement in any way aimed at preventing the situation of harassment and initiating the procedure. The same guarantee shall be extended to those who act as witnesses in the proceedings.
8. **Duty of information**. Regarding the harassment files, the conclusions of the investigation and the actions taken will be transferred, where appropriate, to the Monitoring Committees of Sacyr's equality plan.
9. **Protection of personal data**. Sacyr will guarantee, at all times, the privacy and protection of the personal data of those involved in the process, committing to comply with current legal regulations on the protection of personal data and the guarantee of digital rights, applying the different policies and procedures approved by Sacyr.

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

4. Competence

To ensure the effectiveness of the Code of Ethics and Conduct, Sacyr has the **Regulatory Compliance Unit (UCN)**, which is a collegiate body, executive in nature and autonomous, made up of representatives from various areas of Sacyr and appointed by the Audit Committee.

The UCN is responsible for investigating, processing, investigating and proposing sanctions in relation to any conduct that constitutes a possible violation of the Code of Ethics and Conduct and other regulations included in Sacyr's Regulatory Compliance Model.

Sacyr has a permanent, ad hoc committee, to which the UCN entrusts the investigation and processing of harassment complaints, called **the Committee for the Prevention of Harassment (CPA)**.

Chapter III. Procedure for action of the Committee for the Prevention of Harassment (CPA)

1. Initiation of the procedure

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

- 1) The report must contain at least the following information:
 - The identification of the complainant, if they do not opt for anonymity, and contact details.
 - Identification of the person reported and the position he or she holds. A detailed and detailed description of all the facts, narrated chronologically, with the persons involved, background information and any other relevant information.2) The complaint may be filed by the affected person, the workers' representatives, or any other person who has knowledge of the facts
- 2) The complaint will be communicated through any means valid in law, preferably through the Ethics Channel available both on the intranet and on the external website of the Sacyr Group at the links provided for this purpose or by post by writing to Sacyr's address at Calle Condesa de Venadito. nº 7, 28027 Madrid.
- 3) Through the Ethical Channel, "verbal complaints" may be sent, which must comply with the above requirements.

2. Preliminary phase

Upon receipt of a complaint in accordance with the provisions of the preceding paragraph, the CPA shall proceed preliminarily to:

- Verify that the complaint complies with the requirements set out in the previous section. Otherwise, the person who filed it will be required to correct or complete it.
- Assess the existence of possible indications of harassment in the reported events, in accordance with the definitions set out in this protocol, in order to activate the next phase of the procedure.
- To propose, where appropriate, the adoption of the necessary precautionary measures, before initiating the investigation; for which it will be communicated to Sacyr's People Directorate for its application.

In the event that there are no indications of harassment and the facts may be isolated conduct (except for a complaint of sexual harassment) or related to other labour aspects, such as disagreements between workers, the next phase of this procedure will not be activated.

3. Research

The CPA may coordinate with the labor relations area of the corresponding business unit or country, so that they provide the necessary support in the investigation of the file, carrying out the actions and preparing the reports that may be required for this purpose by the Committee.

During this investigation, both the parties and the witnesses will be heard and any steps deemed appropriate will be carried out.

The parties may be assisted and accompanied by a person they trust, whether or not they are a representative of the workers, who must maintain confidentiality regarding the information to which they have access. They may also provide all the means of proof at their disposal.

At any time during the investigation and provided that no signs of harassment are found and the circumstances of the case are taken into account, a quick and agreed solution can be reached between the parties.

This will be communicated to Sacyr's People Department, so that the appropriate measures can be adopted to carry out the solution reached.

4. Conclusion

Once the investigation has been completed, the committee will prepare a final report of conclusions that will contain the description of the facts denounced, the concurrent circumstances, if any, the repetition of the conduct and the

degree of impact on the labor obligations, which will be transferred to the UCN for, where appropriate, its ratification.

This final report of conclusions must be prepared in the shortest possible time or, where appropriate, without exceeding a maximum period of 30 days from the date on which the investigation of the file has been assigned, unless there are circumstances beyond the control of the committee that cause this period to be delayed, in which case they must be reflected in the report.

5. Taking action

Once the report prepared by the CPA proves the existence of harassment, it will be the UCN that, after hearing the CPA, proposes to the Directorate of Persons the measures to be adopted.

The Directorate of Persons, taking into consideration the recommendations of the UCN, will adopt the corresponding decision within a maximum period of 7 days, which may be from the ratification as final of the precautionary measures adopted as the case may be during the processing of the file, to the adoption of other measures, including appropriate disciplinary measures, including: the sanction of dismissal for very serious misconduct by the employee.

Within a maximum period of 30 days, the Directorate of Persons must confirm to the UCN the adoption of these measures.

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

If it is proven that a complaint is false or has been made in bad faith, the employee who made it may be imposed the sanction considered appropriate, in accordance with the applicable regulations and with the regime of infringements and sanctions established by the applicable Collective Agreement, including the sanction of dismissal for very serious misconduct by the employee.

Validity

This protocol will be valid indefinitely until a subsequent one is approved that repeals or modifies it.

CONTROL OF MODIFICATIONS TO THE DOCUMENT

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