

Prevention and action protocol for any workplace harassment situation



1. Statement of principles and purpose of the protocol

To establish guidelines that will enable us to recognise a situation of harassment in the workplace, whether psychological, moral, sexual, or gender-based (Protocol), in order to resolve a discriminatory situation while always ensuring that the rights of the victims are upheld. This Protocol replaces the previous one published in the 2nd Equality Plan of the Enagás Group.

This Protocol is linked to the Enagás Code of Ethics in points:

- Section 2.III "Safety: We care about people and safety". It develops behavioural guidelines related to respect for people and the protection of health and safety in relation to dealing with possible cases of sexual or gender-based harassment.
- Section 2.VI "Teamwork: We work as a team", which states that: (i) At Enagás, we foster a work environment where mutual respect and inclusion prevail; (ii) we value the richness that comes from the confluence of knowledge, skills and diverse experiences; (iii) we consider that all professionals who make up the Enagás Group are fundamental to the achievement of the organisation's objectives; (iv) we respect different points of view; and; (v) we create a work environment where everyone has the opportunity to develop their skills and perform their duties to the best of their ability, regardless of gender, culture, generation or any other circumstance.

Enagás expressly rejects abuse of authority, harassment, and any other behaviour that could create an intimidating, offensive, or hostile work environment.

2. Scope of application

Aimed at all administrators, directors, managers and professionals, regardless of the type of contract that governs their employment relationship, the position they hold or the place where they work, and of any company over which Enagás has management control. Exceptionally, this also applies to interns, without altering in any way the training and non-employment nature of their relationship with the Company.

It also applies to persons who do not belong to Enagás but who come into contact with the company through their work: customers, suppliers and jobseekers.

In the event that external personnel are involved, their respective companies shall be informed of the incident so that they can take the measures they deem appropriate.

3. Validity

This Protocol shall enter into force as soon as it has been communicated to the staff of the Company. It shall remain in force until amended or replaced by another. The Protocol in force at any given time is available to all employees on the company intranet.

4. Reference documentation

- Enagás Code of Ethics.
- Enagás Group Diversity and Inclusion Policy.
- Crime Prevention Policy.
- Enagás Group Disciplinary Regulations.

5. Responsibilities, guiding principles and procedural safeguards

Participating units, principles and guarantee

Organisation and Talent Management Area, People and Diversity Management Area, Ethical Compliance Committee, Audit and Compliance Committee, employees.

The Ethical Compliance Committee is responsible for the overall management of this Protocol, ensuring its correct application, dissemination, monitoring and continuous improvement, so that it is always in tune with actual operations, and must ensure agility, diligence and speed in the investigation and resolution of reported conduct, which must be carried out without undue delay, respecting the timelines established for each part of the process in Section 8 of this Protocol.

Respect for and protection of the privacy and dignity of the persons concerned shall be one of the maxims of action for all those involved in the process covered by this Protocol, providing a procedure that guarantees a fair hearing and fair treatment for all persons concerned.

Enagás formally establishes that it will not tolerate reprisals committed against persons who have made use of the notification procedures regulated herein, appear as witnesses or assist or participate in a harassment investigation. The Ethical Compliance Committee will provide immediate assistance to professionals who believe that they have suffered harm as a result of the use of this Protocol, taking into account their health and safety, the possible physical and psychological consequences of the situation and, in particular, the professional circumstances of the person who has been victimised.

The procedure also guarantees the protection of the identity of informants and persons who may be involved in the procedure, as well as the confidentiality of the information received. The persons involved in the procedure are obliged to maintain strict confidentiality and discretion and may not disclose or divulge any information on the content of complaints filed, under investigation or resolved.

The various internal bodies that may be involved are subject to the same obligations of anonymity, confidentiality and non-retaliation that apply to the Ethical Compliance Committee and have access to the identities of whistleblowers only to the extent that this information is essential to the resolution of the relevant report.

An identification number will be used and the name of the person harassed will be omitted from all communications made internally and to employee representatives as a result of the action taken.

If the harassment has resulted in a change in the victim's working conditions, the company must restore the victim's working conditions at his or her request.

6. Definitions

Sexual harassment: Any verbal or physical conduct of a sexual nature which is unacceptable to the person subjected to it and which has the purpose or effect of violating the dignity of a person, in particular when it creates an intimidating or degrading environment through inappropriate attitudes, statements or comments.

Gender-based harassment: Any conduct based on a person's sex or gender identity which has the purpose or effect of violating his or her dignity and creating an intimidating, degrading or offensive environment, as well as any adverse treatment or negative effect on a person due to his or her making a complaint, claim, report, demand or appeal with the aim of preventing discrimination and demanding effective compliance with the principle of equality between women and men.

Mobbing: Repetitive or persistent aggression by one or more people over a long period of time in the workplace or in relation to work. This may include verbal, psychological, or physical attacks. It is aimed at humiliating, belittling, insulting, coercing or discriminating against the victim, and it may force them to give up their jobs voluntarily.

Behaviors that, on their own or in combination with others, may evidence the existence of mobbing, include, among others, the following:

- Attacks on the dignity and respect of the individual, violating the principles set out in the Enagás Code of Ethics and in section 2 of this Protocol.
- Verbal violence.
- Isolation and rejection.
- Intentional deterioration of working conditions.

However, this should not be confused with any difficult situation that occurs within the company. Hence, the following are examples of cases which are not considered to be mobbing:

- Excessive pressure at work to achieve goals or lack of rewards, which are conditioning factors for a stressful work environment; intentional humiliation must be excluded.
- Poor conflict resolution, as unpleasant situations can arise in any community and the way they are resolved is not always the right one.
- A less participative leadership style in the team, although this does not mean that it is intentional.

Direct discrimination: A situation in which an individual or a group to which he or she belongs is, has been or is likely to be treated less favourably than others in a similar or comparable situation on the grounds of sexual orientation and gender identity, gender expression or sexual characteristics.

The refusal to provide reasonable accommodation to persons with disabilities shall be deemed to be direct discrimination. For this purpose, reasonable accommodation means necessary and appropriate modifications and adjustments to the physical, social and attitudinal environment which do not impose a disproportionate or undue burden, where needed in a particular case in an effective and practical manner, to facilitate accessibility and participation and to ensure that persons with disabilities enjoy or exercise all rights on an equal basis with others.

Indirect discrimination: It occurs when an apparently neutral provision, criterion or practice puts or is likely to put one or more persons at a particular disadvantage compared with others on the grounds of their sexual orientation and identity, gender expression or sexual characteristics.

Multiple and intersectional discrimination: Multiple discrimination occurs when a person is discriminated against, simultaneously or successively, on two or more of the grounds provided for in Law 4/2023 of 28 February and/or on another ground or grounds provided for in Law 15/2022 of 12 July on Equal Treatment and Non-Discrimination.

Intersectional discrimination occurs when several of the grounds listed in the previous section coincide or interact to produce a specific form of discrimination.

Discriminatory harassment: Any behaviour based on any of the grounds for discrimination listed in Law 4/2023 of 28 February, with the purpose or effect of violating the dignity of a person or group to which he or she belongs and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Discrimination by association and mistaken discrimination: Discrimination by association occurs when a person, or a group of which he or she is a member, is subjected to discriminatory treatment because of his or her association with another person who is subject to one of the grounds of discrimination based on sexual orientation and identity, gender expression or sexual characteristics.

Mistaken discrimination is discrimination based on a mistaken assessment of the characteristics of the person or persons being discriminated against.

Positive action measures: Differences in treatment aimed at preventing, eliminating and, where appropriate, compensating for any form of discrimination or disadvantage in its collective or social dimension. Such measures shall be applicable for as long as the situations of discrimination or disadvantage justifying them persist and shall be reasonable and proportionate in relation to the means of implementation and the objectives pursued.

Intersexuality: The condition of those born with biological, anatomical or physiological characteristics, sexual anatomy, reproductive organs or chromosomal patterns that do not conform to socially established notions of the male or female body.

Sexual orientation: Physical, sexual or emotional attraction to a person.

Sexual orientation can be heterosexual, when physical, sexual or emotional attraction is felt only towards persons of the opposite sex; homosexual, when physical, sexual or emotional attraction is felt only towards persons of the same sex; or bisexual, when physical, sexual or emotional attraction is felt towards persons of different sexes, not necessarily at the same time, in the same way, to the same degree or with the same intensity.

Homosexual persons may be gay if they are men or lesbian if they are women.

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

Gender expression: Each person's manifestation of his or her sexual identity.

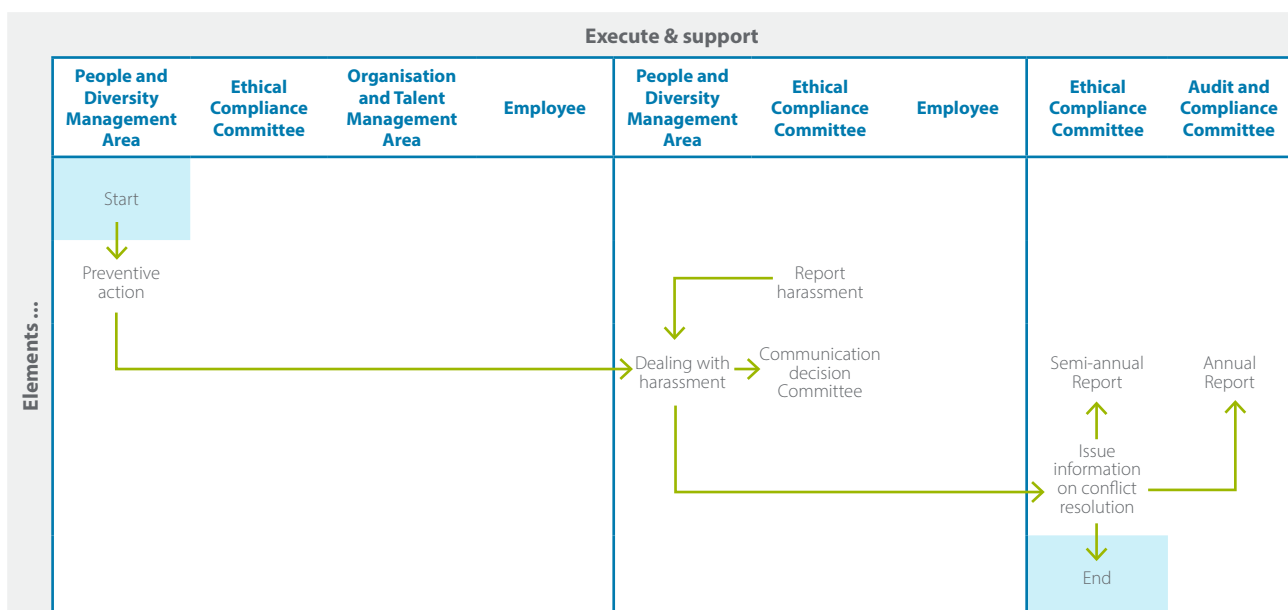
Transgender person: A person whose sexual identity does not correspond to the sex assigned at birth.

LGTBI family: Those in which one or more of its members are LGTBI persons, including same-sex parent families, i.e. those composed of lesbian, gay or bisexual persons with children who are under stable guardianship, custody or parental authority, or with adult offspring with disabilities in their care.

LGTBIphobia, homophobia, biphobia and transphobia: Any attitude, behaviour or discourse of rejection, disapproval, prejudice, discrimination or intolerance towards LGTBI, homosexual, bisexual or trans people because they are, or are perceived to be, LGTBI, homosexual, bisexual or trans people.

Inducing, ordering or instructing to discriminate: Any incitement, order or instruction to discriminate on any of the grounds listed in Law 4/2023 of 28 February is discriminatory. The inducement must be specific, direct and effective in causing another person to act in a discriminatory manner.

7. Flowchart



8. Development

Preventive action

Description

Management will promote measures to prevent and avoid harassment situations, such as:

- **Training:** this issue will be included in appropriate training programmes for all employees, especially those whose staff report to them.
- **Responsibility:** In accordance with the provisions of this Protocol and the Enagás Code of Ethics, all employees have an obligation and responsibility to establish and maintain relationships based on respect and dignity.
- Furthermore, managers should have the following responsibilities:
 - Ensure that the people who report to them are fully aware of and understand this Protocol.
 - Ensure that harassment does not happen in their area, and monitor accordingly.
- **Communication:** All available means will be used to ensure all members of the company are informed about the Protocol.

Dealing with harassment

Description

In addition to the victim, any person who becomes aware of harassment can report the situation through the Enagás Ethics Channel using the following communication channels:

- Electronic mailbox: canal.etico@enagas.es
- Send a letter to Paseo de los Olmos 19, 28005 - Madrid, Spain (to the attention of the Chairman of the Ethical Compliance Committee)
- Forms provided on the Corporate Intranet.

The victim may also choose to report the harassment verbally to the Head of the People and Diversity General Management in situations where it is expected that simply informing the aggressor of the intimidating and offensive consequences of his/her conduct will solve the problem quickly and efficiently. If a solution which is found to be acceptable to both parties is not found within 15 days, the victim may submit the complaint in writing to the above-mentioned offices and through the specified media.

Once received by the person chairing the Ethical Compliance Committee, that person will inform the other members anonymously, so that only one person will know the identity of the sender of the communication. In the event the notification reaches a member the Ethical Compliance Committee, that person must inform the Committee chair, who will act as indicated at the beginning of this paragraph.

The person chairing the Ethical Compliance Committee may fully delegate to People and Diversity General Management the conduct of the proceedings and the taking of any action deemed necessary to clarify the facts and prepare the report on the alleged harassment under investigation, which shall include the conclusions, possible mitigating or aggravating circumstances and a proposal for possible action to be taken.

Any of the parties can request the intervention of the workers' legal representative or the relevant prevention delegate at any time.

As a protection measure for the victim, and after the evidence of harassment has been established, the victim may be separated from the alleged harasser as a precautionary measure, or any other precautionary measures deemed necessary may be adopted.

At a meeting called for this purpose, the Ethical Compliance Committee shall decide on the appropriate measures to take to resolve the conflict. It will do so based on the report compiled from the results of an investigation of the facts leading to the complaint. It will then inform the victim in person of the measures adopted.

The maximum time limit for completion of the procedure is 45 days from the moment the complaint is filed.

If behaviour deemed to be harassing is found to be present, the company will apply the current disciplinary rules.

Issue information on conflict resolution

Description

Information regarding the processing of harassment notifications will be included in the half-yearly reports that the Ethical Compliance Committee submits to the Enagás Audit and Compliance Committee. This information shall include, but will not be limited to, the following:

- Indicators of the activity of the consultation and notification process.
- Notifications received and deemed admissible or inadmissible.
- Average response and processing times for requests and notifications received.
- Completed notifications.

Every year, Enagás will also publish certain data about the use of this established channel and the resolutions of conflicts through the Protocol in international reports. However, Enagás will not provide any information that could allow for the identification of those involved in this type of process.



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