



Protocol for the prevention and eradication of harassment

10 December 2024

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0. Version control

Version	Date	Changes
1	2018	Initial version
2	November 2020	Various sections
3	14 June 2023	Various sections
4	10 December 2024	Various sections

1. Purpose and scope of application

The purpose of this protocol is to reiterate the FCC Group's commitment to the enforcement of standards and the development of an ethical behaviour in its business activities, based on the principles set out in the Code of Ethics and Conduct, which does not tolerate abuse of authority or any form of harassment, albeit physical, psychological or moral, nor any other behaviour that may generate a work environment that is intimidating, offensive or hostile to people.

This protocol applies to everyone at any Company pertaining to the FCC Group in which direct or indirect management control is exercised and with respect to all employees related to it, regardless of the link that binds them to it, whether they are its own workforce or from other companies, including those who apply for a job, interns, staff on secondment, suppliers, customers, etc.

2. Applicable principles and preventive measures

To ensure a fair and diverse work environment that promotes both professional and personal development, the FCC Group undertakes:

- Not to tolerate any behaviour that implies **discrimination or harassment** for gender-based reasons or gender expression, race, age, nationality, religion, sexual orientation or identity, sexual characteristics, disability, family origin, language, ideology, political or union affiliation or any other characteristic that has no objective bearing on employment conditions, regardless of whether or not it is in the applicable legislation in the relevant jurisdiction.
- To promote a **corporate culture of respect**, where the heads of the different organisational units ensure a work environment that is free of all types of harassment in their respective areas.
- To promote **communication and awareness-raising campaigns** against any kind of harassment (workplace, sexual, gender-based and violence against LGBTI people) that, in a simple and accessible way, allow the identification of the behaviours that constitute each type of harassment.
- To implement specific, suitable and preventive **training** schemes regarding harassment and for the resolving of conflicts, and management styles amongst the work team managers.
- To ensure that **psychosocial risk assessments** include questions regarding sexual or gender-based harassment, as well as discrimination on grounds of sexual orientation or identity, gender expression and sexual characteristics.
- To ensure that the **reporting and investigation mechanisms** are expeditious and speedy, respecting the rights of both parties and guaranteeing the right to privacy and the confidentiality of all involved.
- To adopt the corresponding **disciplinary measures** whenever conduct is detected that constitutes workplace harassment, sexual harassment or gender-based harassment or any other intolerable conduct.
- To adopt the applicable **measures to guarantee and/or restore the labour rights and social protection of victims**, according to the prevailing circumstances in each case.
- In order to guarantee the effective prevention of behaviours that cause harassment, the content of this Protocol shall be **disseminated** thereby enabling any incident and/or irregularity to be reported. In addition, a section shall be maintained in intranet for the dissemination thereof.

3. Implementation

Within the FCC Group, various mechanisms exist for preventing, detecting, investigating and sanctioning cases of harassment, including:

- **Code of Ethics and Conduct** available to all Group employees, setting out the applicable and mandatory rules and principles.
- **Compliance Committees**, both Corporate and Area, which ensure the proper functioning of the prevention model, monitoring the applicable regulations, risks, and efficiency of controls, and fostering a culture of compliance.
- **Whistleblowing Channel**, managed by the Corporate Compliance Officer and the Corporate Compliance Committee, through which anyone can share concerns regarding, or report, possible breaches of the Code of Ethics and Conduct or any activities carried out that imply the commission of unlawful acts and/or irregular behaviours, according to the Compliance Model.
- **Policies and procedures**, identification of risks and controls, and undertaking of various commitments in the respective Equality Plans applicable in the different companies of the FCC Group.
- **Declaration of acceptance**, in so far as the Group requires its employees to declare that they understand and comply with the principles set out in the Code of Ethics and Conduct.

4. Concept of harassment

There are three types of harassment at the workplace, motivated by different behaviours or conducts that are characterised by creating an intimidating, degrading or offensive environment for the worker and that threaten their dignity and their right to honour, privacy, physical integrity or moral or non-discrimination.

These are classified into the following types, according to the causes or motivations that originate them, as well as the behaviours in which they manifest themselves:

1. **Work harassment or mobbing**: exposure to intense psychological violence, aimed, in general, systematically and over a long period of time at one or more persons by another or others acting from a position of power - not necessarily hierarchical, but in psychological terms - in order to create a hostile or humiliating environment that disrupts the victim's professional life.

Moral harassment or mobbing occurs when, among others, the following behaviours are repeated and continuous over time:

- Those that involve isolation or discrediting/making fun of the victim.
- Those that involve assigning absurd jobs or overloading workers.
- Shouting or insults, physical and/or verbal threats.
- Spreading rumours about the victim.

Conduct that implies a transient personal conflict at any given time, occurring within the framework of human relations, which evidently affects the world of work, happens in its environment, impacts the organisation and the professional relationship, but its purpose is not the destruction or deterioration of those involved, shall not be considered workplace harassment.

Notwithstanding the foregoing, appropriate measures will be adopted in each case to prevent specific conflicts from becoming normal and leading to workplace harassment behaviours.

2. **Sexual harassment:** any conduct, whether verbal or physical, including words, gestures, attitudes or specific acts of a sexual nature, which have the purpose or effect of violating a person's dignity, particularly when creating an intimidating, degrading or offensive environment.

Behaviours that constitute sexual harassment include, among others, the following:

- Physical behaviour of a sexual nature that can range from touching to unwanted physical approaches.
 - Unwelcome verbal conduct of a sexual nature, such as annoying sexual innuendo, offensive propositions and flirting, obscene comments and other forms of sexual innuendo.
 - Non-verbal conduct of a sexual nature, such as the display of pictures or written materials of sexual or pornographic content, staring while making obscene gestures, etc.
 - Behaviours consisting of forcing an employee to submitting to sexual requirements (for example: sex in exchange for not being fired or changes to concepts of the employment relationship, or the repeated request for a date after these are rejected). This type of conduct is commonly called sexual blackmail.
 - The creation of an intimidating work atmosphere for the worker, generating an unpleasant, intimidating, hostile, offensive or humiliating work environment, known as environmental sexual harassment, is reflected in specific behaviours, such as: comments, insinuations and jokes of a sexual nature and content, the decoration of the environment with sexual reasons or the display of magazines or materials with sexual content, among others.
3. **Gender-based harassment:** conduct related to the gender of a person, sexual orientation or identity, gender expression or sexual characteristics, aimed at violating their dignity and creating an intimidating, degrading or offensive environment.

This type of harassment is reflected in specific behaviours, such as:

1. Making fun or despise someone's abilities, skills or intellectual potential for gender-based reasons, sexual orientation or identity, gender expression or sexual characteristics.
2. Behaviours that involve unfavourable treatment of the person, related to pregnancy, motherhood or fatherhood.
3. Situations in which the gender, sexual orientation or identity, gender expression or sexual characteristics of the person are used as conditioning factors before taking decisions that affect them personally or professionally.

Any of the statements related to the different types of harassment defined above can occur both in the provision of services in person and, where appropriate, remotely and by any means, among others, digital tools. As a consequence, FCC's commitment to the prevention and eradication of different forms of harassment extends to all forms of service provision.

5. Investigation and response procedure

The purpose of this document is to define the guidelines, procedure, tools and mechanisms for handling the different types of investigations conducted by the organisation.

5.1.- Lodging an allegation

Any allegation of harassment may be made in writing by post or any electronic medium provided for this purpose, or verbally (by telephone/voicemail) or both, either by the person concerned or anyone witnessing or with knowledge of acts of harassment at the workplace, including sexual or gender-based harassment.

The Code of Ethics and Conduct requires all workers to report any conduct deemed improper and/or which constitutes harassment.

The allegation must include a detailed description of the events that gave rise to it. To simplify this procedure, the corresponding Allegation Form has been created, attached to this Protocol as **Appendix I**.

Any of the **three channels** listed below allow activities and/or conduct that could represent an irregularity and/or case of harassment to be reported confidentially in writing by means of a simple form:

- Submitting the corresponding allegation form via the online platform (Whistleblowing Channel): <https://fccone.fcc.es/web/fccone/canal-etico-fcc>.
- Communication by email to any of these addresses (i) denunciaacoso@fcc.es; (ii) canaletico@fcc.es.
- Communication addressed to the "FCC Compliance Committee", sent to: Apartado de Correos 19312, 28080 Madrid.

A face-to-face meeting can be requested through any of the above channels or in countries other than Spain, through the local channels set up for this purpose in the different countries.

All communications will be received and diligently, rigorously and confidentially analysed by the Group's Compliance Committee, which will determine, based on the events reported, their qualification, in accordance with the FCC Group's Internal Information System Procedure, determining, where appropriate, the application of this Protocol or, if needed, other forms of processing, as applicable.

5.2.- Head of the investigation

Depending on the information received and the risk involved, the Corporate Compliance Committee will determine the necessary investigation guidelines for understanding and clarifying the facts. To that end, the Compliance Committee will determine:

- The complainant. In this regard, it is strictly forbidden to take any action that constitutes reprisal for having filed a good faith harassment complaint.
- The person suspected/accused of a violation or unethical conduct, in order to confirm whether any action or activity has been carried out in breach of the Code of Ethics and Conduct.

During the investigations, it must be guaranteed that the fundamental rights of those under investigation are not violated.

Everyone is entitled to the presumption of innocence and to the protection of their honour, whereby no false allegations aimed at harming anyone will be tolerated. If the existence of a false allegation or testimony is proven, the company will adopt the corresponding disciplinary

measures.

- The person or persons responsible for conducting the investigations. The person or persons designated to conduct the investigation and resolution of the file must have full theoretical and practical knowledge of each type of harassment, whether moral, sexual or gender-related. In this sense, it will be guaranteed that the instructors are aware that each of the types of harassment responds to different motivations or causes and is manifested in different ways.

Experts may, when appropriate, be requested to help the areas themselves, or assigned as external collaborators.

Once the persons in charge of the investigations have been determined by the Corporate Compliance Committee, the designation will be included in the Committee minutes, and the Corporate Compliance Officer will be responsible for reporting the facts and necessary elements to conduct the investigation to the corresponding Compliance Committee and the investigation team.

5.3. Investigation documents

The investigation will commence with the opening of an internal file, and will include at least the following actions:

- Interviews with the notifiers and/or with the areas involved, as required to obtain further information and achieve a greater understanding of the situation.
- Interviews with the person(s) against whom allegations have been made in order to record their version of events and check the alleged facts. In this regard, the right to assistance during the interview from workers' legal or trade union representatives is acknowledged, upon request.
- Interviews with the people involved in the events or who may have knowledge of them, who will receive the same non-retaliation guarantees as those established for the people aforementioned.
- Requests for documents submitted to different departments and third parties.
- Possibility of requesting, upon approval of the Compliance Committee, expert reports from external professionals.

In any event, as many additional steps will be taken as deemed relevant and necessary to clarify the facts.

Minutes of all the investigation and interview sessions shall be taken at the end of the meeting, with the necessary information on Data Protection, and shall be signed immediately by all parties present. Upon completion of the investigation, an **internal report** will be prepared up, and an action proposal submitted to the Corporate Compliance Officer.

Investigation of the case must last no more than **1 month** from the start of the investigation, unless the investigation of the events requires prolonging it for as long as necessary.

If the Compliance Committee and/or those in charge of the investigations find any evidence of sexual harassment, all **precautionary measures** deemed necessary shall be adopted and, in that case, the investigation procedure must be handled urgently, within no more than **15 working days**.

5.4.- Report and response

Upon completion of the investigation, the person responsible for conducting the investigation will submit a written report to the Corporate Compliance Officer, which must contain at least a brief reference of the means used, the documented and proven results of the investigation, and a conclusion of the investigation, proposing the measures to adopt.

Furthermore, after the completion of the file, both the complainant and the person against whom allegations have been made will be informed of its conclusions.

Only when the file is about sexual harassment or for gender-based reasons, the monitoring commission of the equality plan that, if any, applies to the company to which the complainant worker belongs will be informed, in accordance with the terms set forth in the plan.

5.5.- Other issues

a) Preventive investigation

The preventive action model includes periodic investigations, under the authority of freedom of enterprise, and defined in the Corporate Compliance Officer's work plan. In such cases, if breaches of the Code of Ethics and Conduct are detected, the investigation process described above will be set in motion.

b) External procedures

If a procedure has been initiated by the Inspectorate of Work and Social Security, civil proceedings have been started or any other investigation procedure external to the FCC Group, the Corporate Compliance Committee will adopt the pertinent decision in light of the prevailing circumstances, informing all parties involved.

6. Filing and custody of the investigations

The FCC Group has a data filing mechanism set up for this purpose, with access restricted to members of the Corporate Compliance Committee and the corporate Compliance Officer and duly protected with the corresponding security measures, depending on the processed data type.

7. Data Protection

Basic information on Data Protection	
<i>Responsible party</i>	<i>FOMENTO DE CONSTRUCCIONES Y CONTRATAS, SA (FCC, SA) CIF A28037224 Avenida del Camino de Santiago, 40 28050. Madrid. Website www.fcc.es and contact at protecciondedatos@fcc.es</i>
<i>Purpose/legitimacy</i>	<i>Analyse, investigate and resolve the alleged facts and/or incidents in accordance with the Code of Ethics and Conduct, Harassment Prevention and Eradication Protocol and their implementing regulations. The purpose is based on the processing necessary for the fulfilment of public interests pursued by the Controller [art. 6.1 e) GDPR], and also for compliance with a legal obligation [art. 6.1 c) GDPR] [aw 10/1995 (Penal Code), Law 3/2007 (Gender Equality Act), Law 2/2023 of 20 February regulating the protection of whistleblowers and the fight against corruption, the Code of Ethics and Conduct and other applicable and/or superseding legislation].</i>
<i>Recipients</i>	<i>System Manager, Compliance Committee, Corporate Compliance Officer or the area's Compliance Officer, heads of the investigation, Human Resources of FCC, SA or of the Entity to which the employee pertains and, if the reported event is liable to administrative and/or legal action, all information related thereto must be communicated to said competent authorities (Inspectorate of Work and Social Security, State Security Forces, Judges and Courts) for the investigation, inquiry and sanction of the event.</i>
<i>International Data Transfers</i>	<i>As specified above, the data may be transferred to the Entity to which the employee belongs or to the head of the Area. Some of the above companies may be located outside the European Economic Area or in a country that does not provide an adequate level of data protection in accordance with the European Commission - thus resulting in an International Data Transfer (IDT). This IDT is secured by appropriate safeguards (such as standard contractual clauses, binding corporate rules or the conditions of Article 49 GDPR), ensuring the security of the data and exclusively for the same purposes as described above.</i>
<i>Rights</i>	<i>Exercise of rights to access, rectification, erasure, data portability, and the limitation or opposition to its processing. Identification must be provided in the form of an ID card and the right to be exercised must be specified in writing to "Fomento de Construcciones y Contratas, S.A - Dpto. Seguridad de la Información y Riesgos Tecnológicos. Federico Salmón 13, 28016. Madrid" or in an e-mail sent to protecciondedatos@fcc.es. Likewise, data subjects who believe that their personal data have not been processed in accordance with data protection regulations may contact FCC, S.A.'s Data Protection Officer at the e-mail address specified above. Likewise, data subjects may also lodge a complaint with the Spanish Data Protection Agency (www.aepd.es).</i>
<i>Additional information</i>	<i>Finally, please note that you can consult all the information on the processing of your data in the "Data Protection" section of the Intranet and/or by sending an e-mail to the following address: protecciondedatos@fcc.es</i>

APPENDIX I

In____, on____20____.

Name and surname:

National ID Document No.:

Company:

Work centre:

Facts supporting the allegation (what, who, where and circumstances of interest):

Most suitable time and means for initiating the communication:

In order to be able to acknowledge receipt of this communication or, where appropriate, to request additional information to analyze the reported facts, it will be advisable to include a postal or e-mail address.

By means of this document, you can request that this allegation be handled in accordance with the procedures established in the FCC Group and the signatory acknowledge that you have been informed of the points relating to Data Protection set out in the Harassment Prevention and Eradication Protocol. You may always check all the information on the processing of your data in the "Data Protection" section of the Intranet and/or by sending an e-mail to the following address: protecciondedatos@fcc.es.

Petitioner's signature:

Signed: _____