

Against sexual harassment and sex discrimination at work.

Action protocol.



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Introduction

With the objective of preventing and eradicating any kind of sexual harassment and sex discrimination in the workplace, the **Caja Navarra Group** has decided to implement and develop a policy against these types of situations that includes the following elements:

- **A declaration of principles** that expresses zero tolerance of sexual harassment and sex discrimination towards any employee of Caja Navarra.
- **An educational and prevention policy**, to send the message about the importance Caja Navarra places on the eradication of any kind of sexual harassment and sex discrimination, as well as to give information about procedures to be followed in the event of being a victim of this kind of behaviour.
- **A specific claims procedure** that respects the total confidentiality of victims of sexual harassment or sex discrimination and explains the steps to be taken, as well as the actions that Caja Navarra will take for dealing with claims.

1. Declaration of the principles of CAN regarding sexual harassment and sex discrimination

The general applicable principles for situations of sexual harassment and sex discrimination will be as follows:

- 1.** Sexual harassment and discrimination due to reasons of sex, race, religion, nationality, ideology, colour, age and sexual orientation are prohibited in Caja Navarra, as established by its Ethical Code of Conduct.
- 2.** Caja Navarra considers the prevention and eradication of any kind of sexual harassment as essential, and therefore this policy will be applicable both to Caja Navarra and to the companies that make up the CAN Group.
- 3.** Sexual harassment is understood to be any unwanted verbal, non-verbal or physical sexual behaviour that has the purpose or effect of assaulting the dignity of another person, and especially when this behaviour produces an environment that is intimidating, hostile, degrading, humiliating or offensive.
- 4.** Sex discrimination is understood to be any behaviour based on the sex or gender of a person, with the purpose or

effect of assaulting their dignity and of creating an environment that is intimidating, degrading or offensive.

- 5.** Sexual harassment committed by managers, colleagues, clients or third parties will not be tolerated.
- 6.** The disciplinary actions provided for these purposes by legal regulations or conventional law will be applied to any person who has committed sexual harassment.
- 7.** We are all responsible for upholding a working environment that is free from harassment in any department of Caja Navarra. In the event of any inappropriate or offensive behaviour, it is essential that the person affected or third parties who are aware of the situation report the case, so that the necessary actions for its eradication can be implemented.
- 8.** Caja Navarra undertakes to deal with claims regarding sexual harassment and sex discrimination as quickly as possible and with the greatest possible confidentiality.

2. Communication of the “CAN Manual against sexual harassment and sex discrimination” to all employees

In order for the measures against sexual harassment and sex discrimination to be effective, it is necessary for all the people that work in CAN to be aware of them. To this end, a document will be delivered individually and published on the intranet that explains their implementation.

Also, the management of Caja Navarra, through its Diversity and Equality Department, undertakes to encourage respect between the people who work in Caja Navarra, by promoting educational actions, preparing informative material and proposing initiatives that are used to eradicate this type of harassment in the workplace.

3. Procedure for sexual harassment and sex discrimination claims

In the event of a claim of sexual harassment or sex discrimination, the privacy, confidentiality and dignity of the people affected will be protected at all times, providing the necessary protection for the victim regarding health and safety and taking into account the possible consequences, both physical and psychological, that could result from the situation.

The beginning of the procedure that is described below does not stop the victim from using administrative or legal channels, either at the same time as the claim or later.

3.1 CHANNELS FOR MAKING SEXUAL HARASSMENT AND SEX DISCRIMINATION CLAIMS:

There are four channels for making sexual harassment and sex discrimination claims:

A. Through the manager of the Diversity and Equality Department.

B. Through a senior manager or a person who carries out direct supervisory duties. This person must

confidentially inform the People Development Department or the manager of the Diversity and Equality Department of the problem so that it can be investigated and the appropriate actions be taken.

C. Through the legal representation of workers and through trade union departments. Once said information is received, these representatives must immediately and confidentially inform the managers of the Diversity and Equality Department or of the People Development Department so that the procedure can be started.

D. Through the People Development Department.

The objective of maintaining these alternative channels for making claims is so that the victim of harassment, or any anonymous person who has seen the conduct and is reporting it, can choose whichever is most convenient. In any case, **Caja Navarra guarantees confidentiality** in the handling of cases, regardless of the channel chosen to make the complaint.

In the event that any of the alternative channels are involved in harassment proceedings or are affected by a clear relation of family, friendship or enmity, or of immediate hierarchical superiority or inferiority regarding the victim of the reported person, they will be automatically invalidated.

Regardless of the channel used, the claim will be sent to the manager of the People Development Department. From the People Development Department, contact will be made with the manager of the Diversity and Equality Department so that preliminary investigations can be started.

The preliminary investigations will begin with a written report that indicates the name of the reporting party if this is not the victim him/herself, the date and time of the complaint and the reported facts. The report will be signed by the Diversity and Equality Department manager and by the person making the claim. Confidentiality is guaranteed at all times for the person making the claim.

If the manager of the People Development Department considers it appropriate, precautionary measures will be taken as seen fit for each specific case. Under no circumstances will these measures prejudice the working conditions of the victim or represent a significant change to them.

Finally, information regarding the contents of claims made or under investigation may not be disclosed.

3.2 SEXUAL HARASSMENT AND SEX DISCRIMINATION CLAIMS PROCEDURE

The manager of the People Development Department will study the claim and begin the preliminary investigations. The claim will then be passed to the reported person by notification with confirmation of receipt.

The reported person may respond in writing and provide any information that he or she considers necessary for the investigation of the case.

The manager of the People Development Department will collect the evidence and statements necessary to deal with the case. Once the investigation is finished, a report on the case will be prepared that will include the conclusions reached, any aggravating or mitigating circumstances of the case and, if appropriate, the opening of disciplinary proceedings against the reported person will be requested.

In the event that the assessment report on the case indicates that the reported sexual harassment or sex discrimination is proven, it will be the responsibility of Caja Navarra to apply the corresponding sanction.

3.3 CRITERIA TO DETERMINE IF THERE IS SEXUAL HARASSMENT OR SEX DISCRIMINATION

Sexual harassment will be considered as any of the following behaviour:

- **Making unwanted sexual insinuations, whether by supervisory or senior staff, colleagues, clients or third parties.** This does not include relationships by mutual agreement, provided that there is no coercion. Usually this does not refer to incidents such as one colleague asking another colleague out, unless the invitation is repeatedly refused and makes it difficult for the employee to continue with his or her work.
- **The acceptance or rejection of sexual insinuations as a basis for employment decisions.** Employment decisions include hiring, dismissing, assessing performance, promoting or transferring, or selecting someone for a position. In these cases, the person guilty of harassment is a member of supervisory staff or someone with direct influence on the employment of another. This kind of behaviour is called “quid pro quo” sexual harassment (something in return for something) and is an abuse of power or authority. This is also called sexual blackmail.

- **Other types of harassment include encouraging an intimidating, offensive or hostile working environment.**

A hostile environment is an atmosphere that makes it difficult to concentrate on work or that changes the working environment through conversations, photographs, drawings, actions or other offensive interaction. This may also include the frequent use of gestures or jokes with sexual connotations, using offensive slang or making fun of someone based on their gender. This is called environmental sexual harassment.

Sex discrimination will be understood to exist when:

- The actions described in the above paragraphs are carried out, not based on sexual conduct, but on the gender of people. **This will be treated as sexist behaviour and not as sexual harassment.**

3.4 RESPONSIBILITY OF MANAGING STAFF AND/OR SUPERVISORS IN THE PREVENTION OF SEXUAL HARASSMENT AND SEX DISCRIMINATION

All management or supervisory employees will have a responsibility to their teams when carrying out any work against any kind of behaviour that could be considered, under the aforementioned criteria, as sexual harassment or sex discrimination. To do this, they will be responsible for:

- Communicating the company policy of the organisation regarding the eradication of sexual harassment and sex discrimination.
- Noticing the indicators of a hostile, intimidating or offensive environment in their working teams, and informing employees that Caja Navarra will take any claims made regarding this matter very seriously.
- Acting immediately regarding any sexual harassment or sex discrimination complaint, reporting it through the channels in this action protocol.
- Upholding total confidentiality regarding any sexual harassment or sex discrimination complaint.

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