



HEALTH & SAFETY OFFICE

Consortium for the Construction, Equipment and Operation of the Synchrotron Light Laboratory (CELLS)

Title

PROTOCOL FOR ACTION AGAINST HARASSMENT IN THE WORKPLACE AT THE CONSORTIUM

Summary

This procedure describes the methodology to establish the actions arising from possible harassment situations at the Consortium. This document has been revised in 2021.

Prepared by: **Víctor Garrido**

Reviewed by: **Edgar Aigner**

Approved by:

Caterina Biscari

Date:

Date:

Date:

Distribution list

Management Board

Health & Safety Office

Health and Safety Committee

Allstaff via Confluence

History of changes

Rev. No.	Date	Pages	Description of the changes
1.0	23/03/2017	18	First version
2.0	08/08/2017	14	Consultation period feedback
3.0	21/05/2021		Review SPA, CSS, JJ, VG, EA,

Table of Contents

1. Introduction	4
2. Purpose, scope and definitions	5
2.1. Purpose	5
2.2. Moral or psychological harassment in the workplace	5
2.3. Sexual harassment	6
2.4. Internal occupational violence (IOV)	8
2.5. External occupational violence (EOV)	8
2.6. Discriminatory harassment	8
3. Course of action	8
3.1. In case of conflict of interest	9
3.2. Start	9
3.3. Initiation of the disciplinary procedure	10
3.4. Processing of the disciplinary procedure	10
3.5. Conclusions report	11
3.6. Resolution	11
4. Follow-up and control	11
5. Measures for the prevention of harassment in the workplace	12
6. Awareness-raising strategies and training	12
7. Procedural guarantees	13
7.1. Criteria	13
7.2. Coordination of contractors	13
7.3. Guarantees	13
8. Annex I: Reference documents	16
9. Annex II: Model of complaint for harassment in the workplace	17
10. Annex III: Guidelines for action for the trusted person, according to point 3.2	18

<i>Project ALBA Document No.:</i>	<i>Page: 4 of 18</i>
H&S/PG/011	<i>Rev. No.: 3.0</i>

1. Introduction

The protocol of "Action against harassment in the workplace" is drawn up in compliance with the current legal and regulatory framework.

The Spanish Constitution recognizes as a fundamental right "The dignity of the person, the inviolable rights that are inherent, the free development of the personality..." as well as "equality before the law, without any discrimination on the grounds of place of birth, race, sex..."

Respect for oneself and for their colleagues is a fundamental value at work and out of work, and therefore the Director of the Consortium wants to ensure a safe and healthy environment for all the people who work at the institution. In pursuance of the regulations in force, an action protocol is hereby presented for the prevention, eradication and, where necessary, management of any type of behaviour associated with harassment in the workplace.

The protocol is part of the health and safety prevention policy developed in recent years for the workplace, and is based on the fundamental principle that workers have the right that their work does not cause damage to their health, in accordance with the principles of the regulations and legislation in force.

With this protocol we are expressing our commitment to the establishment of an organizational culture of norms and values aimed at a free and healthy space, as well as zero tolerance for any type of conduct that threatens it.

This protocol is established without prejudice to the rights to judicial protection that may be exercised by any of the parties involved in a complaint of harassment or discrimination.

Declaration of principles:

Therefore, in order to comply with the duty of the company to ensure the safety and health of its workers and to adopt the necessary measures to protect it, as well as to defend the right of all workers to be treated with dignity, the Consortium's management undertakes to prevent behaviours that constitute harassment and physical violence, and to deal with any complaints that may arise, in accordance with the following principles:

- CELLS categorically rejects any type of physical workplace harassment and violence and expressly declares that it considers them unacceptable and intolerable, regardless of who is the victim or the harasser.
- All workers have the right to an adequate work environment, free from intimidation, and the person who suffers it must be guaranteed help by establishing the appropriate disciplinary measures, as well as the corrective measures that prevent the recurrence of such situation.

- They also have the right to be guaranteed that this type of complaints will be processed observing a rigorous respect to privacy, confidentiality, objectivity and neutrality, which will be guaranteed through this protocol.
- Therefore, any action or conduct of this nature is expressly prohibited and considered a professional misconduct giving rise to the application of the disciplinary regime.

2. Purpose, scope and definitions

This protocol covers the following cases:

- Moral or psychological harassment (mobbing)
- Discrimination based on gender, place of birth, ethnicity, sexual orientation, gender identity, disability or religion.
- Sexual harassment
- In general, any other act that may be considered harassment in the workplace.

2.1. Purpose

The purpose of this protocol is to define the framework of action in relation to the cases described below in order to achieve the eradication of this type of conduct in the workplace.

The ultimate purpose of the application of this protocol is the care and protection of the victim of harassment and the reparation, as far as possible, of the damage caused.

2.2. Moral or psychological harassment in the workplace

Preamble XI of Organic Law 5/2010, of 22 June, amending the penal code, establishes that: “among the crimes of torture and against moral integrity, the conduct of workplace harassment is considered a crime, understood as psychological or hostile harassment in the framework of any work or civil service activity that humiliates the person who suffers it, imposing situations of great offence to dignity”.

The Resolution of 5 May 2011 of the Secretariat of State for Civil Service, in relation to the establishment of a protocol for action against harassment in the workplace, workplace harassment is understood as "moral or psychological harassment at work" ("mobbing") and defines it as "exposure to behaviours of intense Psychological Violence, directed repeatedly and over time towards one or more people, by others who act against them from a position of power -not necessarily hierarchical but in psychological terms- with the purpose or effect of creating a hostile or humiliating environment that disrupts the victim's working life. This violence occurs within the framework of a work relationship, but does not respond to the organization's needs; it constitutes both an attack on the dignity of the person and a health risk”.

It also establishes a reference for situations that should be considered as workplace harassment:

- Continuously leaving the worker without an effective occupation, without any justification.
- Issuing orders impossible to comply with the means assigned to the worker.
- Occupation in useless tasks or tasks that have no productive value.
- Retaliatory actions against workers who have filed complaints, reports or lawsuits against the organization, or against those who have collaborated with the complainants.

- Repeatedly insulting or belittling a worker.
- Repeatedly reprimanding a worker in front of other people.
- Spreading false rumours about their work or private life.

Therefore, the following will not be considered psychological harassment:

- Conducts that occur within a symmetrical relationship and define a conflict between the parties in the workplace, whether they are of an occasional or more permanent nature, if they exclude any personal component. Obviously, any conflict in the workplace affects the working environment, the organization and the employment relationship; but it cannot be considered workplace harassment if it does not meet the conditions of the definition.
- Violent actions in the workplace, carried out from a prevailing position of power with respect to the victim, but that are not carried out repeatedly and over time.
- Those actions that, even though they can apparently be included in the definition, it is concluded that, due to their characteristics, they do not constitute violent behaviour (for example, “well-founded” reprimands for not doing the job well when they do not contain inappropriate disparaging comments), or when the evidence produced is not consistent, without being false.

Here are some examples, according to technical criterion 69/2009 on actions of the Labour and Social Security Inspectorate in matters of harassment and violence at work, of actions that are not considered workplace harassment:

- Substantial modifications of working conditions without cause and without following the legally established procedure
- Pressures to increase the working hours or perform certain tasks.
- Despotic behaviours indiscriminately directed towards different workers.
- Conflicts during strikes, protests, etc.
- Occasional and successive slights made by several individuals with no coordination between them.
- Unspecified reprimands for not doing the job well.
- Personal and union conflicts.

Royal Legislative Decree 5/2015, of 30 October, approving the consolidated text of the Law of the Basic Statute of Public Employees (article 95.2.b) classifies as a very serious offence any action that involves discrimination based on race or ethnicity, religion or beliefs, disability, age, sexual orientation, language, opinion, place of birth or residence, sex or any other personal or social condition or circumstance, as well as harassment based on race or ethnicity, religion or beliefs, disability, age, sexual orientation and moral, sexual and gender-based harassment.

2.3. Sexual harassment

A report by the Subdirector General for Equality in Business and Collective Bargaining, of the Institute for Women and Equal Opportunities, under the direction of the State Secretariat for Social Services and Equality of the Ministry of Health, Social Services and Equality, issued in June 2015, includes the following definition: “Sexual harassment is any verbal or physical behaviour of a sexual nature that has the purpose or produces the effect of undermining the dignity of a person, in particular when it creates an intimidating, degrading or offensive environment” (Article 7.1 of Organic Law 3/2007, of 22 March, for the effective equality of women and men).

The same report includes the criteria established by the International Labour Organisation (ILO) in its Convention 111 and the Recommendation of the European Communities 92/131, of 27 November 1991 (ALBA assumes these definitions and characteristics as its own), which establish three conditions that have to be met to determine whether there is a situation of sexual harassment, namely:

- That the conduct is of a sexual nature.
- That the conduct is unwanted, unreasonable and offensive to the person subjected to it.
- That the conduct creates an intimidating, hostile and humiliating work environment for the person subjected to it.

And it establishes the following types of sexual harassment:

a) Verbal conducts:

- Offensive sexual jokes and comments about the physical appearance or sexual condition of the worker.
- Obscene sexual comments.
- Questions, descriptions, or comments about sexual fantasies, preferences and abilities / capacities.
- Denigrating or obscene ways to address people.
- Spreading rumours about people's sex lives.
- Offensive communications (phone calls, emails, etc.) with a sexual content.
- Behaviours seeking the humiliation of the worker for their sexual condition.
- Invitations or pressure to accept dates or sexual encounters.
- Invitations, requests or demands for sexual favours when they are related, directly or indirectly, to the professional career, the improvement of working conditions or the retention of the job.
- Persistent invitations to participate in social or recreational activities, even if the person invited has made it clear that they are unwanted and inappropriate.

b) Non-verbal conducts:

- Use of images, graphics, cartoons, photographs or drawings of a sexually explicit or suggestive content.
- Obscene gestures, whistles, or lewd looks.
- Offensive letters, notes or emails with a sexual content.
- Behaviours seeking the humiliation of the worker for their sexual condition.

c) Physical conducts:

- Deliberate and unsolicited physical contact (pinching, touching, unwanted massages, etc.) or excessive or unnecessary physical approach.
- Deliberately cornering or seeking to be alone with the person unnecessarily.
- Intentionally or "accidentally" touching the sexual organs.

2.4. Internal occupational violence (IOV)

Exposure, in general, to insults, threats and physical or psychological aggression exerted against a worker by people from the same company or between people from different companies providing services in the same workplace.

2.5. External occupational violence (EOV)

The conducts defined in the previous paragraph carried out by people who are not part of those companies or whose presence in the workplace is illegitimate, including external collaborators, users and visitors to the facilities, among others.

2.6. Discriminatory harassment

Exposure to a process of conducts of abuse of authority and humiliating treatment with a discriminatory motive towards the victim based on: political or religious beliefs, union affiliation, sex, sexual orientation, gender identity, pregnancy or maternity, age, marital status, origin, ethnicity, nationality or disability. It is a repetitive process.

3. Course of action

Faced with a possible situation of harassment, the person allegedly harassed or who feels harassed can:

- 1) Demand help from the **Emotional Management Service** of CELLS. This is a free and voluntary service and is activated by phone **654 24 54 64** (psychologist Liliana Aguayo) or by email tattyaguayo@gmail.com. The Emotional Management Service will provide support to the allegedly harassed person, accompanying them during the steps required to initiate the process described in point 3.1.
- 2) Address the Director of the Consortium to explain what they deem appropriate in order to start the process described in point 3.2.

Additionally, the person allegedly harassed may choose to name a person they trust to accompany them throughout the process. The mission of this person is to reduce or alleviate the psychological impact of the alleged victim of harassment or assault. This trusted person:

- Will be acknowledged by the Director
- May be present at all the steps taken by the alleged victim
- Will sign a confidentiality agreement for the entire process

Attached to this protocol as Annex III are the guidelines for action for this trusted person.

Without prejudice to the foregoing, the Director must attend, as quickly as possible, to the most urgent needs that may arise, such as accompaniment, transfer to an outpatient or hospital centre, or psychological assistance.

<i>Project ALBA Document No.:</i>	<i>Page: 9 of 18</i>
H&S/PG/011	<i>Rev. No.: 3.0</i>

3.1. In case of conflict of interest

Without prejudice to the course of action described in this section 3, if the people involved in carrying out the procedure are also involved in the possible situation of harassment, then:

- If the Director of the Consortium is mentioned as an allegedly harassing person, then one should address the Administrative Manager, the Head of the Health and Safety office or the person in charge of Human Resources, in this order.
- The Director will request the reports from the people with a position immediately lower than the one indicated in the procedure if they are involved in the possible situation of harassment.
- In the event that there are people in the Health and Safety Office, in the Health and Safety Committee and/or in the Works Council who appear as allegedly harassed or harassing persons, they will be excluded from the drafting of the report.

3.2. Start

The procedure begins with the submission of a complaint by the allegedly harassed person, by his legal representative, by the workers' representatives or by third parties who are aware of the possible harassment.

The complaint will be submitted and registered in a signed writing inside a sealed envelope addressed to the Director of the Consortium, who will be responsible for its reception and processing.

Note: Annex II includes a model of complaint as an example.

Once the complaint has been received, the Director will request the following reports:

1. To the Head of the Division or to the Head of the Office of Relations with Industry, Projects and Technology Transfer, whichever the complainant is ascribed to, in relation to the aspects contemplated in the complaint.
2. To the Health and Safety Office in relation to the prior situation of psychosocial risks at the affected Division or Office.
3. To the Health and Safety Committee in relation to the prior situation or possible precedents or indicators of psychosocial risks at the affected Division or Office that may be interest for the case.
4. To the Works Council on whether they have had any related complaints.

The different bodies listed above will have 5 working days to issue the corresponding report.

The Director, after a first analysis of the complaint and of the reports mentioned above, shall, within a maximum of 5 working days:

- Reject the processing of the complaint if it does not meet the required conditions or if it is shown that the complaint does not fall within the scope of this protocol, and therefore close the complaint procedure without prejudice to taking other preventive measures if it deems that, although there has not been a situation of harassment in the workplace, there is a conflict in the workplace.
- Initiate a disciplinary procedure.

The decision must be notified to the complainant and to the corresponding Head of the Division or Head of the Office who issued the aforementioned report. The Head of the Health and Safety Office, the Health and Safety Committee and the Works Council must also be notified.

3.3. Initiation of the disciplinary procedure

If the Director has decided to initiate a disciplinary procedure against the alleged harasser, they shall appoint an Investigator a Secretary in charge of the procedure, who must not be involved in the facts of the complaint or be part of the same Division or Office.

In any case, neither the Investigator nor the Secretary may be the hierarchical superior of the alleged harasser or the complainant.

The Investigator will conduct the enquiries with full autonomy and independence without having to report their actions to the Director or any other officer of the Consortium.

From the decision to initiate a disciplinary procedure, the alleged harasser may choose to designate a person of their trust to accompany them throughout the process. This trusted person:

- Will be acknowledged by the Director
- May be present at all the steps taken by the alleged harasser
- Will sign a confidentiality agreement for the entire process

Attached to this protocol as Annex III are the guidelines for action for this trusted person.

3.4. Processing of the disciplinary procedure

Within a maximum period of 10 working days from the notification of the initiation of the disciplinary procedure, the Director must draw up the "Statement of Charges" and in order to guarantee the protection of the people involved in this process, and after hearing them, may decide to have them transferred in order to avoid further damage or to take any other preventive measure they deem appropriate.

The "Statement of Charges" must be notified to the alleged harasser together with the appointment of the Investigator and Secretary of the procedure and a description of the proceedings (defined in this protocol). The alleged harasser or their representative will have a maximum period of 7 working days to submit the "Statement of Defence" with the allegations and documents they deem appropriate for their defence. With the consent of the alleged harasser, the "Statement of Charges" will also be notified to the Works Council, which may issue a report on the matter within the same period of 7 working days.

Within 10 working days from the receipt of the "Statement of Defence", the Investigator will examine the evidence they see fit.

If considered necessary, the Investigator may extend the period of 10 working days by further periods of 10 days, up to a maximum of 3 extensions. The extensions must be notified to all persons involved in the complaint.

During the examination of evidence, which must be carried out with utmost speed, confidentiality and secrecy, the affected persons - the complainant and the accused - and the witnesses or other persons of interest, if any, will be interviewed. The examination of evidence regarding the complaint must be carried out with utmost sensitivity and respect for the rights of each of the affected parties, both the complainant and the accused.

Project ALBA Document No.:	Page: 11 of 18
H&S/PG/011	Rev. No.: 3.0

Within a maximum of 7 working days from the end of the examination of evidence, the accused shall be provided with all the documentation collected in the procedure so that they can submit to the Investigator of the disciplinary procedure any new allegations they see fit in their defence.

3.5. Conclusions report

The accused will have a maximum of 7 working days to submit to the Investigator any new allegations they see fit to make. At the end of this period, and within a maximum further period of 5 business days, the Investigator of the disciplinary procedure shall submit a conclusions report to the Director.

3.6. Resolution

The Director, within a maximum of 5 working days, may resolve:

- To close the procedure without further formalities if they consider that there has been no situation of harassment in the workplace.
- Close the procedure, but, nevertheless, advise taking different preventive measures considering that, although there has been no situation of harassment in the workplace, there is a workplace conflict.
- Determine that the facts are punishable, classifying them as a minor, serious or very serious misconduct, in accordance with the provisions of article 31 of the Second Collective Agreement of the Consortium's Employees. The Director may propose the adoption of any preventive measures they deem appropriate in order to solve the situation of harassment in the workplace that has been detected.

Note: It will be deemed that there is a workplace conflict when there is a symmetrical situation of dispute or divergence in which there is opposition of (tangible) interests, needs and/or values in dispute.

The resolution of the procedure shall be notified to both the complainant and the accused.

The resolution shall also be notified to the hierarchical superior, the Health and Safety Office, the Health and Safety Committee and the Works Council.

If, during the disciplinary procedure, it is found that the complaint is unfounded (there may be a feeling of harassment without bad faith) or false and if it turns out that the complaint has been made in bad faith, or that the data provided or the testimonies are false, the Director may choose to initiate the corresponding disciplinary procedure against the persons involved.

4. Follow-up and control

The conclusions report shall be registered in Human Resources.

The follow-up of the execution of the proposed corrective measures will correspond to the corresponding hierarchical superior, who will have to pay special attention to the support and, where appropriate, rehabilitation of the victims.

The Director will entrust the monitoring of the fulfilment of the proposed corrective measures to HR or the Health and Safety Office, who shall issue regular reports to the Director until their effective fulfilment.

Particular attention must also be paid to avoiding possible situations of hostility in the workplace, especially when the employee who has been off work is reinstated after a harassment complaint.

5. Measures for the prevention of harassment in the workplace

Following the principles of preventive action, the first objective to be set is to try to avoid this risk if possible. If it is not possible, the existing risk must be assessed in order to act on its source and try to minimize it.

An inadequate organization of work usually favours the appearance of this type of behaviour. The first and fundamental way to prevent harassment in the workplace must be an adequate design of work organization, which must be complemented with an adequate system of evaluation and control of psychosocial risks.

In order for the work environments of each Division or office to be the most appropriate, so as to prevent harassment behaviours, preventive action should be governed by the following principles:

- Observing the criteria established by Ergonomics and Psychosociology for an adequate work design.
- Designing and applying an adequate policy for the evaluation and control of psychosocial risks (following the procedures established for this purpose in the Consortium's Occupational Risk Prevention Management System).

The Health and Safety Office, with the support of the Consortium's Occupational Risk Prevention Service, will be in charge of proposing and implementing the corresponding preventive actions in each Department.

6. Awareness-raising strategies and training

It is necessary to develop specific preventive strategies that directly avoid or reduce the possibility of violent behaviours in the workplace.

In this regard, the Consortium Director shall promote:

- The provision of adequate training in conflict prevention and resolution, especially aimed at team leaders, so that they can recognise and deal with possible conflicts at their origin.
- Integrating a clear definition of "compulsory" and "prohibited" conducts into the continuing training of team leaders, both regarding their own role of command and the behaviour of their subordinates.
- The organisation of specific training activities for team leaders or heads of bodies involved in the prevention and management of harassment cases, on the one hand, and for union representatives, on the other, in which sufficient information is provided about the philosophy assumed by the Consortium regarding non-tolerance of certain behaviours associated to workplace harassment and regarding the procedures established for their prevention and/or resolution.
- Raising awareness about discrimination based on ethnicity, disability, sexual orientation, etc.
- Raising awareness about male chauvinism.
- Providing information on the administrative procedure against harassment in the workplace and inform about it in the welcome manual.

- Establishing some system (mailbox, email or telephone) where one can make enquiries, file complaints or report dangerous situations and receive advice on harassment in the workplace.
- The preparation and implementation of a Gender Equality Plan.

7. Procedural guarantees

7.1. Criteria

Within the context of this protocol, the following criteria should be taken into account:

- Any employee of the Consortium has the obligation to inform their hierarchical superiors of any cases of possible harassment in the workplace of which they have reliable knowledge.
- The person affected by an act of harassment in the workplace may report it to the Director of the Consortium and will have the right to obtain a response as long as their complaint is duly filed.
- Every person in charge is obliged to pay attention and to process any complaints received about cases of harassment in the workplace within the scope of their competence.
- The application of this protocol shall not prevent the people involved to file, in parallel or subsequently to the internal procedure, the administrative or judicial actions provided for in the Law.

7.2. Coordination of contractors

In application of the obligations established for the coordination of contractors required by Law 31/1995, the following aspects shall be taken into account:

- The external companies hired by the Consortium will be informed of the existence of an action protocol against harassment in the workplace.
- When there is a case of harassment in the workplace between employees of the Consortium and personnel of an external contractor, the mechanisms of coordination of contractors shall apply. Therefore, there will be reciprocal communication of the case, in order to reach an agreement on how to approach it.

7.3. Guarantees

7.3.1.- Respect and protection for the people:

It is necessary to proceed with the necessary discretion to protect the privacy and dignity of those affected.

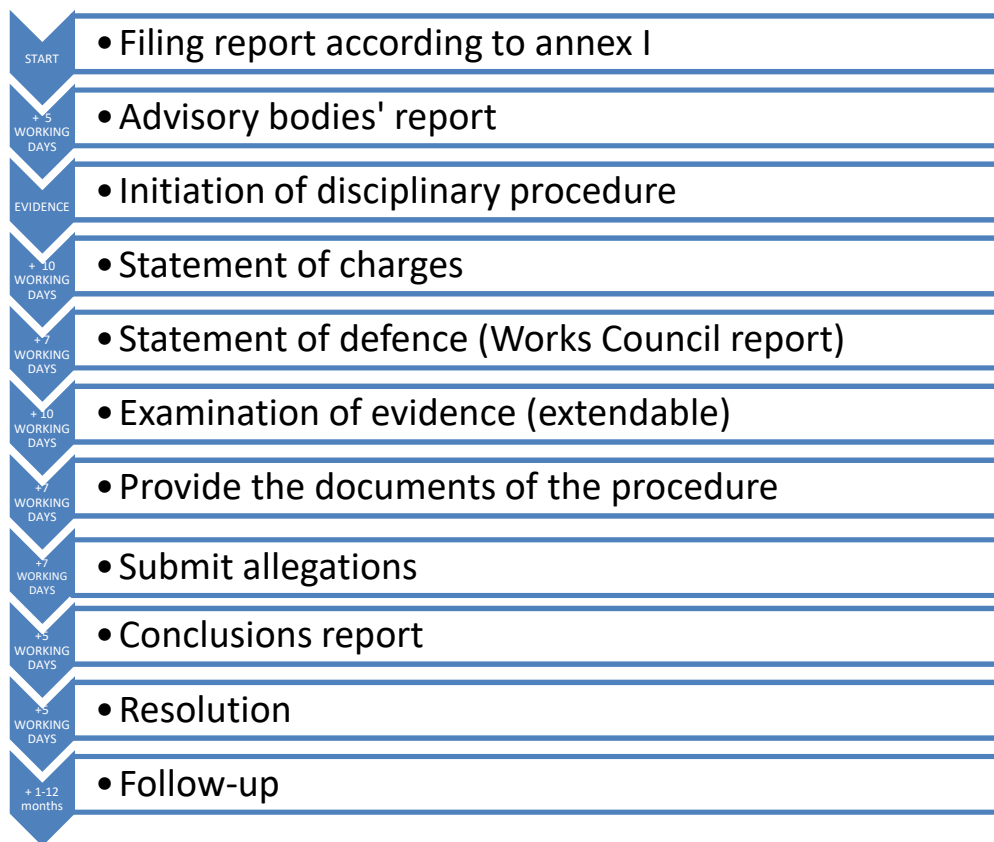
The actions or proceedings must be carried out with the greatest prudence and with due respect to all the people involved, who shall under no circumstance receive an unfavourable treatment for this reason. The people involved may be assisted by a risk prevention officer or advisor throughout the procedure, if they request it.

7.3.2.- Confidentiality:

The people taking part in the procedure are obliged to maintain strict confidentiality and secrecy and must not disclose any information about the content of the complaints filed or under investigation.

7.3.3.- Diligence:

The investigation and resolution of the reported conduct must be carried out without undue delay, so that the procedure can be completed in the shortest possible time, respecting the due guarantees. As a summary, deadlines for the proceedings are indicated in the following flow map.



7.3.4.- Contradiction:

The procedure must guarantee a fair hearing and fair treatment of all affected persons. All the intervening parties must seek the truth and the clarification of the reported facts in good faith.

7.3.5.- Restitution of victims:

If the harassment carried out had resulted in an impairment of the victim's working conditions, the Consortium must restore them to conditions as close as possible to their original employment situation, with the victim's agreement and within organizational possibilities.

7.3.6.- Protection of the victims' health:

The Director shall adopt the measures they deem pertinent to guarantee the affected workers' right to health protection.

<i>Project ALBA Document No.:</i>	<i>Page: 15 of 18</i>
H&S/PG/011	<i>Rev. No.: 3.0</i>

7.3.7.- Prohibition of retaliation:

Retaliation against individuals who file a report, appear as a witness, or participate in an investigation of harassment is expressly prohibited. In the case of a false report, the provisions of article 3.6 will apply.

Project ALBA Document No.:	Page: 16 of 18
H&S/PG/011	Rev. No.: 3.0

ANNEXES:

- Annex I: Reference documents
- Annex II: Model Report of Internal Investigation of a situation of Harassment.
- Annex III: Guidelines for action for the trusted person, according to point 3.2

8. Annex I: Reference documents

- *Spanish Constitution. 1978*
- *Royal Legislative Decree 2/2015, of 23 October, approving the consolidated text of the Workers' Statute Law.*
- *Law 31/1995, of 8 November, on the prevention of occupational risks, including the general principles that must inspire the preventive action of organizations, among which prevention planning stands out.*
- *R.D. 39/1997 of 17 January approving the Regulation of Prevention Services.*
- *Royal Legislative Decree 1/1995 art. 4, workers are recognised, in the development of their work relations, the right to respect for their privacy and dignity.*
- *Royal Legislative Decree 5/2000. Law of Infringements and sanctions in labour matters.*
- *Law 4/2005, of 18 February, for the Equality of Women and Men.*
- *Organic Law 3/2007, of 22 March, for the effective equality of women and men and especially its article 48 "Specific measures to prevent sexual harassment and harassment based on sex in the workplace".*
- *Law 5/2008, of 24 April, on the right of women to eradicate sexist violence, which includes actions in aspects related to sexual harassment and harassment for reasons of sex in the workplace and in society.*
- *Law 11/2014, of 10 October, to guarantee the rights of lesbians, gays, bisexuals, transgenders and intersexuals and to eradicate homophobia, biphobia and transphobia.*
- *Organic Law on Data Protection and guarantee of digital rights 3/2018.*
- *Royal Decree-Law 6/2019, of 1 March, on urgent measures to guarantee equal treatment and opportunities between women and men in employment and occupation.*
- *Directive 2006/54/EC, on the implementation of the principle of equal opportunities and equal treatment of men and women.*
- *Law 5/2008, of 24 April, on the right of women to eradicate sexist violence, which includes actions in aspects related to sexual harassment and harassment for reasons of sex in the workplace and in society. Catalonia.*
- *Law 11/2014, of 10 October, to guarantee the rights of lesbians, gays, bisexuals, transgenders and intersexuals and to eradicate homophobia, biphobia and transphobia. Catalonia.*
- *Law 17/2015, of 21 July, on the effective equality of women and men. Catalonia.*
- *Royal Legislative Decree 5/2015, of 30 October, approving the consolidated text of the Law of the Basic Statute of Civil Servants.*

9. Annex II: Model of complaint for harassment in the workplace

<i>REPORTER</i>	
<i>Name</i>	
<i>Job destination</i>	
<i>Contact</i>	<i>Telephone:</i>
	<i>Email:</i>

<i>AFFECTED PERSON</i>	
<i>Name</i>	
<i>Job destination</i>	
<i>Contact</i>	<i>Telephone:</i>
	<i>Email:</i>

<i>DESCRIPTION OF THE FACTS</i>

<i>ANNEXED DOCUMENTATION</i>

<i>REQUEST</i>
<i>I request the initiation of the protocol for action against harassment ..</i>

Cerdanyola del Vallès, on the .. of .. of 20..

Signature
Name

<i>Project ALBA Document No.:</i>	<i>Page: 18 of 18</i>
H&S/PG/011	<i>Rev. No.: 3.0</i>

10. Annex III: Guidelines for action for the trusted person, according to point 3.2

The person allegedly harassed may choose to name a person they trust to accompany them throughout the process.

The mission of this person is to reduce or alleviate the psychological impact of the alleged victim of harassment or assault throughout the process.

Guidelines for action:

- 1) Communicate to the Director the name of the trusted persons and the relationship with the allegedly harassed person.
- 2) The Director must acknowledge the trusted person and inform them of the protocol and steps that will be followed.
- 3) The trusted person undertakes in writing to maintain the confidentiality of the entire process.
- 4) The trusted person may be present at all the steps taken by the alleged victim or harasser, providing psychological support.
- 5) The trusted person may speak only on behalf of the person he represents, and under no circumstance give their personal view.
- 6) They shall not perform any actions on their own.