

**PROTOCOL FOR THE  
PREVENTION AND CARE OF  
WORKPLACE HARASSMENT  
AND SEXUAL HARASSMENT**



**GRUPO ARGOS**

Inversiones que transforman

# PROTOCOL FOR THE PREVENTION AND CARE OF WORKPLACE HARASSMENT AND SEXUAL HARASSMENT

Integrity, ethics, and transparency are everyone's responsibility at Grupo Empresarial Argos. We promote a work environment free of workplace and sexual harassment, and we establish mechanisms for preventing and addressing the cases that may arise, including a hotline.

## 1. OBJECTIVE



This protocol establishes the mechanisms for preventing and caring for labor harassment and sexual harassment at the workplace as part of Grupo Argos' commitment to integrity and its employees' well-being.



## 2. REACH

This protocol applies to all Grupo Argos employees.

### 3. PRINCIPLES



The protocol guarantees to apply the principles of respect, impartiality, confidentiality, and honor for due process in the attention of complaints about workplace harassment and sexual harassment.



### 4. DEFINITION OF WORKPLACE HARASSMENT

As the law indicate, workplace harassment is all persistent and demonstrable conduct, aimed at instilling fear, intimidation, terror, and anguish, causing labor damage, generating demotivation at work, or induce the resignation of the same.

These behaviors can occur both in a descending vertical plane, from superior to a subordinate, ascending vertical, from subordinate to a superior, and in a horizontal plane, between peers.

Some of the forms of workplace harassment are:

#### Labor mistreatment

Any act of violence that affects the employee's physical or moral integrity, physical or sexual freedom, and property. It also considers any abusive or outrageous verbal expression that damages the moral goodness or the rights to privacy and good name of those who participate in an employment relationship. Also, any behavior that tends to undermine the self-esteem of those who participate in an employment relationship.



### **Labor persecution**

Any conduct repetition or obvious arbitrariness inducing employee resignation through disqualification, excessive workload, or permanent changes in hours.



### **Labor discrimination**

All differentiated treatment due to race, gender, family or national origin, religion, political preference, or social situation, or that lacks all reasonableness from the labor point of view.



### **Work hindrance**

Any action tending to hinder the performance of the work, make it more burdensome, or delay it to the detriment of the employee, for example, the deprivation, concealment or uselessness of documents or instruments for the work, destruction or loss of information, hiding of correspondence or electronic messages.



### **Labor inequality**

Any assignment tending to ignore fair conditions for all employees.



#### **Lack of labor protection**

Any conduct tending to jeopardize the integrity and safety of the employee through orders or assignment of functions without complying with the minimum protection and safety requirements.



## **5. BEHAVIORS THAT CONSTITUTE WORKPLACE HARASSMENT**

- Acts of physical aggression, regardless of their consequences.
- Injurious or outrageous expressions about the person, using profanity or referring to race, gender, family or national origin, political preference, or social status.
- Hostile and humiliating comments of professional disqualification expressed in the presence of co-workers.
- Unjustified threats of dismissal are described in the presence of co-workers.
- Multiple disciplinary complaints from any of the active subjects of harassment, the recklessness of which is demonstrated by the respective disciplinary processes.
- A behavior that is humiliating or disqualified a person in the presence of co-workers.
- Any public teasing that someone can make about a person's physical appearance or dressing code.

- Any allusion that someone can make about a person's privacy.
- The imposition of duties ostensibly strange to work obligations, the openly extreme demands on the fulfillment of the work entrusted, and the abrupt change of the workplace or the work contracted without any objective basis regarding the technical need of the company.
- Any notoriously discriminatory treatment concerns other employees regarding the granting of labor rights and prerogatives and the imposition of labor duties.
- Refusal to supply materials and information essential that can affect an employee's performance at work.
- The unjustified refusal to grant permits, sick leave, ordinary leaves, and vacations. Even when the legal, regulatory, or conventional conditions are in line.
- Sends anonymous telephone calls and virtual messages with abusive, offensive, or intimidating content or subjecting them to a situation of social isolation.

For the configuration of workplace harassment, it is required that they be systematic, habitual, malicious actions, with a determined duration in time and directed at a person. However, exceptionally, a single hostile act will suffice to prove workplace harassment, depending on the seriousness of the denounced conduct and its capacity to offend human dignity, life and physical integrity, sexual freedom, and other fundamental rights.

When the behaviors mentioned above occur in private, they must be demonstrated by any means of proof.



## 6. DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is any unwelcome sexual innuendo, request, or conduct, whether verbal or physical, that may create a hostile, intimidating, degrading, discriminatory, or offensive environment.

It distinguishes from freely accepted and common approaches, insofar as sexual harassment behaviors are neither freely desired nor accepted by the person who is the object of them.

## 7. SOME BEHAVIORS THAT CONSTITUTE SEXUAL HARASSMENT ARE THE FOLLOWING:



- Unwanted physical contact, hugs, and kisses.
- Unwanted sexual observation, leering, or comments.
- Unwanted comments or jokes with sexual connotations.
- Unwanted intimate questions about privacy or physical appearance or harassment with profanity.
- Emails, text messages, contact through social networks or virtual chats, or any other means with unwanted sexually explicit content.
- Requests for pressure to have unwanted sex or sexual acts.

## **8. BEHAVIORS THAT DO NOT CONSTITUTE WORKPLACE HARASSMENT OR WORKPLACE SEXUAL HARASSMENT**

- Acts intended to exercise the disciplinary power that legally corresponds to hierarchical superiors over their subordinates.
- The formulation of reasonable demands of labor loyalty or business and institutional loyalty.
- The formulation of circulars or service memoranda aimed at requesting technical requirements or improving subordinates' efficiency and job evaluation according to objective and general performance indicators, provided they are justified, based on criteria, and non-discriminatory.
- The request to fulfill extra duties of collaboration with the company when necessary for the continuity of the service or to solve difficult situations in the company's operation.
- Administrative actions or steps aimed at terminating the employment contract, based on a legal cause or cause, provided for in the Substantive Labor Code.
- The request to fulfill the person's duties and the citizen referred to in article 95 of the Colombian Constitution.
- The requirement of the obligations or responsibilities referred in articles 55 to 57 of the Substantive Labor Code and not to incur the prohibitions in articles 59 and 60 of the same Code.
- The requirements to comply with the stipulations contained in the regulations and clauses of employment contracts.



## 9. PREVENTION MECHANISMS



- Dissemination of this protocol for the knowledge and appropriation by all employees.
- Publication in virtual media of the information on labor and sexual harassment at work, describing the behaviors that may be constitutive and non-constitutive, and the mechanisms in place to file a complaint if any of these behaviors occur, in any of its forms.
- Carry out training activities and promote principles, values, diversity, gender equality, and non-discrimination, facilitating and encouraging respect and good treatment within the company.
- The formation and operation of the Labor Coexistence Committee aim to propose preventive actions for labor and sexual harassment at work that help protect employees from psychosocial risks that affect health and well-being in the workplace.
- Promotion of the email [convivencia@grupoargos.com](mailto:convivencia@grupoargos.com) as a tool for the Labor Coexistence Committee to receive complaints regarding situations that may constitute workplace harassment.
- Promotion of the Code of Business Conduct as a tool that contributes to building behavior based on integrity, promoting responsible, honest, straight, serious, and transparent actions, with respect for the rules and internal policies of Grupo Empresarial Argos.
- Promotion of the Transparency Line as one of the Code of Business Conduct mechanisms to report possible cases of workplace harassment and workplace sexual harassment, always guaranteeing the confidentiality, due process, and guarantees of protection to the whistleblower.
- Permanent review and implementation of best practices in the prevention and care of workplace and sexual harassment cases.



## 10. MECHANISMS OF CARE

### Labor Coexistence Committee

The Labor Coexistence Committee will be the mechanism in charge of receiving and processing complaints submitted in which situations that may constitute workplace harassment, by the provisions of Law 1010 of 2006, resolutions 652 and 1356 of 2012, issued by the Ministry of Labor, as well as by any other regulation that complements, modifies or replaces them.

Whoever goes to this mechanism will receive respectful treatment, always to find possible solutions to the conflict, its procedure will be confidential and reserved, and the information and documentation obtained during this process will remain in the custody of the Labor Coexistence Committee.



**Complaints received by the Labor Coexistence Committee will be processed in stages, as follows:**

#### First stage: Receipt of the complaint

The employee must ensure the shortest possible time has elapsed between the occurrence of the event and the filing of the complaint.

The Labor Coexistence Committee will receive the complaints submitted by written communication. It can be in the format established for that purpose or by email containing the same fields requested in this (see annex). It has to explain each of the behaviors or situations that affected the employee and the supporting evidence.

The employee must send the format or content of the complaint by email to [convivencia@grupoargos.com](mailto:convivencia@grupoargos.com).

Once the Labor Coexistence Committee secretary receives the complaint, he will send the call made by the president to a special committee. This Committee must carry out within eight business days following the presentation of the complaint.

## **Second stage: Pre-qualification**

The Labor Coexistence Committee must verify the information in the complaint, checking if the behaviors fit into the provisions of articles 2 or 7 of Law 1010 of 2006.

To carry out the function set forth above, the Labor Coexistence Committee may rely on the company's Labor Relations team.

Suppose the conclusion of the Labor Coexistence Committee is that the matter does not correspond to conduct that may constitute labor or labor sexual harassment. In that case, this will be made known to the interested party in a confidential letter. Otherwise, the Committee must go to the next stage of the process: verifying and analyzing the facts.

---

## **Third stage: Verification and analysis**

The Labor Coexistence Committee must carry out activities to verify the circumstances in which the events have occurred with the evidence of the case. The Committee will meet each of those involved and record each of these proceedings employing minutes signed by each participant.

The Committee will summon the reported person to make it known and hearing his version of the events. The notified person must tell the details of the time and place of the meeting space and a review of the events to guarantee due process to the parties involved.

---

## **Fourth stage: Conciliation**

Once the panorama of what happened is available, the Labor Coexistence Committee will summon complainants and denounced them to a conciliatory space in which some settlement formulas and commitments are proposed for each one.

The parties should know that this is a scenario in which they intend to build negotiated solutions to achieve a good working environment within the company.

The agreements obtained must be documented, and the Committee must formalize the commitments in an action plan monitored to verify compliance by the Labor Coexistence Committee.

### **Fifth stage: Pronouncements**

The Labor Coexistence Committee will have a maximum term of three months to pronounce on complaints, counted from the presented date.

In cases where an agreement is not reached between the parties, the recommendations made are not complied with, or the behaviors persist, the Labor Coexistence Committee will refer the case to the company's senior management to make decisions in front of the case. Additionally, in the absence of an agreement or conciliation, the Committee must inform the worker of the possibility of filing the complaint with the labor inspector or claiming before the competent judge following Resolution 652 of 2012.

The Labor Coexistence Committee will draw up a document in which it issues specific recommendations to the employer. It can be informative to carry out a follow-up of the case raised and suggest some role changes. It can start the corresponding disciplinary procedure for finding the possible commission of a penal offense.

In the case of false complaints, it will be determined that there has been no harassment in the reported situation in any of its modalities. The bad faith of the person who filed the complaint will also be determined and will proceed according to company regulations.

### **Code of Business Conduct: Transparency Line**

The Code of Business Conduct is a tool that contributes to building a behavior based on integrity by the regulations and internal policies of Grupo Empresarial Argos. It establishes the guidelines for the management and attention of incorrect acts, that is, conduct contrary to or carried out in ignorance of the Code of Business Conduct guidelines and its related policies.

Within the mechanisms to support the Code of Business Conduct to facilitate adopting the necessary measures to correct incorrect acts, we have the Transparency Line, an anonymous and confidential tool for receiving complaints through the telephone channel **018000126166** or the email **grupoargos@lineatransparencia.com**.



A complaint filed through the Transparency Line has to follow the procedure established in the Investigation Manual of the Grupo Argos Transparency Line. It ensures investigations that are safeguarding, confidentiality, and due process.

Suppose the complaint involves a member of Senior Management. In that case, the Vice President in charge of the company's compliance functions should review the complaint, who should transfer it to the person in charge following the provisions of the Investigation Manual. The decisions made, the corrective measures that may occur have to guarantee the adequate segregation of functions, independence in decision-making, confidentiality, and protection of the complainant.

The Code of Business Conduct also establishes a declaration of protection to whistle-blowers, even if after having completed the respective investigation, it is shown that they were not correct, guaranteeing at all times respect, impartiality, confidentiality, ethics, and integrity in the proceedings.

## VALIDITY



This protocol governs from the moment it is signed and published.



## VERSION, DATE AND REASON

| Version | Date        | Reason            |
|---------|-------------|-------------------|
| 1       | May 7, 2021 | Document creation |



## SIGNATURE

Valentina Gómez S.

**Valentina Gómez Sierra**  
President of the  
Labor Coexistence Committee

Juanita Giraldo C.

**Juanita Giraldo Chica**  
Secretary of the  
Labor Coexistence Committee

**Jorge Andrés Betancourt Toro**  
Compliance officer

# ANEX

## Protocol for the prevention and care of workplace harassment and sexual harassment Labor Coexistence Committee

| Format for submitting complaints about situations that may constitute workplace harassment and workplace sexual harassment   |  |
|--|--|
| Name (anonymous not allowed):  |  |
| ID Number:   |  |
| Job:   |  |
| E-mail:  |  |
| Telephone:   |  |
| Date<br>(dd/mm/aaaa)   |  |
| <p>In accordance with the provisions of Law 1010 of 2006, I inform the company and the Labor Coexistence Committee of a possible case of workplace harassment. The foregoing with the aim that the corresponding proceedings are carried out and the corrective measures taken, if applicable.</p> |  |
| List of the facts constituting the complaint   |  |
| <p>Describe all the elements in which the circumstances of subject, time, mode, place and any other that you consider pertinent are identified. If deemed necessary, the Labor Coexistence Committee may subsequently request the expansion of the information provided.</p>                       |  |
|  |  |
| List of tests to share   |  |
|  |  |
| Employee's signature:  |  |
| Employee name:   |  |