

## PROTOCOL AGAINST SEXUAL AND GENDER-BASED HARASSMENT AT ITV ICE MAKERS SL

**“Measures to prevent sexual and gender-based harassment in the workplace and action protocol for companies in the commercial sector” (Official State Gazette, BOE 20/02/2012)”**

All employees of ITV ICE MAKERS have the right to a workplace free from hostile or intimidating behaviors directed at them. The work environment must safeguard their dignity, as well as their physical and moral integrity.

Such behaviors—classified as very serious offenses—will be addressed through an internal conflict resolution procedure. While this does not rule out any legal means available to the harassed employee, it allows ITV ICE MAKERS to act swiftly, always ensuring the confidentiality of both the complainant and the accused.

ITV ICE MAKERS is committed to protecting the dignity of individuals and fostering a respectful workplace by both preventing harassment and applying this protocol to resolve any cases of sexual and/or gender-based harassment.

In this regard, the signatory parties—legitimately representing the company and its workers—recognize the importance of respecting human dignity in all social and professional contexts. In line with the Equality Law and to ensure the effective right to dignity in the workplace, they commit to promoting:

- Awareness, information, and prevention of sexual and/or gender-based harassment in the workplace, and to taking appropriate measures to protect employees from such behavior.
- Awareness, information, and prevention of recurring, inappropriate, or clearly negative and offensive actions directed at individual employees, and to taking all appropriate steps to protect them.
- A courteous, respectful, and dignified treatment towards and among all individuals in the company

## Statement of Principles.

### **EQUAL OPPORTUNITY PLAN BETWEEN WOMEN AND MEN MANAGEMENT'S COMMITMENT TO EQUALITY – ITV ICE MAKERS**

We affirm our commitment to the establishment and development of policies that integrate equality of treatment and opportunity between women and men, prohibiting any direct or indirect discrimination on the basis of sex.

We also promote and encourage measures that achieve real equality within our organization, positioning equal opportunities as a strategic principle of our Corporate and Human Resources Policy—not only in accordance with legal definitions, but also as a core value deeply embedded in our organizational culture.

Equal Opportunity is a guarantee of quality and a driver of a better workplace atmosphere. It fosters professional growth and personal enrichment within the company. It helps build a consistent professional project that respects the rights of all employees at ITV ICE MAKERS and promotes their full integration on equal terms.

This commitment is part of our business strategy, and we pledge to develop, implement, and communicate it, fully aware of its internal and external impact on stakeholders and the environment where we operate.

We believe that our commitment to equality is part of the legacy that ITV ICE MAKERS contributes to society, helping to improve it.

Cristina Cerdón

## Complaint and Reporting Procedure for Sexual or Gender-Based Harassment

### a) Reporting Phase

The procedure must be agile, efficient, and credible, while also safeguarding the confidentiality and dignity of those involved.

At the start of the process, it is recommended to assign numeric codes or another anonymous identification method to protect the identities of the affected parties.

The procedure will also ensure adequate protection of the victim's safety and health, taking immediate action to prevent the continuation of the alleged harassment and implementing necessary precautionary measures.

Special attention must be given to any physical or psychological consequences arising from the situation, particularly those related to the victim's working conditions.

<b>INFORMAL PROCEDURE</b>	<p>Applicable in Cases of Sexist Behavior Without Constituting Sexual or Gender-Based Harassment. This procedure applies when a sexist behavior is detected that does not qualify as sexual or gender-based harassment, with the aim of resolving the issue informally and correctively.</p> <p>The complaint may be submitted verbally or in writing, either by the victim or by any person aware of the situation. To facilitate this, the following email address has been created: <a href="mailto:itv016@itv.es">itv016@itv.es</a>.</p> <p>The concern will be communicated along with the appropriate course of action, including, where necessary, an investigation procedure. The outcome of the report or conclusions will be communicated to management, thereby either closing the case or initiating the formal procedure if deemed necessary.</p>
<b>FORMAL PROCEDURE</b>	<p>Applicable in Cases of Behavior Constituting Sexual or Gender-Based Harassment</p> <p>This procedure applies when a behavior is identified as sexual or gender-based harassment. The complaint must be submitted in writing by the victim or any person aware of the situation. It entails the submission of a complaint, claim, report, legal action, or appeal of any kind by the affected person, aimed at preventing discrimination and ensuring the effective enforcement of the principle of equal treatment between women and men in the workplace.</p> <p>For this purpose, the following email address has been made available: <a href="mailto:itv016@itv.es">itv016@itv.es</a>.</p> <p>Upon receipt of the report, the company will initiate the appropriate course of action, including an investigation procedure, which will be defined and subject to a maximum resolution period.</p> <p>All parties involved will be heard, and preventive measures may be implemented if deemed necessary.</p>

The filing of a complaint will immediately trigger the opening of an informative file by ITV ICE MAKERS, aimed primarily at investigating the facts and preventing the continuation of the reported harassment. Appropriate measures will be implemented, and the company shall be exempt from any potential liability for violation of fundamental rights.

If determined necessary or requested by the affected party, the trade union representatives will be informed of the situation at the start of the process.

The investigation will require no formalities beyond granting a hearing to all involved parties, and any proceedings deemed appropriate for clarifying the facts may be carried out.

### **Is there a minimum content for a harassment complaint?**

The regulation does not establish this, but following the Reference Manual for the development of procedures for action and prevention of sexual harassment and harassment based on sex at work of the Ministry of Health, Social Services and Equality, the complaint must contain:

- Identification of the alleged harassed person, the alleged harasser and the complainant, if different from the victim.
- Dates and places in which the conduct occurred.
- Detailed and as precise a description as possible of the facts, acts or incidents that give rise to the complaint.
- Identification of potential witnesses to harassment.

### **1. Informal procedure for communicating sexual or gender-based harassment**

Considering that in most cases the main intention is for the unwanted behavior to stop, an informal procedure will be considered as a first step and unofficial process. Through this, the concerned person may clearly explain to the individual displaying the unwanted behavior that such behavior is unwelcome, offensive or uncomfortable, and interferes with their work, in order for it to cease.

This unofficial process may be carried out, if the interested person so decides and at their choice, by a workers' representative or a personnel manager.

This procedure may be suitable in cases of non-direct workplace harassment, but rather environmental, where the affected element is the workplace atmosphere, which becomes offensive, humiliating, intimidating, or hostile.

### **2. Formal procedure for communicating sexual or gender-based harassment**

In cases involving direct harassment, due to the circumstances of the case, or if the informal procedure has been attempted unsuccessfully or is deemed inappropriate, a formal procedure will be initiated.

As a general rule, the formal procedure will begin with the submission of a written document containing a detailed list of incidents, prepared by the interested person who has been subjected to sexual harassment. The written complaint may be addressed, at the choice of the complainant, to a member of the Equality Committee, someone from the HR department, or a member of company management.

The submission of the written complaint will result in the immediate opening of an informative file aimed at clarifying the facts. All parties involved will be given a hearing, unless the interested person objects, and all necessary proceedings will be carried out to determine the truth of the reported events.

During the process, the parties involved may, if they wish and where possible, be relocated to a different work position, until a decision is made.

All parties involved, including potential witnesses and, if applicable, members of the Equality Committee's Study Team, must maintain confidentiality throughout the process, as it directly affects the privacy, dignity, and honor of the individuals involved.

Due respect will be given to both the person who filed the complaint and the person accused.

## **SOME QUESTIONS THAT MAY ARISE AT ITV ICE MAKERS**

In a procedure of this kind, is it necessary to appoint an instructor? Who can hold this role?

This is not regulated, but it is recommended that a member of the Equality Committee's Study Team be appointed. Naturally, to ensure impartiality, the individuals in charge should not have any relationship with either the complainant or the accused.

The Equality Committee may take on the role of managing the complaint process.

### **b) Investigation Phase**

It is necessary to establish in the Protocol a minimum set of actions for the investigation of submitted complaints, to ensure compliance with the principles of equality, respect, and dignified treatment.

The investigation will allow for the adoption of necessary measures to put an end to harassment behaviors and to protect the rights and health of the victims.

To avoid unnecessary delays, it is essential to introduce specific timelines for actions, such as:

- Appointment of an investigator.
- Method and time limits for informing competent bodies.
- Time limit and procedure for initiating the investigation after receiving the complaint.

- Notification of the complaint to the accused party/parties, allowing a reasonable period to submit statements, clarifications, reports, or anything they consider relevant.
- Establishing a procedure (written or via interview) to gather testimony from potential witnesses or from the superior(s) of the complainant and the accused.
- Requesting a report from Prevention Services or employee representatives.

### **c) Mediation Phase**

We also aim to introduce a voluntary mediation phase, at the request of either party involved, to prevent or resolve the conflict.

The parties participating in the mediation procedure must formally state in writing the existing disagreements and their background, and identify the issues to be addressed in the mediation.

At this stage, the protocol must define:

The method for requesting mediation (email will suffice).

A specific timeframe both for completing mediation and for moving to the next phase in case of no agreement.

The format—again via email—for formally accepting or rejecting the mediation proposals. Proposals will be deemed rejected if not expressly accepted.

The mediator must be external to the conflict and free of any direct personal or professional interest that could interfere with their neutral role.

### **d) Resolution Phase: applicable precautionary and/or corrective measures**

This section must pay special attention to the requirement in Royal Decree 901/2020 to proceed with the "identification of reactive measures against harassment and, where applicable, the disciplinary regime."

If the existence of harassment is confirmed and the perpetrator falls within the company's organizational structure, a sanction will be imposed. However, if the sexual or gender-based harassment behavior represents, due to its severity, notoriety, or explicitness, a direct or immediate attack on a person's dignity, the company will adopt any measures it deems appropriate.

Our protocol defines the following procedures:

**1. Precautionary measures:**

- A request may be submitted to HR for the temporary separation of the victim from the alleged harasser.
- Other measures may also be applied (e.g., work schedule adjustments, office relocation) depending on circumstances.
- If the circumstances so require, and considering the severity of potential harm to the victim(s), the company may propose further action to management, such as reassignment or suspension of duties, until the procedure concludes.
- It is essential to justify all measures taken. They must not be arbitrary.

**2. Closure of the complaint, for any of the following reasons:**

- Withdrawal by the complainant (in any case, the investigation must continue if signs of harassment are detected, as complainants often become discouraged).
- Lack of subject matter or clearly insufficient evidence.

**3. Initiation of disciplinary proceedings for any violation** other than sexual harassment or harassment based on sex, sexual orientation, gender identity or gender expression, as defined by applicable regulations.

**4. Initiation of disciplinary proceedings and corrective measures:**

- If the report clearly confirms the existence of sexual harassment or harassment based on sex, sexual orientation, gender identity or expression, the report's authors must propose both disciplinary action and corrective measures (e.g., referral to Mediation Department, worksite relocation, suspension of duties).
- If clear evidence of criminal sexual harassment is found (Article 184 of the Spanish Penal Code), the situation will be reported to the Public Prosecutor's Office.

**5. Procedure in case of harassment by a person not belonging to the organization:**

- We must define how to act in cases where the complainant or accused is not part of the workforce (e.g., external parties), or when the complainant is a staff member, but the accused is not. This may exceed internal legal scope.

**6. Procedure for dealing with unfounded or false complaints:**

- If the investigation shows that the alleged victim acted in bad faith or with intent to cause harm, the company may take appropriate action for breach of contractual good faith.

Following a serious and thorough investigation of the reported facts, appropriate measures will be taken, including disciplinary action if applicable, against any individual whose harassment behavior is substantiated.

### **Confidentiality and Possibility of External Reporting**

In accordance with the LOPDGDD, it is necessary to ensure strict confidentiality and guarantee the reserved handling of information in harassment cases.

Confidentiality will be maintained throughout the procedure, and all internal investigations will be conducted with discretion and respect for both the complainant and the accused, who will retain the presumption of innocence.

The Equality Committee and Study Team will explicitly inform all participants of the obligation of confidentiality.

Particularly in cases of serious or very serious harassment, and independently of the internal process, our protocol should help the affected person to initiate administrative or legal action before the police, civil guard, or judicial authorities.