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1. Identification

1.1. Purpose

The purpose of this document is to facilitate the implementation of the tools required to prevent, detect and act against workplace harassment.

1.2. Scope

This regulation is of mandatory application for the directors, employees and stakeholders of Abertis Infraestructuras, hereinafter, the "Affected Persons".

1.3. Scope of distribution

This document must be brought to the attention of all employees, directors and stakeholders of the Abertis Group, and especially all providers of coaching and psychosocial and medical risk analysis services.

2. Definitions

Workplace harassment: conduct, statement or request that, when repeated a certain amount of times, may be considered offensive, humiliating, violent or intimidating when it occurs in the workplace or in the context of the professional relationship that links the harasser with the harassed person, and that involves insult to, contempt, humiliation, discrimination or coercion of the affected person, and may harm their integrity through the degradation of working conditions.

NTP: Occupational Risk Prevention Technical Notes (Notas Técnicas de Prevención Laboral) drawn up by the Instituto Nacional de Seguridad e Higiene en el Trabajo [Spanish National Institute of Safety and Hygiene at Work].



3. Implementation

3.1. Regulatory framework

The regulatory framework governing this regulation is as follows:

- The Spanish Constitution.
- The Effective Equality between Men and Women Act (Ley de Igualdad Efectiva de Mujeres y Hombres).
- The Statute of Workers' Rights (Estatuto de los Trabajadores).
- 2014-2017 Collective bargaining Agreement of Abertis Infraestructuras, S.A.
- The Occupational Risk Prevention Act (Ley de Prevención de Riesgos Laborales).
- The Employment Offences and Penalties Act (Ley de Infracciones y Sanciones en el Orden Social).
- Abertis Group *Code of Ethics*.
- *The Regulations for Codes of Ethics in Spain*.

3.2. Statement of principles

The principle of equal treatment between women and men implies the absence of any discrimination, whether direct or indirect, on the grounds of gender, and especially related to maternity, the assumption of family obligations and marital status.

Conduct constituting harassment constitutes a discriminatory act and does not harm only the people directly affected but also has repercussions for those around them.

Every person is entitled to be treated properly, respectfully and in a dignified manner that honours their privacy and their physical and moral integrity. They may not be subjected to degrading, humiliating or offensive treatment, under any circumstances, on the grounds of birth, race, gender, religion, opinion or any other condition or personal or social circumstance, including their employment status.

By virtue of this right, Abertis Infraestructuras states that it rejects and prohibits any practice of this type in the workplace, expressly affirming an approach of zero tolerance towards such actions and providing the precise means to prevent and, if applicable, deal with the consequences of such conduct.

All managers and people in positions of responsibility shall ensure the working environment remains free of risks and undertake to adopt the necessary steps both organisationally and through training and communication to prevent the appearance of harassment in Abertis Infraestructuras.



Directors and employees must seek to ensure there is a working environment free of sexual harassment, harassment on the grounds of gender and moral harassment.

3.3. Types of workplace harassment

Workplace harassment can be classified according to its type and according to the type of relationship that exists between the harasser and the harassed person.

3.3.1. Classification by type:

1. Sexual harassment: any verbal, non-verbal or physical behaviour of a sexual nature that has the purpose or produces the effect of threatening the dignity of a person, particularly when it creates an intimidating, degrading or offensive environment.
2. Gender-based harassment: any behaviour carried out according to the gender of a person, with the purpose or effect of threatening their dignity and creating an intimidating, degrading or offensive environment.
3. Moral harassment (mobbing): all abusive behaviour or psychological violence directed repeatedly and over a prolonged period of time towards one or more people by another/others that act against them from a position of power (not necessarily hierarchical). This abuse occurs within the framework of an employment relationship and poses a significant risk to health.

3.3.2. Classification by relationship:

There are three types of harassment according to the relationship involved:

- Horizontal harassment: between colleagues.
- Descending vertical harassment: manager - subordinate.
- Ascending vertical harassment: subordinate - manager.

3.4. Types of conduct constituting workplace harassment

A wide variety of conduct may give rise to a situation of workplace harassment. However, in summary, the following are considered to be workplace harassment:

- a) Measures taken to isolate a person from their professional activity through attacks related to their performance, manipulating their reputation and taking duties away from them. When duties are taken away, it must be for organisational reasons, which must be notified and justified.



- b) Abuse of power, setting unachievable targets or assigning impossible tasks, disproportionate control of performance and unjustified denial of training.
- c) Deliberate and unsolicited physical contact, comments, gestures or non-consensual insinuations of a sexual nature, requests for sexual favours, and any other behaviour the cause or aim of which is discrimination, abuse or humiliation of the people to whom this regulation refers.

3.4.1. Guide to conduct that constitutes workplace harassment

Below is a list of some types of conduct that may be considered workplace harassment, notwithstanding the fact that other kinds of behaviour are also considered as such.

3.4.1.1. Possible manifestations of moral harassment

The National Institute of Safety and Hygiene at Work, in its NTP-476, provides a classification of conduct that constitutes moral harassment:

1. Attacks on the victim through organisational measures.
 - A superior restricting the person's opportunities to speak.
 - Changing a person's location and separating them from their colleagues.
 - Prohibiting colleagues from speaking to a particular person.
 - Forcing someone to carry out tasks against their conscience.
 - Judging a person's performance offensively.
 - Unjustifiably questioning a person's decisions.
 - Unjustifiably taking tasks away from a person.
 - Assigning meaningless tasks.
 - Assigning a person tasks well below their ability.
 - Assigning degrading tasks.
2. Attacks on the victim's social relations with social isolation.
 - Restricting colleagues' ability to speak to a person.
 - Refusing to communicate with a person through looks and gestures.
 - Refusing direct communication with a person.
 - Not speaking to a person.
 - Treating a person as if they did not exist.



3. Attacks on the victim's private life.
 - Constant criticisms of a person's private life.
 - Telephone pranks.
 - Showing a person up or ridiculing them.
 - Insinuating that a person has psychological problems.
 - Making fun of a person's disabilities.
 - Imitating a person in order to ridicule them (e.g. gestures, voice, etc.).
4. Physical violence.
 - Sexual offers or sexual violence.
 - Threats of physical violence.
 - Use of minor violence.
 - Physical abuse.
5. Attacks on the victim's attitudes.
 - Attacks on their political beliefs and attitudes.
 - Attacks on their religious beliefs and attitudes.
 - Making fun of the victim's nationality.
6. Verbal aggression.
 - Screaming or insulting.
 - Constant criticism of the person's work.
 - Verbal threats.
7. Rumours.
 - Criticising a person behind their back.
 - Spreading rumours.

3.4.1.2. Possible manifestations of sexual harassment

1. Verbal sexual harassment.
 - Making obscene sexual comments.
 - Making offensive sexual jokes.
 - Obscene or denigrating conversation.
 - Spreading rumours about a person's sex life.
 - Asking people about or telling people about sexual fantasies or preferences.
 - Making rude comments about a person's body or physical appearance.
 - Speaking about one's own sexual prowess.
 - Persistent invitations to take part in social leisure activities in spite of the recipient having made clear they are undesired and inappropriate.
 - Offering or pressuring someone to arrange compromising dates or sexual encounters.
 - Demands for sexual favours.



2. Non-verbal sexual harassment.
 - Lascivious looks.
 - Obscene gestures.
 - The use of pictures, cartoons, drawings, photographs or images with a sexually explicit content.
 - Letters, notes or e-mail messages with offensive sexual content.
3. Physical sexual harassment.
 - Excessive physical proximity.
 - Cornering or deliberately seeking to be alone with a person unnecessarily.
 - Deliberate and unsolicited physical contact (pinching, touching, caressing, undesired massages).
 - Intentionally touching sexual parts of the body or pretending it was accidental.

3.4.1.3. Gender-based harassment

- Discriminatory conduct on the grounds of being a man or woman.
- Speaking to a person in an offensive manner.
- Ridiculing or scorning the abilities, skills and intellectual potential of men or women.
- Using sexist humour.
- Underrating the work performed by women or men.
- Ridiculing people who carry out tasks traditionally performed by the opposite sex.
- Ignoring contributions, comments or actions (excluding someone, not taking them seriously).

3.5. Requirements for considering workplace harassment to exist

In order to consider workplace harassment to exist, all the following requirements must be taken into account:

1. The behaviour is not desired by the person receiving it.
2. Behaviour:
 - of a sexual nature or with sexual connotations, or
 - performed on the grounds of a person's gender, or
 - performed due to other subjective reasons by the harasser (moral/mobbing).
3. The purpose is to attack their dignity or create an intimidating, hostile, degrading, humiliating or offensive environment.



4. A behavioural pattern over a prolonged period of time. It should be taken into account that certain isolated or infrequent behaviour, if serious, may be sufficient to be classified as workplace harassment by the Ethics and Crime Prevention Committee.

3.6. Preventing workplace harassment

The following measures have been defined to prevent workplace harassment:

3.6.1. Training and communication

The Corporate Ethics and Crime Prevention Committee shall make this regulation known and provide opportunities for communication and training for:

- All directors and employees of Abertis Infraestructuras (including interns).
- Staff belonging to companies that provide services in Abertis Infraestructuras' headquarters or facilities.

3.6.2. Duties and Responsibilities

3.6.2.1. Managers and people in positions of responsibility

Managers and people in positions of responsibility have the following duties and responsibilities:

- Set an example by treating everyone with respect and politeness, avoiding any behaviour or attitude that may be offensive, disturbing or discriminatory.
- Ensure the guidelines and principles established in this regulation are complied with and monitored.
- Prevent workplace harassment in their team. Investigate and deal with any possible signs of workplace harassment they may find. If the signs prove to be true, they must notify the Corporate Ethics and Crime Prevention Committee through the established channels.
- Provide an adequate response to any person who reports workplace harassment, verifying whether it exists, and if does exist, report it to the Corporate Ethics and Crime Prevention Committee through the established channels.
- Cooperate with the Corporate Ethics and Crime Prevention Committee on the harassment report investigation.
- Keep reported cases confidential.



3.6.2.2. Human Resources Department

- Require providers of coaching and psychosocial risk analysis services to immediately inform the Corporate Ethics and Crime Prevention Committee through the established channels if they detect risk situations involving workplace harassment.

3.6.2.3. Employees

- Show respect and consideration towards all people you are in contact with and avoid any actions that may be offensive, discriminatory or abusive.
- Cooperate with the Corporate Ethics and Crime Prevention Committee on the harassment report investigation.
- Report any workplace harassment detected through the established channels.
- Keep reported cases confidential.

3.6.3. Medical service

- Provide mechanisms for detecting workplace harassment, such as specific protocols for that purpose.
- If they detect workplace harassment, medical staff must report it to the Corporate Ethics and Crime Prevention Committee through the established channels.

3.6.4. Action against workplace harassment

Any director or employee of Abertis Infraestructuras, whether a harassed person or a person who detects workplace harassment, must report it through the following notification/inquiry or reporting channels:

Information channels	Ethics Channel
When is it used?	When you want to ask for advice about and/or report workplace harassment in Abertis Infraestructuras.
Who can use it?	This incident resolution channel can be used by the affected person or a person who knows of a harassment situation.
When can it be used?	Any time while the harassment is ongoing.
How is it handled?	By reporting it through the ethics channel.
Internal rules and regulations governing the processing of infringement reports or	The <i>Corporate Ethics and Crime Prevention Committee</i> defines the system used to handle such notifications/inquiries or reports.



questions regarding workplace harassment.	
Consequences	<p>If the Corporate Ethics and Crime Prevention Committee finds that there is workplace harassment then, depending on the harasser's rank, the Human Resources Department or Board of Directors of Abertis Infraestructuras will be informed of the proposed resolution in accordance with the <i>Compliance Policy</i> in order to:</p> <ul style="list-style-type: none"> ▪ Terminate the employment or commercial relationship between the harasser and Abertis Infraestructuras. ▪ Apply appropriate organisational measures that do not harm the harassed person professionally in order to mitigate unproven situations of workplace harassment. ▪ Not reward people with promotions, for example. <p>However, if the Corporate Ethics and Crime Prevention Committee concludes that the workplace harassment is a criminal offence, it must immediately report it to the appropriate authorities.</p> <p>Likewise, if the Workplace Health and Safety Inspectorate discovers a workplace harassment situation that Abertis Infraestructuras was not aware of, or if final judgements are handed down in the labour or criminal courts (i.e. there is no further possibility of appeal) declaring that harassment has taken place at Abertis Infraestructuras, the employment or commercial relationship between the harasser and Abertis Infraestructuras shall be terminated.</p>

3.7. Supervisory measures

The measures that Abertis Infraestructuras has put in place to ensure that the workplace harassment prevention, detection and action measures are effective are as follows:

3.7.1. Preventive measures

Supervisory measure	Person responsible for applying the supervisory measure	Supervisory frequency
Review of the availability	Compliance Department	Annually



of the workplace harassment regulation.		
Training about detecting, preventing and taking action against harassment for all Abertis Infraestructuras staff: directors, senior managers, management team, middle managers and all other employees and contractors as well as interns and new staff.	Compliance Department	Annually
Replying to all questions raised through the channels described in the Code of Ethics, as described in the <i>Corporate Ethics and Crime Prevention Committee</i> procedure.	Corporate Ethics and Crime Prevention Committee	Daily



3.7.2. Detection measures

Supervisory measure	Person responsible for applying the supervisory measure	Supervisory frequency
Check that the channels described in the Code of Ethics are working.	Corporate Ethics and Crime Prevention Committee	Annually
Carry out an analysis of psychosocial risks twice-yearly	Abertis Infraestructuras Human Resources	Twice-yearly
Analyse and manage all harassment reports made through the ethics channel.	Corporate Ethics and Crime Prevention Committee	Daily
Check the availability of the medical service detection protocol.	Medical Service Provider	Annually

3.7.3. Action measures

Supervisory measure	Person responsible for applying the supervisory measure	Supervisory frequency
Have a Corporate Ethics and Crime Prevention Committee.	Board of Directors	Ongoing

4. Filing

Reports about cases of workplace harassment must be archived by the Corporate Ethics and Crime Prevention Committee for a minimum of 6 years in a format that guarantees their integrity, correct reading of data, impossibility of tampering and unauthorised access, appropriate preservation and ability to locate them.



5. Referenced documents

- Abertis Group Code of Ethics.
- The Regulations for Codes of Ethics in Spain.
- Compliance Policy.
- Corporate Ethics and Crime Prevention Committee Procedure.

6. Record of changes

Ver.	Date	Changes	Sections affected
1.0	19/07/2016	First draft of the document	All.

Workplace Harassment_v1

Publication date: 19/07/2016

Approved by: Director of the Legal Department & Chief Compliance Officer

