



PREVENTION, IDENTIFICATION, AND INTERVENTION PROGRAM FOR ALLEGED CASES OF WORKPLACE AND/OR SEXUAL HARRASSMENT

PREVENTION OF BEHAVIORS THAT COULD TURN INTO WORKPLACE AND/OR SEXUAL HARRASSMENT

Promigas and its affiliates express that their companies will not tolerate any type of behavior that could turn into workplace and/or sexual harassment, consequently it commits to the following:

- Periodically train and/or raise awareness within employees on discrimination, workplace harassment and mechanisms for case reporting.
- Provide participation and consultation channels to be used to report alleged cases of workplace and/or sexual harassment.
- Offer the necessary protection to employees reporting cases of workplace and/or sexual harassment.
- Deliver tools and resources required by the Labor Coexistence Committee for its adequate operation.

MANIFESTATIONS OF WORKPLACE AND SEXUAL HARASSMENT

Manifestations of workplace harassment

Workplace harassment may take place under the following general modalities, among others:

- **Labor mistreatment:** any act of violence against the physical or moral integrity, physical or sexual freedom and the goods of those performing as employees; any offensive and abusive verbal expression that could harm the moral integrity or the rights to intimacy and the good name of those participating in a work relationship or any behavior that undermines self-esteem and dignity of those participating in a working relationship.
- **Persecution at work:** any behavior, which characteristics of reiteration or evident despotism will infer the purpose of prompting the resignation of the worker by means of disqualification, excessive workload and constant changes of schedules that could result in work demotivation.
- **Work discrimination:** Any differentiating treatment because of race, gender, family or national origin, religious creed, political preference, or social situation or one that lacks any reason from the work standpoint.
- **Work obstruction:** any action tending to hinder the fulfillment of the job, making it a more burdensome task, or delaying it, which will end up affecting the employee. The following actions make of the job a burdensome task, among many other,



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deprivation, concealment or disablement of input, documents, or instruments necessary for the work performance, destruction or loss of information, concealment of correspondence or electronic mails.

- **Labor inequality:** assignment of functions that underestimate the employee.
- **Lack of labor protection:** any behavior tending to risk the employee's safety and integrity by means of work orders or assignments not complying with the workers' minimum protection and safety.

The following are not considered workplace harassment.

Article 8 of Law 1010 of 2006 sets forth which of the following behaviors are not considered workplace harassment, under any of its modalities:

- Actions related to carrying out disciplinary authority, which corresponds to the hierarchical superiors over their subordinates.
- The formulation of reasonable demands on work fidelity or business and institutional loyalty.
- The drafting of circular letters or service memoranda geared towards requesting technical demands or improvement of work efficiency and work evaluation of subordinates according to target and general performance indicators.
- The request to comply with additional collaboration tasks with the company or the institution, whenever necessary for the continuity of the service or to sort out difficult situations regarding the operation of the business or the institution.
- Administrative actions or arrangements geared towards terminating the work contract, based on a legal or just cause, foreseen in the Labor Code or in the Company Work Regulation.
- The request to comply with the individual's or citizen's responsibilities, set forth in Article 95 of the Constitution.
- The requirement to comply with the obligations and duties dealt with in Articles 55 to 57 of the Substantive Work Code, as well as not incurring in the prohibitions covered in Article 59 and 60 of that same Code.
- The requirements to comply with the provisions included in the regulations and clauses of the work contracts.

Technical demands, efficiency requirements and collaboration requests referred to in this article shall be justified, based on objective criteria and not on discriminatory ones.

In any event, it must be considered that the determination on the eventual existence of facts that represent workplace harassment is the responsibility of the judicial authorities.



Manifestations of Workplace Sexual Harassment

Workplace sexual harassment can be expressed, among other things, through the following behaviors:

- Implicit or express promises to the victim of preferential or beneficial treatment regarding his/her present or future (work or professional) situation to agree to any type of behavior with a sexual connotation.
- Threats by means of which a non-desired implicit or explicit behavior is required from the victim, which will infringe or offend his/her dignity.
- Use of terms of sexual or sexist nature or connotation (written or verbal), sexual advances, sexual proposals, obscene gestures, or exposure towards any type of images of sexual content, which are considered unbearable, hostile, humiliating, or offensive to the victim.
- Physical approaches, rubbing, indecent touching or any other physical conducts of sexual nature that result offensive and undesirable to the victim.
- Offensive or hostile treatment resulting from the rejection of conduct included in the preceding paragraphs.
- Any other conduct that fits in the definition of workplace and/or sexual harassment.

The actions by means of which workplace sexual harassment is materialized may by conducts or behaviors of the following nature:

- Physical, such as undesirable physical contact, including pats, pinching, caresses, kisses, hugs or inappropriate contact, unnecessary approaches (like cornering); physical violence, including sexual aggression; use of threats or work-related rewards to request sexual favors or services.
- Verbal, such as comments on the physical appearance, lifestyle, age, private life of the individual, etc.; sexual or sexist comments, obscene stories and/or jokes; sexual advances; repeated and undesirable social invitations; insults based on the victim's gender or sexual orientation, spreading sexual rumors about the victim, etc.
- Nonverbal, which refer to showing explicit or suggestive sexual material, leering with sexual content, presenting porno objects, annoying observations, etc.
- Digital media, such as explicit or suggestive sexual messages (via E-mail, phone, social media, WhatsApp, etc.).

MECHANISMS FOR CASE REPORTING



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Workplace and/or sexual harassment cases shall be reported to the labor coexistence committee and for cases in which the victim desires to remain anonymous, they can be presented through the Confidential Hotline 018009120577, www.reportesconfidencialespromigas.com or through the Human Talent and Administrative Management or on its absence, whichever unit is acting as such in any of Promigas' affiliates.

PROCESSING A CLAIM

The investigation principles around any claim shall be confidentiality and impartiality, always abiding by the right to a defence by the parties, thus guaranteeing due process and protection of the plaintiff.

Labor Coexistence Committee

- The person harassed shall present a claim in writing (Annex No. 1) addressed to the Coexistence Committee, indicating the facts giving rise to the claim and the full name of the person allegedly being harassed as well as the harassing party. Anonymous claims shall not be processed.
- Once the parties involved have been listened to individually, a written document presenting the positions of both parties is recorded.
- When the Coexistence Committee deems it necessary, both parties will be invited to a meeting, to open a space for dialogue between the parties involved, promoting mutual commitments to reach an effective conflict resolution.
- The Coexistence Committee shall record in a minute the measures agreed upon by the parties as to avoid or correct any other workplace harassment that can be incurred in; measures to be adopted based on each case.
- In any event, the worker shall be informed about the administrative and judicial actions to be carried out as set forth for such a purpose in Law 1010 of 2006.
- The committee shall act within the framework of what is foreseen in Resolutions 652 and 1356 of 2012, issued by the Ministry of Labor.

Reporting to Human Talent and/or through the confidential hotline

In those cases, in which reports are received anonymously through the confidential hotline or are presented to the Human Talent Management, verbally or in writing, and the victim requests for his/her identity to remain confidential, the investigations should be done as follows:

- 360° Interviews



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- Declaration of Witnesses
- Review of documentary evidence
- Evaluation of evidence
- Results on Work Environment, Psychosocial Risk Factors, and any other survey the company has results on.
- Record of claims

Protection measures for a victim of an alleged case of sexual harassment.

The Human Talent and Administrative Management or whoever is acting as such in any of its affiliates, must be responsible for offering the victim protection in the event of an alleged case of sexual harassment when the latter will require it directly, in which case the Human Talent and Administrative Management may adopt any of the following measures:

- Temporary job rotation of the person being accused.
- Rotate the victim, provided he/she has requested it without pressure or coercion.
- Temporary change of the work modality (home office/remote work) in case it is in person or hybrid.
- Other measures that guarantee the victim's security during the procedure.
- Awareness, prevention, and care actions related to facts that could become workplace or sexual harassment.

In any event, the victim could resort to criminal claims receiving units, such as:

- Unit of immediate reaction
- Centers for victims of sexual abuse.
- National Police assigned offices.

Periods

The Coexistence Committee has a maximum period of one month to respond to a workplace and/or sexual harassment claim, as of the date in which the claim was presented.

Sanctions

Following the study conducted by the Labor Coexistence Committee and in the event, it is proven that the behavior could turn into an alleged case of workplace harassment, the Committee shall inform the Administrative and Human Talent management and whoever is acting as such in the affiliates, the latter will assess the cases and based on the severity, it may:

- For moderate cases, it shall establish commitments to be met in the indicated periods.



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- For severe cases, it shall apply disciplinary measures based on the internal labor rules of procedure. These actions may result in word of caution, suspensions or layoffs, depending on each specific case.