

**Protocol for action and prevention  
against situations of psychological,  
sexual harassment, harassment based  
on sex, sexual orientation, gender  
identity or expression and against any  
type of violence in the workplace.**

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## 1. DECLARATION OF PRINCIPLES

Since the entry into force of the Treaty of Amsterdam on 1 May 1999, equality between women and men and the elimination of inequalities between women and men has been an objective that must be integrated into all the policies and actions of the Union and its members.

In this context, a wide-ranging and important *acquis communautaire* on gender equality has been developed, the proper transposition of which is addressed by the Organic Law 3/2007, of 22 March, for the Effective Equality of Women and Men (the "**LOI**"), as well as the 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 (the "**RD Law 6/2019**"), Royal Decree 901/2020, of 13 October, which regulates equality plans and their registration and amends Royal Decree 713/2010, of 28 May, on the registration and deposit of collective bargaining agreements (the "**RD 901/2020**") and Royal Decree 902/2020, of 13 October, on equal pay for women and men (the "**RD 902/2020**").

Situations of harassment or violence motivated by sexual orientation, sexual identity, gender expression and sexual characteristics are also considered discriminatory acts, and are subject to the regulation established by Organic Law 4/2023, of 28 February, for the real and effective equality of trans people and for the guarantee of the rights of LGTBI people (the "**LO 4/2023**").

The right to moral and physical integrity and to non-discrimination is guaranteed in the Spanish Constitution, the European Regulations and in the Spanish Labour Legislation, therefore, from the **BRUTAL MEDIA GROUP**<sup>1</sup> (hereinafter, "**BRUTAL MEDIA**" or the "**Group**"), we categorically state that attitudes of sexual harassment and harassment on grounds of sex, as well as on grounds of sexual orientation, gender identity and expression, and any type of violence in the workplace, are an attack on the dignity and fundamental rights of people, and therefore will not be permitted or tolerated: Neither sexual harassment, nor harassment on grounds of sex or gender at work, nor any kind of violence in the workplace, committing to ensuring that employees enjoy a physically, mentally and socially healthy working environment, where the dignity and sexual freedom of all the people who work in the Group are respected.

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<sup>1</sup> The Brutal Media Group includes the companies BRUTAL MEDIA, SL; BRUTAL MEDIA PRODUCCIONES 3, SLU; PRIMAVERA PRODUCCIONES 2 SLU; OTOÑO PRODUCCIONES SLU; ENERO PRODUCCIONES SLU; INVIERNO PRODUCCIONES SLU; and any other company that may be set up after the approval of this protocol in which any of the above companies has a majority shareholding.

Thus, BRUTAL MEDIA rejects situations of harassment, in all its forms and modalities, regardless of who the victim or the aggressor is or what their hierarchical rank is. In this regard, the Group undertakes to regulate, by means of this Protocol for action and prevention of situations of sexual harassment, harassment on grounds of sex, sexual orientation, gender identity and expression and any type of violence in the workplace (hereinafter, the "Protocol"), the set of measures aimed at informing and raising awareness among the workforce on the prevention and action to be taken in the event of situations of sexual harassment, on grounds of sex, sexual orientation, gender identity and expression or any other situation of violence in the workplace with the aim of implementing an action protocol with due guarantees and taking into consideration constitutional and labour regulations and declarations on fundamental principles and rights at work.

## **1.1. Reference legislation**

### 1.1.1. Internacional legislation

#### **Universal Declaration of Human Rights (UN General Assembly 1948)**

Article 1. All human beings are born free and equal in dignity and rights and, endowed with reason and conscience, should act towards one another in a spirit of brotherhood.

Article 3. Everyone has the right to life, liberty and security of person.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

#### **International Labour Organisation Geneva, 2001**

ILO Convention concerning the improvement of the quality of structures and procedures for the prevention of harassment and the settlement of disputes, taking into account relevant international labour standards and the ILO Declaration on Fundamental Principles and Rights at Work.

### 1.1.2. Community legislation

- a. Council Directive 76/207/EEC of 9 February 1976 implementing the principle of equal treatment, as amended by Directive 2002/73/EC of the European Parliament and of the Council dated 23.09.2002.
- b. Council Declaration of 19 December 1991 on the implementation of the Recommendation containing a "Code of Conduct" aimed at combating sexual harassment at work in the EC Member States.
- c. Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).
- d. Resolution 2001/2339 of the European Parliament on bullying in the workplace, which recommends to the public authorities in each country the need to put in place effective prevention policies and to define appropriate procedures to deal with the problems it causes.
- e. European Framework Agreement on Harassment and Violence at Work (COM (2007) 686 final) signed by the European social partner organisations, which aims to prevent and, where necessary, manage problems of bullying, sexual harassment and physical violence at the workplace.

### 1.1.3. Spanish legislation

#### **Spanish Constitution of 1978**

Article 10. The dignity of the person, the inviolable rights inherent to him/her, the free development of the personality, respect for the law and the rights of others are the foundation of political order and social peace.

Article 14. Equality before the law, without any discrimination on grounds of birth, race, sex, religion, opinion or any other personal or social condition or circumstance.

Article 15. The right to physical and moral integrity without, under any circumstances, being subjected to torture or inhuman or degrading treatment or punishment.

Article 18.1. Right to honour, to personal and family privacy and to one's own image.

Article 35.1. The duty to work and the right to work, to the free choice of profession or trade, to promotion through work and to sufficient remuneration to meet their needs and those of their family, without discrimination on grounds of sex.

**Law 31/1995, of 8 November, on the Prevention of Occupational Risks, in its articles 14 to 20.**

**Royal Legislative Decree 2/2015, of 23 October, approving the revised text of the Workers' Statute Law.**

Article 4.2. Workers have the right to their physical integrity and to an adequate health and safety policy and to respect for their privacy and due regard for their dignity, including protection from verbal or physical offences of a sexual nature.

Article 17. Non-discrimination in labour relations.

**Organic Law 10/1995, of 23 November 1995, on the Penal Code.**

Article 184. Anyone who requests favours of a sexual nature, for themselves or for a third party, in the context of an employment, teaching or service provision relationship, whether continuous or habitual, and with such behaviour causes the victim an objective and seriously intimidating, hostile or humiliating situation.

**Ley Orgánica 3/2007, de 22 de marzo, marzo, para la Igualdad Efectiva de Mujeres y Hombres.**

Organic Law 3/2007, of 22 March, March, for the Effective Equality of Women and Men.

Article 7. Sexual harassment and harassment on grounds of sex.

1. Without prejudice to the provisions of the Criminal Code, for the purposes of this Act, any behaviour, verbal or physical, of a sexual nature that has the purpose or has the effect of violating the dignity of a person constitutes sexual harassment, in particular when an intimidating, degrading or offensive environment is created. 2. Harassment on grounds of sex shall constitute harassment on grounds of sex of any conduct conducted on the basis of sex

with the purpose or effect of violating the dignity of a person and of creating an intimidating, degrading or offensive environment. 3. Sexual harassment and harassment based on sex shall in any case be deemed to be discriminatory. 4. The conditioning of a right or an expectation of a right on the acceptance of a situation constituting sexual harassment or harassment on grounds of sex shall also be deemed to constitute discrimination on grounds of sex.

Article 48. Specific measures to prevent sexual harassment and harassment on grounds of sex at work.

1. Companies shall promote working conditions that prevent sexual harassment and harassment based on sex and shall establish specific procedures for its prevention and for dealing with any complaints or claims that may be made by those who have been subjected to it. To this end, measures may be established, to be negotiated with the workers' representatives, such as the drawing up and dissemination of codes of good practice, information campaigns or training activities. 2. Workers' representatives shall contribute to the prevention of sexual harassment and harassment on grounds of sex at work by making workers aware of such harassment and by informing the management of the undertaking of any conduct or behaviour of which they are aware and which may be conducive thereto.

**Law 15/2022, of 12 July, comprehensive for equal treatment and non-discrimination.**

Article 4. The right to equal treatment and non-discrimination.

1. The right protected by this law implies the absence of any discrimination on the grounds set out in Article 2(1).

Consequently, any provision, conduct, act, criterion or practice that violates the right to equality is prohibited. Violations of this right include direct or indirect discrimination by association and by mistake, multiple or intersectional discrimination, denial of reasonable accommodation, harassment, inducement, order or instruction to discriminate or to commit an act of intolerance, retaliation or failure to comply with positive action measures arising from statutory or treaty obligations, inaction, neglect of duty, or failure to perform duties.

Article 6. Definitions

4. Discriminatory harassment.

For the purposes of this law, harassment is any conduct carried out on the basis of any of the grounds for discrimination set out in this law, with the aim or as a consequence of violating the dignity of a person or group of which they form part and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

**Law 4/2023 promotes equal treatment and opportunities for LGTBI persons in the workplace.**

Administrations must adopt measures to prevent discrimination, promote inclusion in collective agreements, and create equality indicators. Companies with more than fifty employees must implement measures and a protocol against harassment of LGTBI people (Art. 14 and Art. 15)".

**Royal Decree 901/2020, of 13 October, which regulates equality plans and their registration and amends Royal Decree 713/2010, of 28 May, on the registration and deposit of collective bargaining agreements and collective labour agreements.**

**Royal Decree 902/2020 of 13 October on equal pay for women and men.**

**State-wide collective agreement for the audiovisual production industry (technicians) ("Collective Agreement").**

Article 40. Equality and protection against sexual and gender-based harassment.

1. Companies shall adopt measures aimed at avoiding any type of labour discrimination between women and men, promoting working conditions that prevent sexual harassment and harassment for reasons of sex by means of specific procedures for its prevention and to channel any complaints or claims that may be made by those who have been subjected to such harassment.

The procedures for action shall respond to the following principles:

- a) Prevention and awareness-raising of sexual and gender-based harassment. Information and accessibility of procedures and measures.
- b) Confidentiality and respect for the privacy and dignity of the persons concerned.
- c) Respect for the principle of the presumption of innocence of the alleged harasser.



- d) Prohibition of reprisals against the alleged victim or persons who support the complaint or report allegations of sexual and gender-based harassment.
- e) Diligence and speed of the procedure.
- f) Guarantee of the labour and social protection rights of the victims.

1.1.4. Technical Prevention Notes of the National Institute for Safety and Health at Work (INSST)

- a. **NTP 476:** This technical note identifies the concept of bullying, its characteristics, its genesis, manifestations and evolution. Emphasis is placed on the importance of its consequences and the need for early identification and resolution at the earliest possible stage.
- b. **NTP 854:** This technical note updates the definition of mobbing in NTP 476. It describes the elements that describe the concept of mobbing at work, the difference between mobbing and other situations of conflict in the workplace.
- c. **NTP 891 and 892:** These establish a series of basic preventive criteria that provide effective solutions for the management of occupational risks in general and psychosocial risk factors in particular.

## 2. PURPOSE

The purpose of the Protocol is to define the guidelines for identifying a situation of harassment in the workplace or that is generated in the performance of services by workers, in order to resolve it and minimise the consequences derived from it, guaranteeing at all times the rights of all persons involved, as well as to establish mechanisms to prevent this type of situation.

The objectives of this Protocol are:

1. To inform, train and raise awareness among all staff about sexual harassment, harassment based on sex and any other form of violence in the workplace.
2. To have a procedure for intervention and support in order to deal with and resolve these situations as quickly as possible and within the deadlines established in the protocol.
3. To ensure a working environment where women and men mutually respect each other's integrity and dignity.

4. To establish the necessary preventive measures to avoid situations of harassment.
5. Guarantee the rights of fair treatment and confidentiality of the persons concerned.

To this end:

BRUTAL MEDIA requests that all personnel of the organisation, especially those with leadership positions and teams in charge, assume their responsibilities:

- Avoiding those actions, behaviours or attitudes of a sexual nature, with sexual connotations or motivated by reason of a person's sex, which are or may be offensive, humiliating, degrading, annoying, hostile or intimidating to another person.
- Acting appropriately and offering support in the face of such behaviour or situations in accordance with the guidelines set out in this protocol: not ignoring or tolerating them, not allowing them to recur or escalate, reporting them and seeking support from appropriate people, as well as providing support to those who may be experiencing them.

BRUTAL MEDIA undertakes to:

- Disseminate a protocol and provide information and training opportunities to all staff, especially management, to help raise awareness of the issue and thus increase understanding of everyone's rights, obligations and responsibilities.
- Provide specific assistance and support to those who may be experiencing such situations by appointing a person or persons with the necessary training and skills for this role.
- Articulate and publicise ways of resolving such situations within the company. Specifically, BRUTAL MEDIA has made available an Internal Information System aimed, among other things, at channelling possible situations.
- Guarantee that all complaints and allegations are dealt with rigorously and fairly, respecting the established legal deadlines and confidentiality. Ensure that retaliation against victims of harassment who make an internal or external report, or against anyone who participates in any way in the resolution process, is prohibited.

- These commitments are detailed in the protocol attached to this statement and will be reviewed on a regular basis.

### **3. SCOPE OF APPLICATION**

This Protocol shall apply to the entire workforce, as well as to personnel with fixed-term contracts, including those signed through Temporary Employment Agencies, artists, senior management personnel and any person, service provider or collaborator of the Group. It shall also apply to personnel belonging to companies contracted by the Group, provided that the person carries out his or her activity in work centres dependent on the same, or situations that may arise from such collaboration that are covered by this Protocol for action. The adoption of corrective measures shall be coordinated between the companies concerned and the Group in accordance with the provisions of art. 24 of Law 31/1995 on the Prevention of Occupational Risks (the "LPRL").

Psychological, sexual or gender-based harassment, or any kind of violence at work, can occur in any place or at any time where people interact for professional and work-related reasons (this includes travel, training days, meetings or company social events). Psychological, sexual or gender-based harassment, or any kind of violence at work, will not be tolerated in any of these places or under any of these circumstances.

This Protocol is internal, and therefore does not exclude or condition any legal action that may be taken by injured parties.

### **4. DEFINITIONS**

#### **4.1. General concept of harassment**

In general terms, harassment, in any of its forms, means any behaviour by action or omission maintained over time, whatever its external form of manifestation, which has the purpose or produces the effect of violating the dignity of a person, in particular when it creates an intimidating, degrading, degrading or offensive environment of defencelessness.

The main characteristics that can be deduced from this definition are:

- Physical and/or psychological harm can or does occur and can take different manifestations.
- It occurs repeatedly and over time.

- The situation of inequality between the harasser and the harassed person means that the latter is unable to defend himself/herself and is isolated.
- The passive attitude of those who observe the bullying due to fear of being bullied.

#### 4.2. Specific concept of harassment at work

We understand by harassment at work any psychological harassment in the framework of any work or civil service activity that humiliates the person who suffers it, imposing situations of serious offence to dignity (Organic Law 5/2010, of 22 June, which amends Organic Law 10/1995, of 23 November, of the Criminal Code).

Forms of harassment at work can occur in the following situations:

- **Downward harassment:** harassment from a person in a higher position than the victim.
- **Horizontal harassment:** that which originates between colleagues of the same category or hierarchical level.
- **Ascending harassment:** that which comes from a person who occupies a lower hierarchical position than the victim.
- **Vicarious bullying:** bullying that does not occur directly to the victim, but indirectly through another person.

Workplace bullying occurs when one or more persons are repeatedly and deliberately mistreated, threatened or humiliated in situations related to their work. And violence is considered to occur when one or more persons are assaulted in work-related situations. Both harassment and violence have the purpose or effect of harming the dignity of the victim, damaging his or her health or creating a hostile working environment (European Framework Agreement on harassment and violence in the workplace of 26 April 2007).

The following defines the typologies of workplace harassment that may occur in the workplace, without prejudice to other forms of workplace violence that may occur and which should be considered under the scope of application of this Protocol.

#### 4.3. Types of harassment in the workplace

##### 4.3.1. Psychological or moral harassment (Mobbing)

Forms of mobbing include psychological and moral harassment as well as sexual harassment. In accordance with the provisions of the Collective Bargaining Agreement, psychological or moral harassment (mobbing) is understood as any behaviour that undermines the dignity of the person, exercised repeatedly, potentially harmful and unwanted, directed against one or more persons, in the workplace or as a consequence of it.

Aggravating circumstances are considered to be the fact that the person who carries out the harassment has some form of hierarchical authority in the company structure over the person being harassed.

#### 4.3.2. Sexual harassment

In line with the provisions of the LOI, sexual harassment is considered any verbal or physical behaviour of a sexual nature that aims to or results in undermining a person's dignity, particularly when it creates an intimidating, degrading, or offensive environment.

#### 4.3.3. Harassment based on sex, affective–sexual orientation, gender identity, or pregnancy and parenthood

Any form of harassment related to a person's sex, affective–sexual orientation, or gender identity, aiming to or resulting in undermining their dignity and creating an intimidating, degrading, or offensive environment.

#### 4.3.4. Discriminatory Harassment

Any conduct based on birth, racial or ethnic origin, sex, religion, belief or opinion, age, disability, sexual orientation or identity, gender expression, illness or health condition, serological status and/or genetic predisposition to suffer from pathologies and disorders, language, socioeconomic status, or any other personal or social condition or circumstance, aiming to or resulting in undermining the dignity of a person or group, and creating an intimidating, hostile, degrading, humiliating, or offensive environment.

#### 4.3.5. Harassment against LGTBIQ+ individuals

Any act or behaviour that is unpleasant, offensive, humiliating, and/or intimidating for the victim, related to their sexual orientation, gender identity/expression, or sexual characteristics.

This type of harassment can manifest through words, gestures, the creation, display, or dissemination of texts, images, or other materials, whether singular or repetitive. Harassment against LGTBQ+ individuals may include threats, intimidation, verbal abuse, unwanted comments, or jokes related to sexual orientation and/or gender identity.

#### 4.3.6. Workplace violence

Any unwanted conduct related to a person's racial or ethnic origin, religion or beliefs, disability, or age, aiming to or resulting in undermining their dignity and creating an intimidating, humiliating, or offensive environment (Article 28 of Law 62/2003, of 30 December, on fiscal, administrative, and social order measures). Cyberbullying refers to harassment and attacks in any form of harassment through communication technologies. It relates to the manner of its execution. All defined forms of harassment can be perpetrated using this means.

#### **4.4. Conducts related to various types of workplace harassment**

For guidance purposes, and never in an exhaustive manner, some examples of harassment at work referred to in different regulations are given below.

1. Continuously leaving a person without effective work within their usual environment (work, teaching, research, or studies) or assigning tasks far below their capabilities or of no real value.
2. Continuously isolating a person without justified cause.
3. Preventing personal relationships with other colleagues or with external contacts.
4. Changing a person's location, separating them from their colleagues (isolation).
5. Refusing to speak to the person and/or avoiding eye contact.
6. Eliminating or restricting available communication means for the person (telephone, email, etc.).
7. Manipulating, hiding, or ignoring the person's correspondence, calls, messages, etc.
8. Deliberately concealing information, making threats, or exceeding the exercise of one's duties and competencies.

9. Demanding disproportionate and impossible results from a person relative to the material and personal resources available to them.
10. Imposing unjustified restrictions on the use of resources that hinder the fulfilment of their duties.
11. Excessive or inappropriate performance monitoring.
12. Gradually stripping a role of its inherent functions with the aim of harming the person.
13. Repeatedly insulting or belittling any person, reprimanding them repeatedly in front of others, or spreading rumours about their professional or private life.
14. Unjustifiably denying or hindering access to leave, courses, activities, etc.
15. Retaliating against those who have lodged complaints, reports, or claims, or against those who have supported claimants.
16. Verbal intimidation: repeated insults, belittling remarks, and mockery, spreading rumours about their professionalism or private life.
17. Psychological intimidation:
  - a. Prolonged degrading treatment or severe one-time incidents.
  - b. Monitoring the person, spying, or insisting on maintaining unwanted personal contact and/or through information and communication technologies.
  - c. Threats to intimidate, to provoke fear, to achieve some objective or simply to force the other person to do something they do not want to do. Physical aggressions: they can be direct: fights, beatings, blows, shoving, small annoying gestures such as slaps, etc. or indirect: destruction of personal materials, petty theft, etc.
18. Social isolation: direct (excluding the person from activities) or indirect (ignoring or not involving them in normal group activities).
19. Any unnecessary physical contact, such as rubbing, pats, hugs, kisses, etc. In particular:

- a. Suggestive and unpleasant observations, jokes, or comments about the person's appearance, aspect, or sexual condition, and deliberate verbal abuse.
  - b. Persistent pressure or invitations to social activities, despite the person making it clear that they are unwanted or inappropriate.
  - c. Using pornographic images in the workplace or study environment.
  - d. Obscene gestures.
  - e. Secretly observing people in private spaces, such as toilets or changing rooms.
  - f. Pressuring for sexual favours or unwanted physical contact.
  - g. Making insinuations or offering career advancements in exchange for sexual favours.
20. Any handwritten, spoken, or electronic offensive message of a sexual nature. Harassment: sending degrading images or videos, tracking via spyware, sending computer viruses, and humiliation using video games.
21. Denigration: spreading derogatory and false information about another person through website posts, emails, instant messaging, or digitally altered photographs.
22. Identity theft: accessing another person's email account or social media to send or post compromising material about them, manipulating and usurping their identity.
23. Defamation and outing and trickery: violating privacy by deceiving the person into sharing confidential information about another to promote defamatory rumours.
24. Cyberstalking: harassment and/or stalking through offensive, rude, and insulting messages and cyberstalking. Includes threats of harm or intimidation that make the person fear for their safety.
25. Harassment against LGTBQ+ individuals: Examples, though not limited to these, of behaviours that individually or collectively may constitute harassment based on sexual orientation, gender identity, and/or gender expression include:



- a. Physically or verbally assaulting another person in any work situation due to their sexual orientation, identity, and/or gender expression.
- b. Expelling or questioning people with a certain gender expression or identity for using specific toilets/changing rooms.
- c. Ridiculing the person in relation to their sexual orientation, gender expression, and/or gender identity.
- d. Using phobic humour in relation to LGTBI groups or in relation to gender identity and expression in the workplace.
- e. Making jocular comments or using ridiculing expressions about the person's physical appearance, manners, dress, or speech.
- f. Belittling the work done, professional skills, or intellectual potential of the person based on their sexual orientation, gender expression, or gender identity, as well as excluding their contributions or actions for the same reason.
- g. Refusing to address a person according to their preferences or using incorrect articles or pronouns for their identified gender.
- h. Treating people unequally based on their sexual orientation (belonging to any LGTBI orientation) in the workplace.

## **5. RIGHTS AND OBLIGATIONS OF EMPLOYEES**

- 1. The right to a healthy working environment and to be free from psychological, sexual or gender-based harassment or any kind of violence in the workplace. No one should be subjected to behaviour or actions that are offensive, humiliating, degrading or annoying.
- 2. The right to be heard, informed, advised and treated fairly.
- 3. The right to be monitored throughout the process involved in the harassment investigation provided for in the Protocol in order to be protected and to assess the effectiveness and appropriateness of the measures applied.

4. The right to receive, if necessary, taking into account the possible physical and psychological consequences, medical, psychological and/or social care, through BRUTAL MEDIA's own means or through referral to external resources.
5. Obligation to treat others with respect. All BRUTAL MEDIA employees have the obligation and duty to treat with respect the rest of the people who form part of the BRUTAL MEDIA staff, people who form part of the BRUTAL MEDIA management, candidates, clients, suppliers, commercial partners, etc. It is important to show respect and consideration to all those with whom we interact and to avoid any action that may be offensive, discriminatory or abusive.
6. Obligation to avoid behaviour that may make a person feel uncomfortable, excluded or put him/her at a disadvantage (certain jokes, certain manners of addressing others, etc.).
7. Responsibility not to ignore such situations. If one person's behaviour seems annoying or offensive to another, or if someone in our close environment seems to be suffering from such a situation, such behaviour should not be ignored.
8. The obligation to report known situations of harassment without fear of intimidation, unfair, discriminatory or unfavourable treatment, retaliation or any other detriment for this reason and without prejudice to any criminal, civil and/or administrative action to which they may be entitled.
9. Duty of confidentiality. Harassment is a very serious matter and everyone's privacy must be respected. Confidentiality and respect are important even after the case has been resolved.
10. Responsibility to cooperate in the investigation of an internal report. All company personnel have a responsibility to cooperate in the investigation of allegations of psychological, sexual or gender-based harassment and workplace violence of any kind.

## **6. PREVENTION AND AWARENESS-RAISING MEASURES**

The Group undertakes to implement measures to help prevent situations of harassment in the workplace, in order to achieve a culture of equality, coexistence and respect. Thus, the Group, among other measures that it may adopt, undertakes to:

1. Carry out awareness-raising actions on the definition and forms of manifestation of the different types of workplace harassment, as well as on the procedures for action determined in this Protocol, through the provision of information and training aimed at the entire workforce, including staff under fixed-term contracts, those hired through temporary employment agencies, artists, senior management personnel and any person, service provider or collaborator of the Group (courses, workshops, information sessions, among others).
2. Conduct seminars and courses specifically aimed at executives and middle management with the aim of helping them to identify those factors that may generate claims of harassment and to properly channel possible complaints in this area.
3. Carry out activities that stimulate group cohesion and encourage the flow of information among employees, in order to help communication and closeness at any level within the organisation.
4. Disseminate the contents of this Protocol to all staff, including temporary workers, artists, managers, suppliers and collaborators of the company, providing employees with a copy of the Protocol and posting it on the Group's intranet.
5. Inform new recruits (temporary or permanent) of this Protocol during the initial training and information process by providing them with a written copy of the Protocol and informing them that they can also find it on the Group's intranet.
6. Respect the principle of non-tolerance of such conduct, using, if necessary, the disciplinary measures provided for in applicable labour legislation.
7. Establish the principle of co-responsibility of all employees in the monitoring of work-related conduct, especially those with managerial or supervisory responsibilities.

## **7. PROCEDURE OF ACTION AND RESPONSE TO HARASSMENT COMPLAINTS**

### **7.1. Purpose**

If, despite the preventive measures, a situation of harassment should arise, the purpose of this Action Procedure (hereinafter, the "Procedure") is twofold.

On the one hand, to care for, protect and advise the victim throughout the Procedure, as well as to carry out a thorough investigation of the reported facts.

On the other hand, to apply both corrective and preventive measures in the event that, at the end of the Procedure, it is concluded that the facts constitute harassment at work.

The use of the Protocol does not preclude parallel or subsequent recourse to administrative or judicial proceedings.

## **7.2. Procedural safeguards**

**Respect for and protection of individuals.** Proceedings shall be conducted with the necessary discretion to protect the privacy and dignity of the persons concerned. The actions or proceedings shall be carried out with the utmost prudence and with due respect for all persons affected, who shall in no case receive unfavourable treatment, guaranteeing in all cases the preservation of the identity and personal circumstances of the person making the complaint.

**Unsubstantiated complaints.** When it is not possible to establish the facts, in no case shall reprisals be taken against the complainant, in compliance with the principle of the presumption of innocence. In such cases, the situation shall be monitored with particular care to ensure that the alleged harassment does not take place, without prejudice to any action that may be taken in cases of false allegations. The classification of a complaint as false shall be made in accordance with the reasonableness of the evidence obtained, in strict compliance with the duty to protect the rights of the alleged victim.

**Presumption of innocence.** Likewise, the presumption of innocence of persons who may be accused of possible harassment shall be guaranteed.

**Restoration of rights.** Victims of harassment shall have the right to be restored to the working conditions they were in before the harassment, if these have been modified.

**Confidentiality.** The persons involved in the procedure shall be obliged to maintain strict confidentiality and reserve, and shall not transmit or divulge information on the content of the complaints submitted, resolved or in the process of investigation of which they are aware. This commitment shall be maintained after losing the status for which they participated in the Procedure.

**Priority and urgent processing.** The investigation of the reported facts shall be carried out with due professionalism, diligence and without unjustified delays, so that the

Procedure can be completed and the resolution issued in the shortest possible time, respecting the due guarantees.

**Impartiality, objectivity and contradiction.** The Procedure shall guarantee an impartial hearing and fair treatment for all persons concerned. Those involved in the Procedure shall act in good faith in the search for the truth and the clarification of the facts complained of.

**Thorough investigation of the facts.** The investigation of the alleged facts shall be conducted in a thorough, detailed and thorough manner, exhausting all available sources of information and considering multiple perspectives and approaches and, if possible, by specialised professionals.

**Indemnity against retaliation.** Any action that may involve retaliation against persons making a report (with the exception of false reports), appearing as witnesses or participating in an investigation is expressly prohibited. Any such action shall be considered grounds for disciplinary proceedings.

**Guarantee of action.** The Procedure shall guarantee the adoption of the necessary measures, including, where appropriate, those of a disciplinary nature, against the person or persons whose harassing conduct is proven, as well as in relation to anyone who makes a false accusation or complaint in bad faith.

**Guarantee of permanence.** The procedure shall guarantee that the harassed person can continue in his/her job under the same conditions, if this is his/her will.

**Data protection.** The personal data contained in the Procedure will be processed in accordance with the provisions of Organic Law 3/2018, of 5 December, on the Protection of Personal Data and guarantee of digital rights.

**Other remedies and avenues.** The commencement of the procedure does not interrupt or extend the deadlines for claims and appeals established in the regulations in force.

### **7.3. Phases of the procedure**

#### **7.3.1. Complaint through BRUTAL MEDIA's Internal Information System (SII)**

The Procedure will be initiated by means of a written complaint, either by the affected party or by any person who has knowledge of the acts denounced through BRUTAL MEDIA's Internal Information System (hereinafter "SII") at the

following link: [www.brutalmedia.tv/en/whistleblowing-channel](http://www.brutalmedia.tv/en/whistleblowing-channel), where the following documentation is available:

- Protocol of the Internal Information System or Ethics Channel.
- Channel of the complaint.

In order to initiate the investigation procedure, the complaint must contain the following information:

- Name of the person allegedly harassed.
- Name of the alleged harasser.
- Description of the events that occurred, indicating the approximate date on which they occurred.
- Any documentation (emails, WhatsApp...) accrediting the reported facts or reference to other documentation for the investigation of the reported facts that may be obtained during the processing of the investigation procedure.
- Names of persons who can testify to the alleged facts.

Any person who witnesses facts that may constitute a protected situation under this Protocol has an obligation to report it and, in any case, to denounce it. In particular, the report may be made in any of the following ways:

- a. Directly by the person concerned.
- b. By any person who has knowledge of the possible situation of harassment at work.

The alleged victim or person who has knowledge of the alleged facts may identify him/herself or submit the report anonymously.

Harassment complaints will be managed and processed through BRUTAL MEDIA's SII in order to guarantee the principle of independence in the phase of receiving the complaint. Once the complaint has been received, the investigation process will begin in accordance with what is established in the following section in order to preserve the confidentiality of the complaint.

The creation of the SII is primarily aimed at safeguarding employees who identify and report cases of workplace or professional harassment through established procedures, protecting their integrity and ensuring a fair and confidential process; promoting an organisational culture of zero tolerance

towards harassment, fostering respect, empathy and equality in the workplace; providing support and resources to victims of harassment, including counselling, protective measures and disciplinary action against harassers; educating employees about what constitutes harassment, how to recognise it and what actions to take if they witness or experience harassment; implementing preventive measures to reduce the risk of harassment; and regularly monitoring and evaluating the protocol to identify areas for improvement and ensure its effectiveness in preventing and managing harassment in the workplace.

In addition, the person appointed in charge of the SII has the following duties: Ensure proper reporting of situations through the SII and manage the communications received in a diligent, independent and confidential manner. Ensure appropriate responses to SII whistleblowers and respect the rights of all parties involved, avoiding retaliation against whistleblowers or witnesses of harassment or violence in the workplace.

#### 7.3.2. Constitution of the Investigation Committee

Within 3 working days of receipt of the complaint by the person in charge of the Internal Channel, it will be referred to the SII of BRUTAL MEDIA.

Within 5 working days of receipt of the complaint by the recipient, an Investigation Commission (hereinafter, the "Commission") will be set up, comprising:

1. An instructor, appointed by the Group from among those responsible for the SII of BRUTAL MEDIA. Exceptionally and due to special circumstances, that may arise in some cases, the investigation may be delegated to another person designated by the SII of BRUTAL MEDIA.

The functions of the instructor will be to:

- a. Collect the complaint for the purposes of initiating the Investigation Phase.
- b. Mediating with the victim, if the latter so wishes, once the procedure has been initiated.
- c. To promote the investigation ex officio in accordance with the provisions of this Protocol and to issue a report on the situation reported, together with the proposal of measures for improvement and follow-up.
- d. To ensure compliance with the Protocol, as well as with its phases, deadlines and guarantees.

- e. Custody of the minutes of the declaration, maintaining their confidentiality. The Group shall make the necessary resources available for this purpose.
2. A Group Prevention Technician specialised in Ergonomics and Psychosociology.
3. An external advisor if and when his/her intervention is deemed necessary according to the Group's criteria.

The constitution of the Commission shall be recorded in a Constitution Act indicating the appointment of its members, which shall be carried out by means of written notification and express acceptance of the appointments by the persons elected.

The functions of the Commission shall be:

1. To receive the complaint and the accompanying documentation, to study it and to initiate the Instruction Phase.
2. To inform the person making the complaint of the start of the Instruction Phase, indicating the possible alternatives to the Procedure and their right to health surveillance in the event that they hold the status of victim.
3. If the facts are not sufficiently described in the complaint, an additional account of the same will be requested.
4. Interview with the complainant.
5. Interview the person(s) complained of in order to obtain their version of the facts.
6. Interview possible witnesses.
7. Assess whether precautionary measures are necessary.
8. Issue the binding report on the outcome of the investigation.

### 7.3.3. Preliminary Examination Phase

Once the Commission has been constituted, the Instruction Phase will begin.

During this phase and until the resolution of the Procedure, the Committee may propose the adoption of precautionary measures to the Group and the IBS if it considers that the situation reported may affect the health and integrity of the harassed person (temporary transfer of the harasser to another department, granting the harasser paid leave until the complaint has been resolved, among



others). These measures must not, under any circumstances, be detrimental to the working conditions of the persons affected.

The Instruction Phase shall not exceed 20 working days from the filing of the complaint. Only in exceptional cases, when the proper investigation of the facts so requires due to the number of persons affected, personnel involved, location of evidence, preparation of expert reports, or similar cases, may the period be extended for the time necessary to conclude the investigation, of which both the complainant and the person being reported shall be informed.

During the Investigation Phase, the Commission shall carry out as many tests and actions as it deems appropriate to clarify the alleged facts, giving a hearing to all parties, witnesses and other persons considered to be able to clarify the alleged facts, and all of them shall be warned of their duty to maintain confidentiality regarding their intervention and the Procedure that is being carried out. Failure to comply with the duty of confidentiality shall be subject to disciplinary sanction by the Group.

During the processing of the Instruction Phase, the parties involved may be assisted and accompanied by a trusted person, whether or not he/she is a representative of the workers, who shall maintain confidentiality regarding the information to which he/she has access. This person of trust may be present at the taking of statements and at the communications that the Instructing Officer addresses to the person involved that he/she has designated.

#### 7.3.4. Conclusions Phase

At the end of the Instruction Phase, the Commission will issue a report with its conclusions that must be sent to the General Management of the Group or to the SII of BRUTAL MEDIA, (hereinafter, the "Report") within 10 working days.

The Report shall include at least the following information:

1. Identify the person(s) allegedly harassed and harasser(s).
2. The background of the case.
3. A summary of the proceedings and evidence.
4. A list by name of the persons who have participated in the investigation and in the drafting of the report.
5. The facts of the investigation that have been established.
6. Conclusions.
7. Corrective measures to be taken.

As stated above, the Procedure will be protective and respectful of privacy rights and the duty of confidentiality.

In this regard, the Commission is responsible for the management and custody of all documents generated in this phase.

#### 7.3.5. Resolution Phase

The Group, within a maximum period of 15 working days from receipt of the Report by the Commission, must take a decision which will constitute the Resolution of the Proceedings. Some of the measures to be imposed may include the following:

- a. If it is determined that harassment exists, the appropriate disciplinary measures will be taken against the person concerned, including dismissal, as well as those corrective measures necessary to ensure the well-being of the victim at work.
- b. If no harassment is found, the Committee shall also issue a report to this effect so that the Group may take the appropriate measures.
- c. False allegations, false testimony or falsification of evidence may also be subject to disciplinary action, as well as other legal actions.
- d. The resolution may include measures aimed at protecting the victim of harassment, as well as support and accompaniment mechanisms for that person.

The resolution shall state the identification details of the complainant and the person complained of, the cause of the complaint and the facts ascertained.

The Panel's decision must be issued in writing and notified to the Commission together with the SII and the parties affected by the decision.

#### **7.4. Reactive measures**

BRUTAL MEDIA's IIS shall monitor the measures proposed in the Resolution, as well as monitor possible retaliation against any of the employees who have intervened in the Proceedings as complainant, victim, witness or informant.