



Instituto de Investigación
CONTRA LA LEUCEMIA
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HARASSMENT PREVENTION PROTOCOL



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1. IDENTIFICATION

Protocol for the prevention and management of conflicts, version 1, entry into effect 01/DECEMBER/2024 with validity until 30/NOVEMBER/2028.

2. PRESENTATION

The right to equality is one of the axes on which not only any modern society gravitates, but the very concept of democracy and the rule of law. Thus, our Constitution configures it from a triple perspective, as a superior value of the legal system, as a fundamental right, thus prohibiting any type of discrimination, and as a principle of action by the public authorities.

Having the right to equality means that all people can and should demand equal and non-discriminatory treatment – to be treated equally in the same circumstances and situations – that they have the right to be treated with dignity and respect for their privacy and physical and moral integrity, in addition to having the possibility of enjoying educational and work environments free of all types of violence and discrimination. whether it is sexist, for ideological, religious or political reasons, etc.

The Josep Carreras Leukaemia Research Institute (hereinafter IJC) expresses its commitment to achieving safe workspaces, labour relations based on freedom and respect between people and consequently free from situations of any type of harassment. It also expresses the commitment to zero tolerance for harassment and a clear and categorical disapproval of offensive, discriminatory and/or abusive behaviour and attitudes. That is why this protocol has been elaborated.

The Protocol has three levels of action:

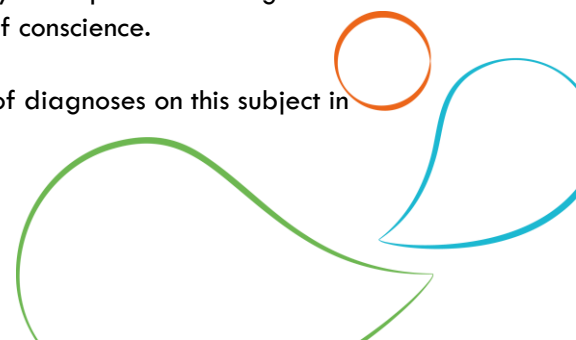
- Primary prevention: awareness aimed at the entire IJC community in order to avoid these behaviours, as well as to be able to identify and detect them.
- Secondary prevention: intervention on the contexts, circumstances and risk factors that facilitate the appearance of bullying behaviours in different types and forms, as well as on the people who are affected by these environments.
- Tertiary prevention: application of existing regulations to investigate and respond to reported cases of harassment.

This Protocol will be integrated into the Equality Plan in coordination with HR and the IJC Management.

3. OBJECTIVES

The objectives of this Protocol are:

1. To guarantee the right of all people in the IJC community to respectful and dignified treatment, protecting the right to privacy and freedom of conscience.
2. To develop awareness strategies.
3. To obtain the necessary information for the elaboration of diagnoses on this subject in



- the organization.
4. To improve coordination channels internally and with other organizations working on the subject, in order to promote an integral action in the organisation.
 5. To enable diversified resources for the early resolution of each type of harassment.
 6. To create agile intervention circuits.
 7. To define the roles and responsibilities of the different agents.

4. PURPOSE AND SCOPE OF APPLICATION

4.1 Objective Scope

This Protocol is applicable to the behavior of members of the IJC community towards other members of the IJC community or any person who collaborates, in any way, with the IJC.

In the design of this Protocol, the most frequent definitions of the current regulations for the different forms of harassment have been followed:

- **Discriminatory harassment:** any unwanted behavior related to a person's racial or ethnic origin, religion or beliefs, disability, age, gender or sexual orientation, which has the aim or consequence of violating their dignity and creating an intimidating, humiliating or offensive environment (art. 4 del ET).
- **Sexual harassment:** the situation in which any unwanted verbal, non-verbal or physical behaviour of a sexual nature occurs with the purpose or effect of violating the dignity of a person, especially when an intimidating, hostile, degrading, humiliating or offensive environment is created (Directiva 2006/54/CE).
- **Psychological or moral harassment:** exposure to behaviours of psychological violence, directed repeatedly and over a prolonged manner over time, towards one or more persons by one or more persons acting from a position of power (not necessarily hierarchical). This exposure occurs within the framework of an employment relationship and poses a risk to health (NTP 489 and 854 INSHT).
- **Workplace harassment:** psychological or hostile harassment in the context of any work or civil service activity that humiliates sufferer, imposing situations of serious offence to dignity (art. 173 de la Ley Orgánica 5/2010 de 22 de junio de Reforma del Código Penal).
- Any **unfavourable treatment related to pregnancy, maternity, paternity** or the assumption of other family care shall also be covered by the application of this Protocol when the requirements defined in the previous section are met.
- **Cyberbullying:** set of behaviours by which a person, a group of people or an organisation use ICT (Information and Communication Technology) to harass one or more persons.

4.2 Subjective Scope

This Protocol applies to any person providing services at the IJC, regardless of the nature or legal status of their relationship with the institution or the location where these services are performed. It shall also apply to collaborating personnel, personnel assigned under secondment or subcontracting agreements, temporary employment agency workers, as well

as self-employed individuals engaged with the IJC under a work or service contract. In cases where the reported or reporting individual is associated with a third party, the IJC will coordinate with such companies or third parties to ensure the proper management of the received complaint.

5. PRINCIPLES AND GUARANTEES

The entire intervention procedure guarantees:

Respect and protection

- It is necessary to act with respect and discretion to protect the privacy and dignity of the persons affected.
- The persons involved may be accompanied and advised by one or more persons of their trust from the IJC environment.

Confidentiality

- The information collected in the proceedings is confidential.
- Health data are treated in a specific manner, and thus are incorporated into the file after the express authorisation of the person concerned.

Right to information

- All persons involved have the right to: information on the procedure, the rights and duties they have, phase is being developed, and according to the characteristics of the participation, the result of the phases. In all these cases, the obligation in the confidentiality required by the *Ley 2/2023, de 20 Febrero* on the protection of informant will be respected.

Support from trained persons

- The IJC counts on the participation of persons trained in the subject throughout the procedure.

Diligence and speed

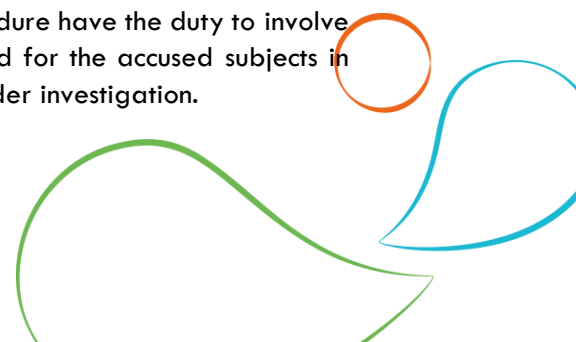
- The procedure informs about the deadlines for resolving the phases, to achieve speed and rapid resolution of the complaint.

Protection against potential retaliation

- No person involved shall suffer retaliation for participating in the process of reporting or filing a complaint regarding a harassment situation.
- Only the results of the investigated and proven complaints shall be incorporated into the personal records.

Collaboration

- All persons who are summoned in the course of the procedure have the duty to involve themselves and cooperate with it. This may be excepted for the accused subjects in those cases where a complaint of a criminal nature is under investigation.



Precautionary measures

- If there are signs of harassment during the procedure and until the closure, the persons in charge of the different phases of intervention may propose to the company's management the adoption of precautionary measures (e.g. change of job, reorganisation of working time, paid leave, etc.).
- These measures must not, in any case, under any circumstances, imply a detriment to the working conditions and/or wages of the persons involved and must be accepted by them.

Health surveillance

- People who perceive a situation of harassment with effects on health can request attention, guidance and the medical health surveillance report through the Occupational Risk Prevention Service.
- If there is damage to health that generates a medical leave and the link between the harassment and the medical leave of the affected person is verified, this medical leave must be considered as an accident at work.

6. RIGHTS AND OBLIGATIONS

6.1. Obligations of the IJC

- To guarantee workers the following rights in the employment relationship:
 - not to be discriminated against,
 - to physical or mental integrity and to an adequate safety and hygiene policy, and
 - to respect for privacy and due consideration of their dignity.
- To promote a context and work environment that avoids harassment.
- Arbitrate specific procedures for the prevention of harassment.

Failure by the IJC to comply with its obligations gives rise to the demand for administrative and judicial liabilities.

6.2. Rights and obligations of employees

- Rights: They have the right to a healthy work environment and to be free from harassment.
- Obligations: Everyone has an obligation to treat people with respect in any situation within the scope of the IJC and, significantly, when a complaint is activated and to cooperate.

Failure by employees to comply with their obligations may result in administrative and legal liability.



7. PREVENTION

The prevention actions negotiated between the management of the IJC and the Equality Commission are the following:

- To carry out awareness-raising, information and training actions (courses, workshops, information sessions, information brochures, posters...) on the prevention of harassment.
- To facilitate participatory management and leadership styles that favour group cohesion and the flow of information among employees.
- To be attentive to possible signs of harassment situations and act proactively when they are detected.
- To implement an effective procedure (protocol) to deal with communications and complaints regarding harassment.
- To monitor, control and evaluate the procedure implemented.
- To apply disciplinary measures, where appropriate.

8. INTERVENTION PROCESS

The process can be initiated by communication to reference persons or directly by complaint made through the channel expressly designated for this purpose by the IJC. In the case of reference persons, they are obliged to immediately communicate the complaint to the person responsible for handling the complaints and to maintain the communication received confidential. The IJC has designated a body Responsible for the Internal Information System (hereinafter, RIIS), which is responsible for receiving complaints submitted through the IJC's Complaints Channel and for processing any internal investigations that may be necessary.

Phase 1: Communication and counseling

The aim of this phase is to inform, advise and accompany the affected person and to prepare for the investigation phase (phase 2), if applicable.

This phase begins with the communication of the finding or suspicion of harassment that sets in motion the actions of communication, investigation and counseling.

The communication can be made by:

The affected person.

Any person or persons who notice a harassing behavior.

The communication shall be made once the events have occurred or while they are occurring in situations of continuity, as soon as possible, and can be made in writing or by form through the IJC Complaints Channel accessible through this link: <https://carrerasresearch.report2box.com> or a conversation that must be requested to the RIIS through the same Complaints Channel.



Once the complainant submits their complaint, through the RIIS, it may be reported to the Equality Commission. The latter case will only occur if requested and expressly authorised in writing by the informant.

If applicable, the functions of the Equality Commission in the application of the present protocol are:

- To inform and advise the affected person.
- To accompany the affected person throughout the process.
- To propose the adoption of precautionary and/or preventive measures.

Phase 2: Investigation

The aim of this phase is to thoroughly investigate the reported facts in order to issue a final report of conclusions on the existence or not of a situation of harassment, as well as to propose measures for intervention and/or improvement of the IJC processes.

The investigation process must be carried out in accordance with the provisions of the Procedure for the Management of Complaints Received from the IJC to which this Protocol refers.

As a complementary character to the Procedure for the management of the information received, it is established that the report of conclusions must also include the following information:

- If the person harassed person has any type of disability.
- If the physical or psychological state of the harassed person has suffered serious alterations, accredited by medical personnel.
- In the event that evidence of the existence of a disruptive situation is observed without it constituting a situation of harassment, the IJC may offer the initiation of a process of mediation, facilitation or similar.

Likewise, whether the file ends with a sanction or without a sanction, a review must be conducted of the employment situation in which the complainant has ultimately been placed.



ANNEX I: CONSIDERATION OF HARASSMENT BEHAVIORS

Both sexual harassment and harassment based on sex or workplace harassment (mobbing) or discriminatory harassment can be committed by a superior towards his or her subordinate (downward harassment), or by a subordinate towards a superior (upward harassment), also between colleagues and even by third parties (horizontal harassment).

Such behaviour must be unwanted and offensive to the person subjected to it. All these situations can be exercised individually or in groups and directed towards a single person or a group.

In order to properly identify whether we are facing a case of harassment or not, we proceed to detail the **characteristics that must be met to consider a situation as harassment:**

Existence of two parties involved: harasser (hostile, dominant or humiliating behavior, whether or not he/she occupies a hierarchical position superior to the victim); and victim (disadvantaged position with respect to the harasser).

The problem is asymmetrical, i.e. the victim is unable to defend him/herself for social reasons (hierarchical position, professional category), economic reasons (economic dependence, job stability), physical reasons (age, physical strength) or psychological reasons (victim's self-esteem, charisma of the harasser).

The behaviors are clearly aimed at harming the victim, either by discrediting, discriminating, offending, humiliating, intimidating or violating him/her.

The harassing behaviors are systematic and last over time, and are focused on one person or a small group.

In cases of mobbing, the harassing behaviors are aimed at getting rid of a person who is uncomfortable, whether for personal, work-related or economic reasons.

Harassment can occur at any time or place where people meet for professional and work-related reasons (including travel, training days, meetings or social events).

The following are not considered psychological harassment/mobbing:

Those behaviors that occur from a symmetrical relationship and define a conflict between the parties in the work environment, either of a punctual nature, at a specific time, or more permanent. Evidently, any conflict affects the workplace, occurs in its environment and influences the organization and the labor relationship; but it cannot be considered "mobbing" if it does not meet the conditions of the definition.

Actions of violence in the workplace, committed from a prevalent position of power with respect to the victim, but which are not committed repeatedly and prolonged period of time. These may be genuine situations of "psychological abuse at work", similar to those included in "mobbing", but without the component of repetition and duration required in the former, either because they are really sporadic or because they are reported at an early stage. As such violent behaviors, they must also be prevented and/or aborted as soon as possible and, if necessary, punished; but not as "mobbing", since they do not have the essential characteristics of mobbing. It should be borne in mind that, if these situations are not resolved promptly, it

will allow them to become chronic and may evolve into a situation of harassment in the strict sense of the word.

Likewise, behaviors that, although seemingly fitting the definition, are determined not to constitute violent conduct based on their characteristics (e.g., "founded" reprimands for inadequate job performance that do not include inappropriate derogatory remarks) or cases where the evidence presented is inconsistent, though not false, shall not be considered harassment.

