GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC)

EQUALITY REPORT

2025
GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC)
Hospital Teresa Herrera, 1ª Planta. Xubias de Arriba, No. 84, 15006, A Coruña.

INTRODUCTION

The **GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC)** declares its commitment to establishing and developing policies that incorporate equal treatment and opportunities for women and men, without direct or indirect discrimination based on sex, as well as to promoting and fostering measures to achieve genuine equality within our organisation, establishing equal opportunities between both sexes as a strategic principle of our Corporate and Human Resources Policy, in accordance with the definition of this principle set out in Organic Law 3/2007, of 22 March, on effective equality between women and men, in 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, Royal Decree 901/2020 on the Regulations for the Registration of Equality Plans, and Royal Decree 902/2020 on Equal Pay for Men and Women, both dated 13 October 2020.

In each and every setting in which this company operates, from recruitment to promotion, including pay policy, training, working and employment conditions, occupational health, the organisation of working time and work-life balance, we uphold the principle of equal opportunities between women and men, paying particular attention to indirect discrimination, which we define as *"A situation in which an apparently neutral provision, criterion or practice places a person of one sex at a particular disadvantage compared with persons of the other sex"*. With regard to communication, both internal and external, all decisions taken in this regard will be communicated, and the company will project an image consistent with this principle of equal opportunities for women and men.

The principles set out above will be put into practice by promoting equality measures and implementing an Equality Plan that brings about improvements on the current situation, whilst establishing the necessary monitoring systems, with a view to making progress towards achieving genuine equality amongst all the company's employees and, by extension, throughout society as a whole.

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1. INTRODUCTION TO THE EQUALITY PLAN

Equality between women and men is a fundamental and universal legal principle enshrined in international instruments that regulate and guarantee human rights, notably the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly in December 1979 and ratified by Spain in 1983. Equality is also a fundamental principle of the European Union; since the Treaty of Amsterdam came into force on 1 May 1999, equality between women and men and the elimination of inequalities between them have been objectives that must be integrated into all the policies and actions of the Union and its member States.

Under the Spanish legal system, Article 14 of the Constitution upholds the right to equality and non-discrimination, and Title IV of Organic Law 3/2007, of 22 March, on effective equality between women and men addresses the right to work with equal opportunities, incorporating measures to guarantee equality between women and men in access to employment, training and career progression, and in working conditions. In addition to general duty of companies to respect the principle of equality in the workplace, there is a specific requirement for companies with over fifty employees to negotiate equality plans. An obligation whose implementing regulations are set out in Royal Decree 901/2020, of 13 October.

Pursuant to each and every one of the criteria outlined in the regulations currently in force, this Equality Plan is the result of our company's firm commitment to working towards a fairer and more equal society for women and men in the workplace, one that fosters their progress and development, and in which the fundamental rights and freedoms of all its members are respected.

Conducting the Equality Assessment beforehand has enabled us to analyse the company's situation from a gender perspective; following this, conclusions have been drawn and a series of necessary measures have been put in place to promote equal treatment and opportunities for men and women within our organisation.

This ambitious Plan has been designed to take a cross-cutting approach that aims to eliminate all forms of discrimination, promote a healthy work-life balance and shared responsibility between men and women for care responsibilities, gradually integrate the gender perspective into all organisational and management processes, as well as prevent sexual harassment and harassment based on sex, and, ultimately, improve the conditions under which daily life is lived within the workplace.

The key features of this Plan are as follows:

- It is designed for the entire workforce.
- To adopt gender mainstreaming as one of its guiding principles, incorporating a gender perspective into the Foundation's management as a strategy for achieving equality between women and men.
- To prevent, through the mechanisms established, any future possibility of discrimination based on sex.
- It should be flexible and adaptable to the needs that may arise as a result of monitoring and assessment thereof.
- Integration into the Company's management culture, ensuring that the necessary resources and measures are in place for its implementation, monitoring and assessment.

1.1. STRUCTURE OF THE EQUALITY PLAN

The Equality Plan of the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) is structured into the following sections:

✓ **Assessment** of the current situation of women and men within the company. This assessment is conducted on the basis of qualitative and quantitative data provided by management, relating to:

a) Selection and recruitment process.

b) Professional classification.

c) Training.

d) Career progression.

e) Working conditions, including a pay audit comparing women's and men's salaries, pursuant to the provisions of Royal Decree 902/2020, of 13 October, on equal pay for women and men.

f) Joint responsibility for exercising rights relating to personal, family and working life.

g) Under-representation of women.

h) Remuneration.

i) Prevention of sexual harassment and harassment based on sex

✓ **Action plan** drawn up on the basis of the findings of the assessment and the shortcomings identified in the area of gender equality. It sets out the objectives to be achieved to ensure equality; the measures and positive actions required to achieve those objectives; a timetable for implementation; and the individuals or groups responsible for carrying them out.

- ✓ **Monitoring and assessment** of the Plan's implementation by individuals appointed by each party to gather information on the extent to which it has been carried out, its results, and its impact on the company.

- ✓ **Procedure for amending the Equality Plan:** In order to resolve any discrepancies that may arise during the implementation, monitoring, review or assessment of the Equality Plan, provided that no statutory or collective agreement provisions require its amendment, the provisions of the Equality Committee's operating regulations shall apply; and, should the necessary majority not be reached to resolve the dispute, the parties shall refer the matter to the Joint Committee on the Collective Agreement.

1.2. DEFINITIONS

a) The principle of equal treatment between women and men.

This entails the absence of any discrimination, either direct or indirect, based on sex, and in particular discrimination arising from maternity, the assumption of family responsibilities, and marital status (Article 3 of Organic Law 3/2007 of 22 March on effective equality between women and men).

b) Equal treatment and equal opportunities in access to employment, training and career progression, as well as in working conditions.

The principle of equal treatment and equal opportunities between women and men, applicable in both the private and public sectors, shall be guaranteed, in line with the terms set out in the relevant legislation, in access to employment, including self-employment, in vocational training, in working conditions, including pay and conditions relating to dismissal, and in membership of and participation in trade unions and employers' organisations, or in any organisation whose members practise a specific profession, including the benefits provided by such organisations (Article 5 of Law 3/2007).

c) Promoting equality in collective bargaining.

In accordance with the law, collective bargaining may be used to establish affirmative action measures to promote women's access to employment and the effective application of the principle of equal treatment and non-discrimination in working conditions between women and men (Article 43 of Law 3/2007).

d) Direct and indirect discrimination.

Direct discrimination based on sex is defined as a situation in which a person is, has been or may be treated, on the basis of their sex, in a less favourable manner than another person in a comparable situation (Article 6.1 of Law 3/2007).

Indirect discrimination based on sex is defined as a situation in which an apparently neutral provision, criterion or practice places persons of one sex at a particular disadvantage compared with persons of the other sex, subject to the exceptions provided for in the Law (Article 6.2 of Law 3/2007). In any event, any instruction to discriminate, whether directly or indirectly, based on sex is deemed to be discriminatory (Article 6.3 of Law 3/2007).

e) Sexual harassment and harassment based on sex.

Sexual harassment is defined as any behaviour, whether verbal or physical, of a sexual nature, which has the purpose or effect of undermining a person's dignity, in particular if it creates an intimidating, degrading or offensive environment (Article 7.1 of Law 3/2007).

Harassment based on sex is defined as any behaviour based on a person's sex, with the purpose or effect of violating their dignity and creating an intimidating, degrading or offensive environment (Article 7.2 of Law 3/2007).

Making a right, or the prospect of a right, conditional upon acceptance of a situation constituting sexual harassment or harassment based on sex shall also be considered an act of discrimination based on sex (Article 7.4 of Law 3/207).

f) Equal pay for work of equal value.

Equal pay based on sex is defined as the employer's obligation to pay the same remuneration for work of equal value, whether paid directly or indirectly and regardless of its nature (wage related or non-wage related), without any discrimination based on sex in any of the elements or conditions of said remuneration. One job shall be deemed to be of equal value to another where the nature of the duties or tasks actually assigned, the educational, professional or training requirements for carrying them out, the factors strictly related to their performance, and the working conditions in which such activities are actually carried out are equivalent (new wording of Article 28 of the Workers' Statute, pursuant to Royal Decree-Law 6/2019).

g) Discrimination on the grounds of pregnancy or maternity.

Any unfavourable treatment of women in connection with pregnancy constitutes direct discrimination based on sex.

h) Compensation for retaliation.

Any adverse treatment or negative effect suffered by a person as a result of their having lodged a complaint, claim, report, legal action or appeal of any kind aimed at preventing discrimination against them and at ensuring effective compliance with the principle of equal treatment between women and men shall also be considered discrimination on grounds of sex, provided that they act in good faith.

i) Legal consequences of discriminatory behaviours

Acts and clauses in legal transactions which constitute or result in discrimination based on sex shall be deemed null and void, and shall give rise to liability through a system of remedies or compensation that is real, effective and proportionate to the harm suffered, as well as, where applicable, through an effective and dissuasive system of sanctions designed to prevent discriminatory conduct (Article 10 of Law 3/2007).

j) Positive action.

In order to give effect to the constitutional right to equality, specific measures shall be adopted in favour of women to remedy clear instances of de facto inequality in relation to men. Such measures, which shall apply for as long as said situations persist, must be reasonable and proportionate in relation to the objective pursued in each case (Article 11 of Law 3/2007).

k) Effective judicial protection.

Pursuant to Article 53.2 of the Spanish Constitution, any person may seek judicial protection of the right to equality between women and men, even after the termination of the relationship in which the discrimination is alleged to have occurred (Article 13.1 of Law 3/2007).

l) Rights relating to the work-life balance.

Workers shall be granted rights to a work-life balance in a manner that promotes the balanced sharing of family responsibilities, whilst preventing any discrimination based on the exercise of such rights (Article 44.1 of Law 3/2007).

m) Breakdown of data by sex.

This involves the collection and breakdown of data and statistical information by sex. It enables a comparative analysis of any issue, taking into account gender-specific factors and, where appropriate, highlighting instances of discrimination.

n) Situation analysis.

The assessment involves a detailed analysis of the situation regarding equal opportunities for women and men within the company, during which the following activities are successively conducted: data collection, analysis, internal discussion and, finally, the drafting of proposals that can be incorporated into an Equality Plan.

o) Direct discrimination based on sex.

This is defined as a situation in which a person, on the basis of their sex, is, has been, or may be treated in a less unfavourable manner than another person in a comparable situation (Article 6.1 of the LOIEMH).

p) Gender-based violence.

Gender-based violence is defined as any act of violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering, as well as threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life, perpetrated against women simply because they are women.

2. ORGANISATIONAL CONTEXT

The equality plan is set within a specific organisational and societal context, which is outlined in the following sections to aid understanding.

2.1. General aspects

2.1.A. Ownership of the company

The GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) is a non-profit organisation governed by private law, although it forms part of the regional public sector due to its links with the public administration through the Regional Ministry of Health of the Community of Galicia.

A. Name or company name

Galician Public Foundation for Biomedical Research (Fundación Pública Galega de Investigación Biomédica - INIBIC), registered in the Register of Foundations of Galician Interest, in the Regional Ministry of Health section, under number 3, 1991/9.

B. Tax Identification Number (NIF)

G15335219

C. Sector in which the organisation operates (4-digit CNAE code)

7211

D. Size of the organisation and its members

More than 50 workers.

The organisation's structure comprises:

- Board of Trustees.
- Management.
- Permanent and temporary staff.

E. Applicable collective agreement code

The company-wide collective agreement of the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) (formerly known as the Professor Novoa Santos Foundation) is applicable.

Agreement code 1510102012021

2.2. Corporate Purpose

The Foundation's corporate purpose, as set out in its Articles of Association, is *"to promote research, teaching, training, scientific and technological development and innovation in the field of healthcare and the health sciences, as well as to conduct other activities that may contribute to the achievement of the Foundation's purpose, which is characterised by the general interest of Galicia".*

The Foundation provides support, guidance and administrative services to professionals and researchers at centres within the Galician Public Health System and at the Institute of Biomedical Research in A Coruña (hereinafter, INIBIC) and will contribute effectively to the achievement of its founding objectives by securing the support of public and private organisations for the purposes thereof, and by publicising and disseminating the research activities of Galician research centres, thereby progressively increasing their capacity to compete on the basis of the quality of their scientific output.

As the body responsible for managing research, the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) has the following functions:

- To promote cooperation between Galician society and public health institutions.
- To promote scientific research by making the Foundation's resources available to researchers, with a view to improving the quality of the services they provide to the Galician community.
- To propose and implement measures to promote and foster research.
- To encourage collaboration between the various research teams, as well as links with other centres engaged in related activities.
- To disseminate the results of research activities and raise awareness of scientific and technological advances, whilst promoting the application thereof.
- To promote the transfer to society of the research results generated within its setting through the appropriate protection and management of knowledge, and to engage and participate in all areas generally related to these objectives.
- To participate in all areas generally related to these objectives.

These functions are carried out through:

a) Guidance, management and administrative support for applications for scholarships, awards, research projects and research agreements.

b) Announcement of calls for research funding, from both external organisations and the organisation itself.

c) Management of the processing and negotiation of fund-raising from private funding sources: agreements, contracts and donations.

d) Facilitating the recruitment of staff to carry out the activities specific to the research groups.

e) Dissemination of research findings

f) Guidance throughout the entire process of innovation and the transfer of scientific results obtained by professionals.

2.3. Organisational structure

The Foundation has the following organisational structure:

a. The Board of Trustees, as the highest governing body.

b. The Management, the executive and administrative body. And, depending on the latter:

   i. Technical Unit, responsible for shared and structural services (HR, Project Management, Quality, Financial Management, Research Management and Promotion, Clinical Trials and the Legal Department).

c. Research staff and research support staff.

The Board of Trustees of the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) is the Foundation's highest governing, representative and administrative body. It is responsible for fulfilling the Foundation's objectives by establishing the organisation's general guidelines and strategic planning, administering the assets and rights that make up the Foundation's patrimony, whilst fully maintaining the performance and usefulness thereof. Furthermore, the Board of Trustees is responsible for appointing its executive director, a post currently held by Ms Patricia Rey Pérez, who also acts as the non-voting Board secretary. The composition of the Board of Trustees is as follows:

	Total	Women	(%)	Men	(%)
BOARD OF TRUSTEES	15	7	46.66	8	53.33

2.4. Nature, scale and complexity of activities

The GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) is a non-profit organisation with private legal status within the Galician regional public sector, governed by the civil, administrative and tax legislation applicable to it at any given time, as set out in its Articles of Association. It is regarded as an in-house body and technical service of the Government of Galicia. With regard to the legal status of staff employed by the Foundation, they are regarded as public health employees under the terms of Article 108 of Law 8/2008, and, as supplementary legislation, under Decree 129/2012, of 31 May, which regulates the regime applicable to staff of the instrumental entities forming part of the Galician regional public sector, and are otherwise governed by the Workers' Statute, insofar as it applies, by Law 14/2011, of 1 June, on Science, Technology and Innovation, and by the collective agreement of the Galician Public Foundation for Biomedical Research (INIBIC). Its financial resources come from public aid and grants, and from income derived from contracts and/or agreements with the public and private sectors.

The Foundation manages the funds of the various research groups, which are allocated, amongst other things, to the selection and recruitment of staff required in each case to conduct research activities, at the request of the Principal Investigators (PIs), which is carried out

through a public call for applications, in accordance with the constitutional principles of equality, merit and ability, and in line with the principles set out in the *Human Resources Strategy for Researchers* (HRS4R).

It is therefore responsible for the employment relationships of the staff in its service, which entails fulfilling its obligations regarding the payment of remuneration using research funds, as well as having the authority to exercise disciplinary and organisational control.

With the exception of matters relating to their employment status, scientific responsibility for the research activities of the beneficiary of the grant or contract lies with the principal investigator or the person responsible for each research project.

With regard to the employment structure, the staff of the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) can be classified into the following groups:

- Core team, responsible for carrying out the ongoing and cross-cutting tasks that underpin all research activities.
- Research staff and technical research support staff on fixed-term or permanent scientific-technical contracts, funded by projects or platforms (financed competitive public or private restricted-purpose funds)

Venue for business activities

Its activities are carried out within the premises of the buildings belonging to the Galician Health Service (Teresa Herrera Maternity and Children's Hospital, Laboratory Annex Building and the A Coruña Hospital Complex (CHUAC)) pursuant to a general collaboration agreement signed on 31 January 2008 with the Regional Ministry of Health, the Galician Health Service, authorising the transfer of use of the physical spaces, facilities and technical resources necessary to conduct its research work.

Its registered office is situated at 84 Xubias de Arriba, A Coruña (post code 15006)

3. SCOPE OF THE EQUALITY PLAN

Determination of the objective and subjective scope of the equality plan, planning, expected duration, allocated resources, and its relationship to the collective agreements currently in force within the organisation.

Obligation to implement

A workforce of more than 50 people (Article 45.2 of the Law on Equality).

Negotiation

The plan has been agreed with the works council

Geographical scope

This Equality and Diversity Plan is aimed at all staff at the INIBIC Foundation in the province of A Coruña, but it is also aimed at any other groups who may be affected by the measures set out herein, such as work experience students, visiting researchers, etc.

Functional scope

The Equality Plan applies at company level.

Employment scope

This equality plan covers all of the company's employees, as well as, where applicable, workers supplied by temporary employment agencies during the periods in which they provide services.

Time frame

The scope of the plan will be:

From	Until
15/05/2025	**14/05/2029**

4. NEGOTIATING COMMITTEE

The Equality Plan negotiating committee is made up of the following people:

Members of the negotiating committee

Full name	Email	Position/Role	Area
Patricia Rey Pérez	patricia.rey.perez@sergas.es	Director	Management
Susana Junquera Gestal	Susana.Junquera.Gestal@sergas.es	HR	Manager
Valentina Calamia	Valentina.Calamia@sergas.es	Workers' Representative	Works Council
Paula García González	Paula.Garcia.Gonzalez@sergas.es	Workers' Representative	Works Council

Date of establishment of the Negotiating Committee

15/01/2025

Workers' representation

This plan has been drawn up in consultation with the workers' legal representatives.

Composition of the workers' representation

Position on the Committee	Total number of representatives	Number of women	No. of men
Chairwoman	1	1	0
Secretary	1	1	0

Membership of the representatives and/or trade union centres involved	Total number of representatives	Number of women	No. of men
CIG	5	2	1
UGT	4	4	0

∗There are two vacancies to be filled within the CIG delegation.

Composition of the business delegation

Position within the company	Total number of representatives	Number of women	No. of men
MANAGEMENT	1	1	0
HR MANAGER	1	1	0

Functions associated with the committee

- To ensure that the principle of equal treatment and equal opportunities for women and men is upheld within the company.
- To inform the company's staff of the commitment made to draw up an Equality Plan.
- To raise staff awareness of the importance of incorporating equal opportunities into company policy, and the need for them to play an active part in implementing the Equality Plan.
- To provide information and documentation from the organisation itself for the purposes of carrying out the assessment.
- To play an active part in carrying out the assessment and, once it has been completed, to approve it.
- To draw up, examine and discuss the proposed measures and positive actions put forward for negotiation.
- To approve the Equality Plan that is to be implemented.
- To encourage the dissemination of the Equality Plan within the company and to promote the implementation thereof.
- To monitor and assess the Equality Plan.

Analysis of the negotiation of the plan

Have all the parties to the negotiations signed up to the plan?

Yes

Do the members of the negotiating committee have training and/or experience in the field of gender equality in the workplace?

Yes.

Has the negotiating committee received external support and specialist advice on equality between women and men in the workplace?

Yes, external consultancy.

Means and resources allocated for the implementation, monitoring and assessment of the measures:

1. **Documentation and guides**: Pguide published by CCOO (Comisiones Obreras) and the handbook published by the Instituto de la Mujer (Women's Institute).
2. **Technological resources**: Complylaw software for data collection and analysis,
3. **Premises and equipment**: Meeting rooms and audiovisual equipment for holding training sessions and equality committee meetings.
4. **Communication materials**: Leaflets, posters and other information materials to raise awareness and communicate equality policies within the company.
5. **Human resources**: Staff specialising in gender equality (specifically Susana Junquera Gestal and Ángela García) acting as consultants or equality officers, who can lead and coordinate the plan

Did the members of the negotiating committee receive training from the company on equality in the workplace prior to carrying out the assessment and negotiating the equality plan?	During the negotiation of the plan, were the joint committee under the collective agreement or independent labour dispute resolution bodies consulted to resolve any existing differences?
Yes.	No.

Commitments agreed by the governing body to demonstrate leadership and commitment in relation to the equality plan

The commitments agreed upon are set out in the “Charter on Commitment to Gender Equality”, which has been sent to staff, and reads as follows:

*At the **GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC)**, we have committed to drawing up an **EQUAL OPPORTUNITIES PLAN FOR WOMEN AND MEN**, as well as a **DIVERSITY PLAN**, in accordance with the guidelines set out in the relevant legislation and, therefore, in full compliance with the principle of equal treatment and equal opportunities as set out in Organic Law 3/2007 on effective equality between women and men, and in its implementing regulations: Royal Decree 901/2020, of 13 October, which regulates equality plans and the registration thereof, and amends Royal Decree 713/2010, of 28 May, on the registration and filing of collective labour agreements and conventions; as well as Law 4/2023, of 28 February, on the real and effective equality of transgender people and on guaranteeing the rights of LGBTI people.*

Over the coming months, we plan to negotiate the Equality and Diversity Plan within the Negotiating Committee; to this end, both the Foundation’s management and the Staff Representatives share the same enthusiasm and interests, and we urge you to play an active role throughout the drafting process. Later on, we will provide further details on the ways and means of participating, as the outcome of this initial phase will shape the Foundation’s human resources policy and its internal and external communications for the coming years.

We view the implementation of the Equality and Diversity Plan as a modernisation of our management system, which will undoubtedly result in an internal structure and relations with society in which our actions are free from discrimination, thereby helping to progress towards a society in which equality is real and effective.

5. COMMUNICATION AND REGISTRATION

5.1. Implementation

The management will be responsible for disseminating the Equality and Diversity Plan of the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC), and this will be carried out in line with the Internal and External Communication Plan. The Plan will be circulated to all staff within the organisation.

In this regard, the Plan will be disseminated primarily through the following communication channels:

1. Foundation website:

   https://www.fundacionprofesorGalega de Investigación Biomédica INIBICsantos.org/es/portal-de-transparencia-es/

   A specific section has been set aside to publish the Plan and bring together all information relating to the Foundation's equality policies.

2. Induction guide for new staff.
3. Direct email: *plan.igualdad.finibic@sergas.es*

Equality Plan Code (Article 13)

Once the competent labour authority has ordered the registration and publication of this equality plan, it will be assigned a code pursuant to Annex 3 to Royal Decree 713/2010 of 28 May on the registration and filing of collective labour agreements and conventions.

The code shall serve as the identifier for the collective agreement or collective contract when it is published in the relevant official gazette.

5.2. Required documentation

- Application form.
- The original text of the equality plan signed by the members of the negotiating committee or by the party submitting the request.
- Minutes of the Negotiating Committee.
- Document authorising the person applying for registration of the scheme.

6. PLAN ASSESSMENT AND MONITORING SYSTEM

The company has a tool/procedure in place for monitoring and measuring the targets set out in the Equality Plan.

An annual interim review will be carried out from the date the plan comes into force, followed by a final review. The interim and final evaluations will incorporate the results of the monitoring process, together with the assessment of the outcomes and impact of the equality plan, as well as any new actions that may be undertaken.

The monitoring and assessment of the plan will be carried out by the "Monitoring and Assessment Committee", which has been set up to interpret the content of the plan and assess the extent to which the objectives set and the actions planned have been met.

The Committee responsible for negotiating the equality plan will also be responsible for periodically monitoring the actions proposed in the equality plan, the implementation thereof, and the extent to which they are being complied with, as well as for developing new initiatives.

Annual preparation of a report on the actions carried out.

6.1. Monitoring Committee

The negotiating committee itself will be responsible for implementing and monitoring the plan; its remit will include:

- To review the measures set out in the equality plan on a regular basis, as stipulated in the equality plan's action timetable.
- Revision at any time during the term of the plan.
- To add, realign, improve, rectify, intensify, scale back or even discard any measure appearing therein, depending on the impact observed in relation to the achievement of its objectives.
- Preparation of monitoring reports.

6.2. Conflict resolution system

In the event of a dispute regarding compliance, or in the event of non-compliance with the measures set out in the plan, disputes will be resolved by the joint committee established under the collective agreement.

7. DIAGNOSIS

This equality plan contains a well-defined set of assessable measures aimed at removing the barriers that prevent or hinder effective equality between women and men. Prior to defining the measures, in accordance with Article 46 of the Law on Equality, an assessment has been carried out on the most relevant issues for the proper implementation of each measure.

The conclusions of the assessment are as follows:

The company's organisational chart and its classification show that women are clearly over-represented in all areas of work (76%), except in the governing bodies (Board of Trustees), where this majority is not reflected in the same proportion, as the Board comprises slightly fewer women than men.

That said, this composition stems from the Foundation's own Statutes, which stipulate that membership of the Board of Trustees shall be held by those individuals who hold specific institutional posts at any given time and, therefore, they cannot be freely appointed.

As for the senior management position, since October 2013 this has been held by a woman, who is personally committed to developing and implementing equality policies.

As pointed out above, the workforce is predominantly female. It is therefore necessary to analyse the causes of this over-representation of women:

Firstly, we examined the recruitment calls, which, owing to the nature of the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC), are open to the public and adhere to the principles of equality, merit and ability. We found that 73.5% of applicants for the various posts on offer were women, which explains why the majority of new contracts were for women.

Given this explanation, it is worth analysing the reason for this higher number of women seeking employment, even though this is an external factor and, accordingly, beyond the Foundation's control. And at this point, we are faced with a structural issue, since, at national level, the majority of university graduates in biosanitary degree programmes are female.[1]

Thus, we can see that, in the Autonomous Community of Galicia, the percentage of female graduates in the various fields of biomedical science is as follows:

- Degree in Nursing: from 83.6% to 84.61%.
- Degree in Psychology: 81 %.
- Degree in Medicine: 69 %.
- Degree in Biology: from 56.7% to 60.5%.
- Degree in Pharmacy: 73.1%

[1] Source: https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.universidades.gob.es%2Fwp-content%2Fuploads%2F2024%2F07%2F2024_Estad_EEU-EgresadosEEU.xls

This imbalance is even more pronounced in master's degree programmes, where a large number of specialised master's programmes have over 80% of female graduates, with some even reaching 100%. By way of example, in the 2022–2023 academic year, the following results were observed at the following public universities in the Autonomous Community of Galicia[2]:

University of A Coruña	% Women
Master's Degree in Disability and Dependency	90.0%
Master's Degree in Advanced Biotechnology	78.6%
Master's Degree in Healthcare and Health Research	77.1%

University of Santiago	% Women
Master's Degree in General Health Psychology	87.5%
Master's Degree in Genetic, Nutritional and Environmental Factors Affecting Growth and Development	84.6%
Master's Degree in Drug Research and Development	76.9%
Master's Degree in Biomedical Research	62.5%

University of Vigo	% Women
Master's Degree in Nanoscience and Nanotechnology	100%
Master's Degree in Advanced Biotechnology	86.7%
Master's Degree in Nutrition	86.4%

This breakdown remains consistent for doctoral degrees awarded in the 2022–2023 academic year (latest published figures), with women accounting for 68.15% of doctoral degrees awarded in the Region of Galicia within the field of health sciences.[3] Moreover, this trend is not unique to this community, but is also reflected in the national data. Thus, we are not faced with a gender

[2] Source: https://estadisticas.universidades.gob.es/jaxiPx/Tabla.htm?path=/Universitaria/Alumnado/EEU_2024/Doctorado/Egresados//l0/&file=3_1_Egr_Sex_Edad2_Rama_Univ.px&t

[3] Source: http://estadisticas.mecd.gob.es/EducaJaxiPx/Datos.htm?path=/Universitaria/Alumnado/New_Structure/Doctorate/Graduates//l0/&file=Egr_Doct_Sex_Nac_Rama_CA.px&type=pcaxis

imbalance caused by internal factors; rather, the greater participation of women in the field of biomedical research is determined by the higher number of students and female graduates from our faculties in the bio-health sciences disciplines. This is consistent with this our own data, which show that 82% of the workforce hold a university degree. Not only that, but 98% of the workforce have undertaken training during working hours and on the premises over the last two years, all of which has been in the form of refresher courses. This is because, in virtually all areas of work, the company's research activities require highly qualified staff given the high level of specialisation required.

As regards the age distribution of the workforce, it can be seen that the majority of staff fall within the middle age groups (25–34; 35–44), with the highest numbers in the 25–34 age group. In these same age groups, it can be seen that the highest percentage is accounted for by women (74.7% and 81.6%, respectively, compared with men in the same age group). What is even more striking is that, in the oldest age group, 100% are women.

In terms of length of service, 74.30% have been with the organisation for less than five years; of these, a virtually identical percentage are women, following a downward trend year on year, which in many cases is due to only the date of the most recent contract being taken into account, notwithstanding the fact that, in numerous cases, employees may have had previous contracts with the organisation. The explanation for this figure is that, for the most part, staff were being recruited on a temporary basis to carry out research projects, each with its own autonomy and substance and generally linked to restricted-purpose grants and subsidies and subject to a specific end date. However, in the coming years, this situation is set to change as contracts of this type will be abolished under the law and will instead be classified as permanent scientific and technical contracts.

As regards working hours, 87.15% work full-time, with women accounting for 75% of contracts of this type.

There are no management positions within the organisation beyond the Management and the Board of Trustees, although there are two middle management posts held by women. In terms of professional classification, according to the system set out in the collective agreement, it can be seen that the largest group of staff falls within the 'Grade I Qualified' category (31.8%), with 75.4% of these being women – a figure consistent with their proportion of the total workforce. The next largest group of employees is that of Level II Qualified Staff (21.78%), of whom 87.2% are women, which represents a deviation of 11.2% from their share of the total workforce.

There have been no reported cases of gender-based violence.

With regard to sick leave, during the period under review there was only one case of sick leave involving a woman owing to a work-related accident; the remaining cases of sick leave were due to common illness, of which 84.4% affected women. Regarding work-life balance, 27 applications for paid leave relating to work-life balance have been received, all of which have been granted: 74.10% of these were for women.

It could be said that all the instances of disproportion observed stem from the gender imbalance within the workforce itself, and this is particularly salient in the area of pay, where there is exemplary equality: the five men and women in the same category earn exactly the same, with a 0% pay gap. This figure only rises to almost 30% in favour of women when the post of director is included, a result that is easily understandable given the nature of her role.

The questionnaire for preparing the assessment, which was sent to staff, had a very low response rate, at less than 23%, with 65.9% of the responses coming from women. Ninety per cent of respondents say they agree with the implementation of the Equality Plan, whilst 82% also state that there is equal treatment and equal opportunities for women and men within the company; as regards the company's management, 88% of respondents believe that it is committed to making equality a reality. For these purposes, responses at levels 3, 4 and 5 in the survey are considered positive, with level 1 being 'strongly disagree' and level 5 being 'strongly agree'.

An analysis of the responses reveals a highly positive assessment of almost all the issues raised, which demonstrates the staff's satisfaction with the equality policy at F-INIBIC: Thus, with regard to objective staff selection (80%), training (85.3%), remuneration (67.5%) and work-life balance (80.5%).

However, there are shortcomings in the channels of communication with staff. It is particularly striking that 52.5% believe that the company has not provided information on the work-life balance measures available; however, 75% of those surveyed believe that the company supports work-life balance rights, with no distinction made between women and men.

The only aspect to receive a negative assessment was that relating to internal promotion; however, in this regard, it should be pointed out that career progression is only available by applying through an open recruitment process, for which employees are eligible adhering to the principles of equality, merit and ability.

A weakness has also been identified in the communication of the procedure to be followed in cases of harassment, which is consistent with the reality of the situation, given that, until now, no such mechanism was in place. However, according to the staff survey on harassment, staff have stated that they have not been victims of sexual harassment or harassment based on sex, nor are they aware of any cases in which such harassment may have occurred.

Although respondents cited the feminisation of the workforce as a factor linked to F-INIBIC's sector of activity, 94.7% do not consider it necessary to implement positive action measures to increase the number of men in the company.

As regards the LGBTIQ+ community, 92% of respondents stated that they were not aware of any cases of discrimination, hatred or harassment, and 70.7% believe that a specific protocol should be in place, which contrasts with the 90% who do consider an Equality Plan to be necessary.

Within the same set of issues raised, four people belonging to this group believe that no one should know their sexual orientation or gender identity, and only one respondent stated that they do not disclose it in order to avoid situations of hostility.

No response has been received to the questionnaire sent to the workers' legal representatives; consequently, it is not possible to assess their views on this matter.

The weaknesses identified during the assessment phase will be permanently rectified by means of the measures set out in this plan, which can be summarised as follows:

1. Dissemination of the protocol against sexual harassment and harassment based on sex, as well as the LGBTIQ+ protocol, setting out reporting channels and the procedure to be followed.
2. The production of a Welcome Handbook to be distributed to both current staff and new recruits. This handbook will cover the basics of employment relations, employing accessible, non-sexist

language, and will provide information on the key aspects of the organisation and the employment relationship:

- The Foundation's mission, vision and objectives.
- The organisation's commitments.
- Organisational structure.
- Staff representative bodies.
- Communication Channels.
- General employment regulations:
  - Working hours, leave and holidays.
  - Procedures in the event of sick leave or accidents (I.T.).
  - Procedures to follow in the event of workplace accidents and emergencies.
  - Standardised general administrative procedures (applications for certificates and general employment documentation, applications for permits).

- Health and Occupational Health and Safety Regulations:
  - Statement on the Occupational Health and Safety Policy.
  - Occupational Health and Safety Service.
  - Occupational Risk Factors.
  - Personal Protective Equipment (PPE).
  - Staff Rights and Responsibilities.

The GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) offers flexible working hours to help staff balance their work with their family commitments. The current working conditions facilitate a good work-life balance, as there are no split shifts or shift patterns, and the annual working hours total 1,642.50, worked from Monday to Friday.

8. ACTION MEASURES

Once the assessment of the situation regarding equality between women and men at the GALICIAN PUBLIC FOUNDATION FOR BIOMEDICAL RESEARCH (INIBIC) has been carried out and the conclusions drawn, it is necessary to define the objectives to be achieved, the strategies to be employed, and the actions to be taken in order to achieve the stated objectives.

The action plan's purpose is twofold: on the one hand, to set out measures to address existing inequalities; and on the other, to specify measures to ensure that the principle of gender equality is integrated into all the organisation's processes. In order to achieve this effectiveness, the dual strategy set out in Organic Law 3/2007 on Effective Equality between Women and Men (LOIEMH) will be implemented:

⇨ The adoption of positive action measures to redress existing imbalances.

⇨ The adoption of equality measures to ensure, across the board, that the principle of equality is incorporated into all the Company's policies, processes and at all levels.

From a methodological perspective, the structure of the equality plan is internally consistent; that is, it consists of a systematic set of measures aimed at achieving equal treatment and opportunities for women and men within the organisation and eliminating discrimination based on sex.[4]

The action programme is structured as follows:

- General Objectives
- Specific Objectives
- Measures
- Responsible persons
- Completion Deadlines

8.1. General objectives

The general objectives refer to the goals towards which the Plan as a whole is intended to move. Based on these, specific objectives, actions, responsible persons, indicators and/or monitoring criteria, and a timetable are drawn up for each of the areas which, on the basis of the assessment carried out, have been identified as requiring intervention.

8.1.1. General qualitative objectives

A. To review recruitment processes, from the publication of job vacancies up to the appointment of staff, in order to ensure equal treatment and opportunities for women and men.

B. To promote a balanced representation of women and men in the various roles within the Foundation.

C. To promote a balanced workforce composition, applying principles of equal treatment and equal opportunities in recruitment.

D. To ensure equal treatment and opportunities in career progression for the

[4] *Source: Ministry of the Presidency, Relations with Parliament and Equality.*

Foundation's staff.

E. To incorporate equal treatment and opportunities for women and men into the company's culture through training initiatives.

F. To ensure that staff are provided with information and have equal access and opportunities regarding the annual training programme.

G. To ensure that staff can exercise their work-life balance rights, by providing information on them and making them accessible to all members of staff.

H. To improve legal measures to help staff achieve a better work-life balance

I. To disseminate, implement and improve the rights enshrined in law for women who are victims of gender-based violence, thereby contributing more effectively to their protection.

J. To ensure that every worker enjoys a working environment free from all forms of harassment and intimidation, and in which human dignity is upheld and respected.

K. To incorporate a gender perspective into the management of occupational health and safety.

L. To ensure that the implementation of the remuneration policy does not give rise to inequalities between women and men.

8.1.2. General quantitative objectives

A. Taking into account the gender imbalance within the workforce identified in the assessment, the quantitative target is to reduce this gap by 10% by the end of the Plan's term.

B. Furthermore, given that the staff questionnaires revealed that many employees were unaware of their work-life balance rights or how to find general information on the subject, the objective is to ensure that, in the forthcoming questionnaires relating to the renewal of the plan, at least 60% of staff affirm that they are aware of their rights or know where to find information about them and about the equality plan.

8.2. Summary of the measures

The measures that the organisation plans to implement or has already implemented to mitigate situations that undermine equality are listed below.

- **Joining the company and recruitment processes**

Measure 1.1. Training the management team, the HR department, selection panels, etc., in equal opportunities for women and men and in human resources management from a gender perspective.

Measure 1.2. Tracking the number of applications received and the number of people recruited, broken down by gender.

Measure 1.3. Introducing positive action measures to achieve a balanced workforce and greater gender parity across the various departments or groups.

Measure 1.4. For senior management positions, introducing affirmative action measures to give priority to the under-represented gender.

Measure 1.5. Establishing partnerships with educational institutions to promote disciplines and career opportunities in the biomedical sector, targeting the under-represented sex.

- **Work-life balance**

Measure 2.1. Creation of an equality section on the organisation's website.

Measure 2.2. Regularly reminding staff of their work-life balance rights through company-wide communications.

- **Equality training**

Measure 3.1. Providing specific training on equality, sexual harassment and harassment based on sex for HR staff, the Equality Committee and the rest of the workforce.

- **Vocational training**

Measure 4.1. Development of tools to identify training needs, with a particular focus on the under-represented gender.

Measure 4.2. Drafting and reviewing the Annual Training Plan for the entire workforce, with a view to contributing to their professional development and ensuring a balanced workforce.

Measure 4.3. Publicising and announcing the company's training programme, ensuring that all staff are made aware of the opportunities on offer.

Measure 4.4. Establishing a mechanism for reporting training outcomes, broken down by sex, to the Equality Committee.

- **Occupational health and safety**

Measure 5.1. Reviewing and, where necessary, updating the occupational health and safety policy and tools in order to adapt them to the physical, psychological, biological and social needs and characteristics of the workforce.

Measure 5.2. Keeping a record of accidents and occupational illnesses, broken down by sex, and reporting regularly to the Equality Committee.

- **Prevention of sexual and gender-based harassment**

Measure 6.1. Recording and analysing cases of harassment occurring within the company.

Measure 6.2. Publicising the procedure for reporting sexual harassment and harassment based on sex, including a Reporting Channel.

Measure 6.3. Ensuring the utmost confidentiality and effectiveness in safeguarding the victim's privacy

- **Prevention of sexual and gender-based harassment**

Measure 7.1. Supporting and providing guidance to victims of harassment or gender-based violence.

8.3. Details of the measures

1. Joining the company and recruitment processes

Measure 1.1

Providing training for the management team, the HR department, selection panels, etc., on equal opportunities for men and women and on human resources management from a gender perspective.

Description
Specific sessions will be organised to ensure that those involved in recruitment processes avoid gender discrimination, both at specific stages of the recruitment process (publication of job vacancies, CV screening, interviews and tests carried out as part of the process) and in the decisions taken, as well as in the communication thereof to candidates (message, tone, non-verbal language, etc.).

Person responsible:
HR.

Recipients:
HR and any member of staff involved in the recruitment process.

Indicators:
Number of communications containing learning nuggets sent.

Deadline:
31/12/2026

Measure 1.2

Tracking the number of applications received and appointments made, broken down by sex.

Description
The number of applications received for each post advertised will be analysed, as well as the number of recruitments made during the specified period, in order to assess the situation and, where appropriate, implement measures, through the recruitment policy, aimed at achieving an equal representation within the workforce.

Person responsible:
HR – Recruitment

Recipients:
Any member of staff within the company who is involved in the recruitment processes.

Indicators:
Annual statistics on applications received and appointments made, by sex.

Deadline:
The duration of the Plan.

Measure 1.3

Introducing positive action measures to achieve a balanced workforce and greater gender equality across the various departments or groups.

Description
In staff recruitment processes, account shall be taken of the initial composition of men and women for the post to be filled, the area or professional group into which staff are to be recruited, and, in the event of imbalances, affirmative action measures shall be introduced so that, given equivalent levels of suitability and competence, staff from the under-represented sex are appointed.

Person responsible:
Chair and members of the selection committee.

Recipients:
HR and any member of staff involved in the recruitment process.

Indicators:
Annual statistics on applications received and appointments made, by sex.

Deadline: The duration of the Plan

Measure 1.4

For senior management positions, introducing positive action measures to give priority to the under-represented sex.

Description

Particularly in management posts, where a greater imbalance between men and women has been noted, efforts will be made to ensure a certain balance between the short-listed candidates of both sexes.

Affirmative action will also be applied in the recruitment process for management posts, so that, where candidates are equally suitable and competent, the under-represented sex is selected.

Person responsible:
Chair of the Selection Committee.

Recipients:
HR and any member of staff involved in the recruitment process.

Indicators:
Annual statistics on applications received and appointments made, by sex.

Deadline:
31/12/2026

Measure 1.5

Establishing partnerships with educational institutions to promote disciplines and career opportunities in the biomedical sector, targeting the under-represented sex.

Description
Organising open days with the aim of challenging stereotypes. Collaboration with educational institutions, public bodies and/or associations will be encouraged.

Person responsible:
Technical Unit

Recipient:
HR and any member of staff involved in the recruitment process.

Indicators:
Conferences held.

Deadline:
That of the duration of the Plan.

2. Work-life balance

Measure 2.1

Creation of an equality section on the organisation's website.

Description
Increasing transparency by creating a section on the organisation's website where the Equality Plan is presented, and by publicising the Plan, the guidelines, measures and access channels. Reminders of its existence will also be included in communications to staff.

Person responsible:
Equality Committee.

Recipients:
The entire workforce.

Indicators:
Evidence that this section has been created on the website.

Statistics on visits to this section of the website.

Number of awareness-raising activities carried out to notify of the existence of this section.

Deadline:
For the duration of the Plan

Measure 2.2

Regularly reminding staff of their work-life balance rights through general communications.

Description
Training staff so that they are aware of their rights regarding work-life balance, leave and compensation measures under the collective agreement, by means of regular reminders in the form of communications. These reminders will include a link to the

Equality Plan section of the website and a reminder of the existence of this section and its content.

Person responsible:
Equality Committee.

Recipients:
The entire workforce.

Indicators:

Number of awareness-raising activities carried out.

Open rates for newsletters.

Deadline:
For the duration of the Plan

3. Equality training

Measure 3.1

Providing specific training on equality, sexual harassment and harassment based on sex for HR staff, the Equality Committee and the rest of the workforce.

Description
As key players in recruitment and staff management, members of the HR department are the first people who should receive training on gender equality. Furthermore, given that the Equality Committee is responsible for drawing up and ensuring compliance with the Equality Plan, training its members in equality issues will be a priority. Additionally, courses on the prevention of sexual harassment or harassment based on sex will be included in the company's compulsory training programme, or a specific module on this subject will be incorporated into the various training courses provided in the workplace, particularly those aimed at promoting staff within the company.

Person responsible:
HR – Training Committee.

Recipients:
HR.

Equality Committee.

The entire workforce.

Indicators:
Training programme and number of participants.

Number of courses held and number of people taking part.

Deadline:
31/12/2026

4. Vocational training

Measure 4.1

Development of tools to identify training needs, with a particular focus on the under-represented gender.

Description
In order to identify the staff's training needs, all shortcomings identified during assessment interviews and suggested by the staff themselves (via surveys, interviews, the suggestions scheme, etc.) will be recorded. Particular attention will be paid to the training shortcomings faced by women so that they can receive training and take up roles that are predominantly held by men.

Person responsible:
Training Committee.

Recipients:
Training Committee.

Indicators:
List of training suggestions requested by the staff themselves.

Deadline:
31/12/2026

Measure 4.2

Drawing up and reviewing the Annual Training Plan for the entire workforce, with a view to contributing to their professional development and ensuring a balanced workforce.

Description

The Training Plan will address all the staff development needs identified by the company, and will aim to enhance the company's growth and the training of its staff. Training managers will be provided with a list of best practices to avoid gender stereotypes and connotations in language, exercises, examples, etc.

Person responsible:
Training Committee.

Recipients:
All staff.

Indicators:
Training Plan.

Deadline:
31/12/2026

Measure 4.3

Providing information on and publicly announce the company's training programme, ensuring that all staff are aware of the courses available.

Description
The company will ensure that all staff are made aware of the training programme so that men and women, from any workplace and professional group, can participate in any of the training initiatives that are organised.

Person responsible:
Institute Administrator

Recipients:
The entire workforce.

Indicators:
Training plan.

Evidence of its dissemination.

Deadline:
31/12/2026

Measure 4.4

Establishing a mechanism for reporting training outcomes, disaggregated by sex, to the Equality Committee.

Description
To enable the Equality Committee to monitor the training measures adopted by the company, it will be given access to a report on the training courses imparted, broken down by gender. To this end, in all courses where admission is by enrolment, applicants will be asked to state their sex.

Person responsible:
Technical Unit
Recipients:
Equality Committee.

Indicators:
Training statistics broken down by gender.

Deadline:
For the duration of the Plan.

5. Occupational health and safety

Measure 5.1

Reviewing and, where necessary, updating the occupational health and safety policy and tools to adapt them to the physical, psychological, biological and social needs and characteristics of the workforce.

Description
Review of the Occupational Health and Safety Plan to incorporate a gender perspective into all measures and tools where the specific needs of workers have not been taken into account. Including in the plan preventive measures relating to the specific risks affecting workers, such as psychosocial, ergonomic and occupational risks during pregnancy and breastfeeding.

Person responsible:
Occupational Health and Safety Committee.

Recipients:
The entire workforce.

Indicators:
Occupational Health and Safety Prevention Plan.

Deadline:
31/12/2025

Measure 5.2

Keeping a record of accidents at work and occupational illnesses, broken down by sex, and reporting regularly to the Equality Committee.

Description
The Occupational Health and Safety Committee will submit to the Equality Committee an annual report containing the records of accidents and occupational illnesses, broken down by sex, in order to analyse the data and propose corrective measures. The Committee must be kept informed of the results and involved in the implementation of measures.

Person responsible:
Technical Unit
Recipients:
Equality Committee.

Indicators:
Documentation confirming that the recording has been performed.

Deadline:
Duration of the scheme

6. Prevention of sexual and gender-based harassment

Measure 6.1

Recording and analysing cases of harassment occurring within the company.

Description
An annual report will be prepared setting out the cases of harassment reported to the company, the measures taken, and how they were resolved.

Person responsible:
HR.

Recipient:
Workers' legal representatives, Equality Committee.

Indicators:
Record of cases identified within the company.

Deadline:
For the duration of the Plan, subject to annual review.

Measure 6.2

Publicising the procedure for reporting sexual harassment and harassment based on sex, including a Reporting Channel.

Description
Although the reporting procedure is set out in the Harassment Protocol, it is important to clearly and precisely publicise where and how to report cases of sexual harassment and harassment based on sex.

Person responsible:
Equality Committee.

Recipient:
The entire workforce.

Indicators:
Dissemination statistics for the whistleblowing channel.

Deadline:
31/12/2025

Measure 6.3

Ensuring the utmost confidentiality and effectiveness in safeguarding the victim's privacy.

Description
To ensure maximum protection for victims of sexual harassment or harassment based on sex, the company will take steps to guarantee their confidentiality from the moment it becomes aware of the situation. Those responsible for handling cases of harassment will sign a confidentiality agreement.

Person responsible:
HR.

Recipient:
Workers who are victims of sexual harassment or harassment based on sex.

Indicators:
Corporate confidentiality agreement.

Deadline:
For the duration of the Plan.

7. Preventing sexual and gender-based harassment: supporting people who are experiencing harassment or gender-based violence

Measure 7.1

Supporting and providing guidance to victims of sexual harassment or gender-based violence.

Description
The company will provide them with professional advice and support, to the best of its ability and in accordance with the needs of each individual case.

Person responsible:
HR.

Recipient:
Staff members who have been victims of sexual harassment or harassment based on sex.

Indicators:
Number of cases offered counselling.

Deadline:
For the duration of the Plan.

9. ANTI-HARASSMENT POLICY

Protocol for the prevention of and response to sexual harassment, harassment based on sex and other behaviours contrary to sexual freedom and moral integrity in the workplace at the Galician Public Foundation for Biomedical Research (INIBIC) (F-INIBIC)

9.1. F-INIBIC'S COMMITMENT

ON THE MANAGEMENT OF THE PREVENTION AND ERADICATION OF SEXUAL HARASSMENT, HARASSMENT BASED ON SEX AND OTHER BEHAVIOURS CONTRARY TO SEXUAL FREEDOM AND MORAL INTEGRITY IN THE WORKPLACE

Through this protocol, F-INIBIC declares its policy of zero tolerance towards any behaviours within its organisation that are contrary to sexual freedom and moral integrity, particularly in cases of sexual harassment and/or harassment based on sex, including that which occurs in the digital setting.

By adopting this protocol, F-INIBIC wishes to underscore its commitment to preventing and addressing such behaviours in all their forms, and to inform all staff working within its organisation – whether they are permanent staff or staff from other companies, including those who, whilst not in an employment relationship, provide services or collaborate with the organisation, such as trainees, those undertaking non-work-related placements or volunteers – of the implementation thereof.

Furthermore, F-INIBIC undertakes to make the existence of this protocol known (and to require strict compliance with the same) to the companies to which it seconds its own staff, as well as to the companies from which the staff working at F-INIBIC originate.

The obligation to comply with the provisions of this protocol shall be included in contracts entered into with other companies.

Where the alleged perpetrator is no longer under the company's management and, consequently, F-INIBIC is unable to implement the procedure in full, it shall contact the relevant company to ensure that it takes the appropriate measures and, where necessary, imposes sanctions on the person responsible, warning it that, should it fail to do so, the commercial relationship between the two companies may be terminated.

The protocol shall apply to cases of sexual harassment, harassment on grounds of sex and other behaviours infringing sexual freedom that occur whilst at work, in connection with work, or as a result thereof:

a) in the workplace, including in public and private spaces whenever they constitute a workplace;

b) in places where workers are paid, where they take their breaks or eat, or where they use toilet or washroom facilities and in changing rooms;
c) when travelling, on business trips, or attending work-related events or social or training activities;
d) in the context of work-related communications, including those conducted using information and communication technologies (digital, virtual or cyberbullying);
e) in accommodation provided by the employer;
f) on journeys between home and the workplace.

This protocol is implemented in line with the European Framework Agreement on harassment and violence in the workplace and complies with the requirements of ILO Convention No. 190 on the elimination of violence and harassment in the world of work; Articles 46.2 and 48 of Organic Law 3/2007, of 22 March, on the effective equality of women and men; Article 12 of Organic Law 10/2022, of 6 September, on the comprehensive guarantee of sexual freedom; Royal Decree 901/2020, of 13 October, regulating equality plans and their registration, and amending Royal Decree 713/2010, of 28 May, on the registration and filing of collective bargaining conventions and agreements; and Article 14 of Law 31/1995, of 8 November, on Occupational Health and Safety.

Indeed, by committing to the measures set out in this protocol, F-INIBIC expresses and publicly announces its explicit intention to adopt a proactive approach both in preventing the aforementioned behaviours —raising awareness and providing information on behaviours not tolerated by the company— and in disseminating best practice and implementing whatever measures may be necessary to deal with any reports or complaints that may arise in this regard, as well as to resolve them as may be appropriate in each case.

A Coruña, 30 April 2025

PATRICIA REY PÉREZ

Director

9.2. FEATURES AND STAGES OF THE PROTOCOL ON THE PREVENTION OF AND RESPONSE TO SEXUAL HARASSMENT AND/OR HARASSMENT BASED ON SEX

In order to fulfil the commitment set out at the beginning of this protocol, and in accordance with the terms set out thus far, F-INIBIC is implementing a procedure for the prevention of and response to sexual harassment and/or harassment based on sex, as well as any other conduct contrary to sexual freedom and moral integrity, which has been negotiated and agreed by the negotiating committee for the equality plan, with the aim of establishing a mechanism to set out how to respond comprehensively and effectively to any behaviour that may be contrary to sexual freedom and moral integrity, in the terms set out below. To this end, this protocol incorporates three types of measures set out in paragraph 7 of the Annex to Royal Decree 901/2020, of 13 October:

1. Preventive measures, including a statement of principles and the identification of behaviours that may constitute sexual harassment, harassment based on sex, or conduct contrary to sexual freedom and moral integrity.
2. Proactive or procedural measures to address any complaints or claims that may arise, and any applicable precautionary and/or corrective measures.
3. Identification of reactive measures on the basis of the findings and, where appropriate, the disciplinary procedure.

9.2.1. PREVENTIVE PROTECTION

First. - Statement of Principles:

***Zero tolerance towards behaviours constituting sexual harassment or harassment based on sex – including those occurring in the digital setting – as well as any other behaviours that infringe upon sexual freedom and moral integrity*.**

F-INIBIC adopts the following statement of principles, with a view to emphasising the nature of relations between company staff and the types of behaviour that are not tolerated within the organisation.

This protocol applies to all behaviours constituting sexual harassment or harassment based on sex, including those occurring in the digital setting, as well as any other conduct contrary to sexual freedom and moral integrity that may occur within the organisation. By implementing this procedure, F-INIBIC reaffirms its commitment to preventing, not tolerating, combating and pursing any instance of the aforementioned behaviours within its organisation.

Harassment is, by definition, an act that infringes upon multiple legal interests, foremost among which is the dignity of the worker as an embodiment of the right to life and to physical, mental and moral integrity. An infringement of dignity, however, does not preclude the possibility that an act of this nature may also harm other legal interests, such as equality and the prohibition of discrimination, honour, reputation, privacy, health, etc.; even so, it will always, by definition, be contrary to dignity. Sexual harassment and harassment based on sex always undermine the dignity of the victim and constitute discrimination based on sex.

Within the Foundation, no behaviours that may constitute any of the aforementioned forms of harassment (i.e., sexual harassment or harassment based on sex in any of its forms) will be permitted or tolerated, nor will any other behaviour that contravenes sexual freedom and moral integrity. F-INIBIC will impose sanctions on both those who engage in offensive behaviour and those who promote, encourage and/or condone it. All F-INIBIC staff are obliged to respect the fundamental rights of everyone who forms part of the organisation, as well as those who provide services to it. In particular, they shall refrain from any behaviour that is contrary to integrity, dignity, privacy and the principle of equality and non-discrimination, whilst always promoting respectful behaviour.

Notwithstanding the foregoing, should any employee be subjected to any of these forms of behaviour, or become aware of them, they shall have the option of triggering this protocol, as an internal, confidential and swift procedure, by lodging a complaint or claim, with a view to putting an end to the behaviour and redressing the effects thereof.

Once the relevant preliminary inquiry has been conducted, should any of the aforementioned behaviours be confirmed, F-INIBIC shall take disciplinary action against those responsible, and it undertakes to use all its managerial and disciplinary powers to ensure a working environment that complies with the principles of health and safety at work and is free from sexual violence and sexist discriminatory behaviour.

Second. - Identification of behaviours

A. Definition and behaviours constituting sexual harassment

Definition of sexual harassment:
In accordance with Article 7.1 of Organic Law 3/2007, of 22 March, on effective equality between women and men, and without prejudice to the provisions of the Criminal Code, for the purposes of this protocol, sexual harassment is defined as any verbal or physical behaviour of a sexual nature which has the purpose or effect of violating a person's dignity, in particular where it creates an intimidating, degrading or offensive environment. Any form of sexual harassment shall be regarded as discriminatory.

Making a right or an expectation of a right conditional upon acceptance of a situation constituting sexual harassment or harassment based on sex shall also be regarded as an act of discrimination on the grounds of sex.

By way of example, and without this list being exhaustive or restrictive, the following types of behaviour may constitute sexual harassment:

Verbal behaviours:
Examples of verbal behaviours constituting sexual harassment include, amongst others, and subject to analysis on a case-by-case basis, instances of unwelcome sexual advances, propositions or pressure to engage in sexual activity; offensive flirting; suggestive, insinuating or obscene comments; unwanted telephone calls or contact via social media; and jokes or comments about a person's sexual appearance.

Non-verbal behaviours:

Displaying sexually suggestive or pornographic photographs, objects or written material; lewd looks or gestures; letters, emails or social media messages of an offensive nature containing explicit sexual content.

Physical Behaviours:
Deliberate and unsolicited physical contact, unwanted hugs or kisses, excessive and unnecessary physical proximity.

'Quid pro quo' sexual harassment or sexual blackmail:
Among the forms of behaviour constituting sexual harassment, a distinction can be made between 'quid pro quo' sexual harassment and sexual blackmail, which consists in forcing the victim to choose between submitting to sexual demands or losing, or having adversely affected, certain benefits or working conditions, which affect access to vocational training, continued employment, promotion, remuneration, or any other decision relating to these matters. Insofar as it constitutes an abuse of authority, the perpetrator will be the person who has the power, whether directly or indirectly, to grant or withhold a benefit or a condition of employment.

Environmental sexual harassment:
In this type of sexual harassment, the harasser creates an intimidating, hostile, degrading, humiliating or offensive environment for the victim as a result of unwanted attitudes and behaviour of a sexual nature. It may be carried out by any member of the organisation, irrespective of their position or status, or by third parties who are in some way connected to the workplace.

B. Definition and acts constituting harassment based on sex

Definition of harassment based on sex:
Harassment based on sex is defined as any behaviour based on a person's sex which has the purpose or effect of violating their dignity and of creating an intimidating, degrading or offensive environment. All harassment based on sex shall be regarded as discriminatory.

In order to establish that a situation constituting harassment based on sex does indeed exist in a specific context, a number of elements must be present which form a common denominator, including, in particular:

1. Persecution, understood as any intimidating, degrading, humiliating or offensive behaviour that originates externally and is perceived as such by the person experiencing it.
2. An attack aimed specifically at the victim's dignity and subjectively perceived by the victim as such.
3. Multi-harm outcome. The attack on the dignity of a person who is subjected to harassment based on sex does not preclude the simultaneous infringement of the victim's other fundamental rights, such as the right not to be discriminated against, or the right to protection from harm to their mental and physical health, etc.
4. That it is not an isolated incident.
5. The reason for these behaviours must be linked to the fact that they are women, or to circumstances that, biologically speaking, can only affect them (pregnancy, motherhood,

breastfeeding); or it must be linked to the reproductive and caregiving roles which, as a result of social discrimination, are assumed to be inherent to them. In this regard, men may also be subjected to harassment based on sex when they carry out duties, tasks or activities associated with the role historically attributed to women; for example, a male worker who is harassed for looking after children or dependants.

Making a right or an expectation of a right conditional upon acceptance of a situation constituting harassment based on sex shall also be regarded as an act of discrimination based on sex.

Harassment based on sex may be perpetrated by hierarchical superiors, colleagues or subordinates; it stems from gender stereotypes and roles and is usually intended to disparage people of a particular sex simply because of their sex, particularly women, and to undermine their abilities, technical skills and competences.

Behaviours constituting harassment based on sex:
By way of example, and without being exhaustive or restrictive, the following are a number of specific behaviours which, provided they meet the criteria set out in the previous point, could constitute harassment based on sex in the workplace if they occur repeatedly.

- **Attacks involving organisational measures:**

1. Judging a person's performance in an offensive manner, or overlooking their efforts and abilities.
2. Questioning and undermining the person's decisions.
3. Not assigning any tasks, or assigning tasks that are pointless or degrading.
4. Refusing or withholding the resources needed to perform the work, or providing incorrect information.
5. Orders that are contradictory or impossible to comply with.
6. Theft of personal belongings, documents and work tools; deleting files from a computer; tampering with work tools in a way that causes harm; etc.
7. Threats or pressure directed at those who support the victim of harassment.
8. Manipulation, withholding, or returning a person's post, phone calls, messages, etc.
9. Denial of, or difficulties in accessing, permits, courses, activities, etc.

- **Actions intended to isolate the person they are directed at:**

1. Changing the person's location by separating them from their colleagues (isolation).
2. Ignoring the person's presence.
3. Not speaking to the person.
4. Restricting colleagues' ability to speak to that person.
5. Not allowing the person to express themself.
6. Avoiding all eye contact.
7. Removing or restricting the means of communication available to the person (telephone, email, etc.).

- **Activities that affect the victim's physical or mental health:**

1. Threats and physical assaults.
2. Verbal or written threats.
3. Shouting and/or insults.
4. Frightening phone calls.
5. Provoking the person, forcing them to react emotionally.
6. Intentionally incurring expenses in order to cause harm to the person.
7. Causing damage to a person's workplace or to their belongings.
8. Requiring a person to carry out work that is dangerous or harmful to their health.

- **Attacks on privacy and on a person's personal or professional reputation:**

1. Manipulating someone's personal or professional reputation through rumours, defamation and ridicule.
2. Implying that the person has psychological problems, or to attempting to have them to undergo a psychiatric assessment or diagnosis.
3. Mocking someone's gestures, voice, physical appearance or disabilities; giving someone nicknames; etc.
4. Criticism of a person's nationality, political or religious views and beliefs, private life, etc.

C. Violence in the digital setting

When the behaviours referred to in this Protocol occur through the use of information and communication technologies, via the internet, the telephone and social media (it is not necessary for the perpetrator and the victim to have physical contact in person), these constitute acts of digital violence or cyberviolence.

The 2022–2025 National Strategy to Combat Gender-Based Violence, based on the recommendations of the first evaluation report by the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) of November 2021, states that three specific dimensions of digital violence must be taken into account: on-line and technology-facilitated harassment (as noted in said Recommendation, this usually involves the tactic of monitoring or spying on the victim across their various social media accounts or messaging platforms, their emails and their telephone, by stealing passwords or cracking or hacking into their devices to gain access to their private spaces, through the installation of spyware or geolocation apps, or by stealing their devices. Abusers may also assume the other person's identity or monitor the victim using technological devices connected via the Internet of Things (such as smart home appliances), on-line sexual harassment and the digital dimension of psychological abuse.

D. Criminal conduct contrary to sexual freedom and moral integrity

Article 12 of Organic Law 10/2022, of 6 September, on the comprehensive protection of sexual freedom stipulates that all companies must promote working conditions that prevent the commission of offences and other conduct against sexual freedom and moral integrity in the workplace.

For the purposes of this protocol, it should be noted that where the evidence of the alleged behaviour constitutes a criminal offence, the company shall immediately take the necessary precautionary measures to protect the victim from the perpetrator, and shall urgently refer the matter to the Public Prosecutor's Office.

Among the criminal acts relevant here, it is important to distinguish between those that contravene moral integrity and those that contravene sexual freedom.

With regard to the first point, offences against moral integrity are governed by Article 173 of the Criminal Code, which stipulates that: *"Any person who subjects another person to degrading treatment, thereby seriously undermining their moral integrity, shall be liable to a term of imprisonment of between six months and two years… The same penalty shall be imposed on those who, within the context of any employment or civil service relationship and by taking advantage of their position of authority, repeatedly commit hostile or humiliating acts against another person which, whilst not amounting to degrading treatment, constitute serious harassment of the victim… The same penalties shall be imposed on anyone who addresses another person with expressions, behaviour or propositions of a sexual nature that place the victim in a situation that is objectively humiliating, hostile or intimidating, without constituting other more serious offences"*.

As regards the second point, namely offences against sexual freedom, as set out in Title VIII of the Criminal Code, a distinction must be made between:

CHAPTER I. Sexual assault	(Article 178, Article 179 and Article 180).
CHAPTER II. Sexual assaults on children under the age of sixteen	(Article 181, Article 182, Article 183 and Article 183a).
CHAPTER III. Sexual harassment	(Article 184).
CHAPTER IV. The offences of indecent exposure and sexual provocation	(Articles 185 and 186).
CHAPTER V. Offences relating to prostitution, sexual exploitation and the corruption of minors	(Article 187, Article 188, Article 189, Article 189a; Article 189b).

9.2.2. PROCEDURE FOR ACTION

In summary, the stages and maximum timeframes for carrying out the enforcement procedure are as follows:

1. Submitting a complaint or claim.
2. Meeting of the Harassment Protocol Investigation Committee: within a maximum of 3 working days of receipt of the complaint or claim.
3. Preliminary (discretionary) stage: maximum period of 7 working days.
4. Preliminary inquiry: maximum period of 10 working days, extendable by a further 3.
5. Resolution of the harassment case: maximum period of 3 working days.
6. Follow-up: maximum period of 30 calendar days.

First. - Appointment of the investigating committee for cases of harassment

An investigating and monitoring committee has been established to deal with cases of sexual harassment and harassment based on sex; it comprises three members: One member of the F-INIBIC human resources department, one member of the works council and the person acting as the occupational health and safety coordinator.

The committee will serve for four years. The appointed members of this investigating committee shall exercise the utmost impartiality towards the parties concerned; owing to which, should they have any kinship by blood or marriage with any of the persons affected by the investigation, or should they have a close friendship or a declared enmity with the persons affected by the proceedings, or a direct or indirect interest in the specific case, they must recuse themselves. If, despite the existence of these grounds, the person concerned does not recuse themself, any of the persons affected by the proceedings may request that the person or persons in question be recused from the committee.

Additionally, this committee may, either on its own initiative or at the request of any of the persons affected, request the appointment of an external expert to assist them in the conduct of the proceedings.

This committee shall meet within a maximum of 3 working days of the date on which a complaint, claim or report of an inappropriate behaviour is received, in accordance with the procedure set out in this protocol for the submission thereof.

The committee will, immediately and thoroughly, investigate any complaint, report, claim or statement concerning behaviour that could be considered sexual harassment or harassment based on sex. Allegations, complaints and investigations will be handled in the strictest confidence, in a manner consistent with the need to investigate and take corrective action, bearing in mind that this may directly affect individuals' privacy and reputation.

Where the committee finds evidence of criminal conduct in the complaint lodged, it shall propose to the F-INIBIC management that the appropriate precautionary measures be taken immediately and that the matter be referred urgently to the Public Prosecutor's Office.

Second. - The start of the procedure: the complaint or claim

At F-INIBIC, the HR Department will be responsible for managing and processing any complaints or claims which, in accordance with this protocol, may be lodged by staff members of this organisation (*This person will form part of the protocol's investigating committee*).

F-INIBIC staff should be aware that, except in the case of wilful misconduct or bad faith, they will not be penalised for activating the protocol. Should they do so, any complaint lodged will be presumed to be true and will be dealt with by the person referred to above.

Complaints will be kept confidential and F-INIBIC will ensure the confidentiality of the parties concerned.

In order to ensure the confidentiality of any complaint, claim or report of harassment, the Foundation has set up the email address denuncias.acoso.finibic@sergas.es, to which only the person responsible for handling the complaint or claim and the members of the investigating committee will have access; this address is intended solely and exclusively for the submission of such complaints or claims. The foregoing is without prejudice to the right to accept complaints or claims that may be submitted confidentially, in writing and in a sealed envelope addressed to the person responsible for handling the complaint or claim. In order to protect the confidentiality of the proceedings, the person responsible for handling the complaint or claim will assign a numerical code to each of the parties concerned.

Once a complaint has been received in either of the two manners indicated, the person responsible for handling the complaint or claim shall immediately bring it to the attention of the company's management and the other members of the investigating committee.

The form appearing in this protocol is made available to the company's employees for the purpose of lodging a complaint or claim. In order to initiate the procedure in accordance with the terms set out in the following section, a complaint or claim must be lodged using the relevant form, which must be sent by email to the address provided for this purpose.

Where the committee finds evidence of criminal conduct in the complaint lodged, it shall propose to the F-INIBIC management that the appropriate precautionary measures be taken immediately and that the matter be referred urgently to the Public Prosecutor's Office. Notwithstanding any other precautionary measures that may be taken, the alleged perpetrator of the harassment shall always be separated from the victim and, under no circumstances, will the victim be required to change their role, working hours or location within the company.

Third. - The preliminary stage or informal procedure

This stage is optional for the parties and will depend on the victim's wishes in this regard. The aim of this preliminary phase is to resolve the harassment issue urgently and effectively, with a view to putting an end to the harassment and reaching a solution acceptable to both parties.

Once the complaint or claim has been received, the investigating committee will interview the aggrieved person and may also interview the alleged perpetrator or both parties, request the involvement of experts, etc.

This informal procedure or preliminary stage will last for a maximum of seven working days from the date on which the investigating committee receives the complaint or claim. Within said period, the investigating committee shall bring this preliminary phase to a close, assessing the merits of the complaint, stating whether or not the purpose of the proceedings has been achieved and, where appropriate, proposing the measures it deems appropriate, including the opening of a preliminary inquiry. The entire process will be handled as a matter of urgency and in confidence, whilst safeguarding the dignity and privacy of those affected. The investigation file will be confidential and only the aforementioned committee will have access to it.

Notwithstanding the foregoing, the investigating committee may, if the parties expressly so request, dispense with this preliminary stage and proceed directly to the processing of the preliminary inquiry, in which case it shall notify the parties accordingly. Similarly, the case will proceed to the preliminary inquiry if the complainant is not satisfied with the solution proposed by the investigating committee during the informal procedure.

Should the case not proceed to the preliminary inquiry, a record shall be drawn up of the resolution reached at this preliminary stage and the company's management shall be informed.

Similarly, the workers' legal representatives, the person responsible for occupational health and safety, and the equality plan monitoring committee will be informed; these must maintain confidentiality regarding the information to which they have access. In any event, in order to ensure confidentiality, no personal data will be disclosed and the numerical codes assigned to each of the parties involved in the case will be used.

Fourth. - Preliminary inquiry

If the preliminary phase is not initiated, or if the proceedings cannot be resolved despite having been initiated, the case will proceed to the preliminary inquiry.

The investigative committee will conduct a confidential investigation, based on the principle of adversarial proceedings, to determine whether or not the alleged harassment or conduct took place, after hearing the views of the affected parties and any witnesses proposed, holding meetings or requesting any necessary documentation, without prejudice to the provisions regarding the protection of personal data and confidential documentation. Any persons so requested must cooperate as diligently as possible.

Whilst the case is being investigated, at the recommendation of the investigating committee, the F-INIBIC management shall take the necessary precautionary measures to bring about the immediate cessation of the harassment, provided that such measures do not result in permanent and definitive detriment to the working conditions of the persons involved. In addition to other precautionary measures, the F-INIBIC management will separate the alleged harasser from the victim.

During the proceedings, the victim will be heard first, followed by the person against whom the complaint has been made (respondent). Both parties involved may be assisted and accompanied by a person they trust, whether or not that person is a legal representative and/or a trade union representative of the workers, and said person keep the information to which they have access confidential. In compliance with the adversarial principle, the respondent shall always be given the opportunity to be heard.

The investigating committee may, if it deems it appropriate, seek external advice on matters relating to sexual violence, moral integrity, harassment, equality and non-discrimination during the preliminary investigation. This external expert is obliged to ensure the utmost confidentiality regarding anything of which they may become aware or to which they may have access by virtue of being a member of the committee responsible for resolving the dispute in question, and shall be subject to the same grounds for abstention and recusal as the members of the investigating committee.

Once the investigation has been completed, the committee shall prepare a report setting out the facts, witness statements and evidence examined and/or gathered, and concluding whether, in its view, there is evidence of sexual harassment or harassment based on sex, or of any other conduct contrary to sexual freedom and moral integrity.

If the investigation carried out reveals evidence of harassment, in any of its forms, or of any other behaviour that does not constitute a criminal offence, but which is contrary to sexual freedom and moral integrity, the investigating committee shall, in the conclusions of its report, urge the company to take the appropriate disciplinary measures and may even, in very serious cases, propose the disciplinary dismissal of the perpetrator.

If the evidence presented reveals no indications of sexual harassment, harassment based on sex or any other conduct contrary to sexual freedom and moral integrity, the committee shall

record in the report that, on the basis of the evidence specifically examined, there is no evidence of such conduct.

If, even in the absence of harassment in any of these instances, or of any conduct contrary to sexual freedom and moral integrity, any inappropriate conduct or behaviour liable to disciplinary action is detected, the investigating committee shall nevertheless urge the F-INIBIC management to take such measures as are deemed appropriate in this regard.

Within the investigating committee, decisions will be taken by consensus wherever possible and, failing that, by a majority.

The procedure will be swift and efficient, and the privacy, confidentiality and dignity of those affected will be protected at all times. Strict confidentiality will be maintained throughout the entire procedure, and all internal investigations will be conducted with tact and due respect, both towards the victim and, where applicable, the person making the complaint – neither of whom may under any circumstances be treated unfavourably on these grounds – and the respondent, whose guilt must be established by a body of evidence in accordance with the provisions of labour legislation in cases of infringement of fundamental rights.

All persons involved in the process shall be obliged to act with the strictest confidentiality and to maintain confidentiality and professional secrecy regarding all information to which they have access.

This formal development phase must be completed within a maximum of ten working days. Where circumstances arise which, owing to their complexity, require a longer period, the investigating committee may agree to extend this period, provided that the extension does not in any case exceed a further three working days.

Fifth. - The resolution of the harassment case

Once the F-INIBIC management has received the findings of the investigating committee, it shall take the decisions it deems appropriate within three working days, and it shall be the sole body authorised to decide on the matter. The decision reached shall be communicated in writing to the victim, the respondent, and the investigating committee, all of whom must maintain confidentiality regarding the information to which they have access.

Similarly, the decision ultimately reached in the case shall also be communicated to the equality plan monitoring committee and to the person responsible for occupational health and safety. In these communications, with the aim of ensuring confidentiality, no personal data will be disclosed and the numerical codes assigned to each of the parties involved in the case will be used.

In light of these previous results, the F-INIBIC management will proceed to:

A. File the proceedings, drawing up a record of them.
B. Take whatever measures it deems appropriate in the light of the recommendations made by the investigating committee for the proceedings. By way of example, the following are some of the decisions the company may take in this regard:
    - Physically separate the alleged perpetrator from the victim by changing their workplace and/or shift or working hours.
    - Without prejudice to the provisions of the previous point, where applicable, and depending on the results of the investigation, the perpetrator shall be disciplined in accordance with the schedule of offences and penalties set out in the collective agreement applicable to the company or, where applicable, in Article 54 of the Workers' Statute.

The following sanctions shall be taken into account when considering what penalties to impose on the perpetrator:

1. Transfer, relocation, change of post, working hours or location
2. Suspension from work and pay
3. Temporary limit on promotion
4. Disciplinary dismissal.

In the event that the sanction imposed on the perpetrator is not the termination of their employment contract, the F-INIBIC management will continue to exercise an active duty of supervision over that employee when they return to work (in the case of a suspension), or in their new post in the event of a change of location. However, in any event, the process of eradicating the aggressive behaviour will not be completed simply by transferring the individual to a different post or by suspending them; subsequent monitoring and supervision by F-INIBIC will be necessary.

The F-INIBIC management will take the necessary preventative measures to prevent any recurrence of the aggressor's behaviour or conduct, will step up training and awareness-raising initiatives, and will implement measures to protect the victim's health and safety, including,

amongst others, the following:

- Assessment of psychosocial risks within the organisation, including sexual violence as a further occupational risk.
- Implementation of monitoring measures to safeguard the victim.
- Adoption of measures to prevent those who have been sanctioned from re-offending.
- Social and psychological support for the victim.
- Changes to working conditions which, subject to the consent of the victim of harassment, are deemed to be beneficial to their recovery.
- Training or re-training to help the victim of harassment keep their professional skills up to date where they have been on sick leave for an extended period.
- The implementation of new training and awareness-raising initiatives aimed at the prevention, detection and response to sexual violence, sexual harassment and/or harassment based on sex, targeted at all staff working for the company.
- Providing information and training to female workers on the risks of experiencing sexual violence in the workplace.

Sixth. - Follow-up

Once the case has been closed, and within a period not exceeding thirty calendar days, the investigating committee will be obliged to monitor the decisions taken, that is to say, their implementation and/or the outcome of the measures adopted. Based on the findings of this monitoring, a report will be drawn up setting out the measures to be taken should the circumstances giving rise to the proceedings continue to occur; it will also assess whether the proposed preventive and disciplinary measures have been implemented. The report shall be sent to the company's management, the workers' legal representatives, the person responsible for occupational health and safety, and the equality plan monitoring committee, subject to the precautions set out in the procedure regarding the confidentiality of the personal data of the affected parties.

Monitoring will also be conducted in those situations where, on the understanding that the behaviours could be regarded as constituting a criminal offence, the company has taken precautionary measures and has referred the matter to the Public Prosecutor's Office.

9.3. DURATION, BINDING NATURE AND ENTRY INTO FORCE

The provisions of this protocol are binding and shall come into force on the date specified in the F-INIBIC equality plan, namely 15 May 2025, or, failing that, upon its communication to the company's staff via the equality section of the Foundation's website, and shall remain in force until 15 May 2029.

Furthermore, the protocol will be reviewed in accordance with the circumstances and timeframes set out in the equality plan of which it forms part, in accordance with the provisions of Article 9 of Royal Decree 901/2020, of 13 October.

The provisions of this same article shall also apply to the monitoring and assessment of the protocol forming part of the equality plan.

This procedure does not affect the victim's right to lodge a complaint at any time with the Labour and Social Security Inspectorate, or with the civil, employment or criminal courts.

9.4. TEMPLATE FOR A COMPLAINT OR CLAIM AT F-INIBIC

I. Person reporting the facts

□ Person who has been subjected to harassment: .....
□ Other (please specify): .....

II. Details of the person who has been harassed

Name: .....
Surname(s): .....
National Identity Card: .....
Position: .....
Type of contract/Employment status: .....
Telephone: .....
Email: .....
Address for service of notices: .....

III. Details of the perpetrator

First name and surname(s): .....
Professional group/category or position: .....
Workplace: .....
Name of the company or organisation: .....

IV. Description of the alleged facts

Please provide a description of the alleged facts, attaching as many numbered pages as necessary, and including the dates on which the events took place wherever possible: .....

V. Witnesses and/or evidence

If there are any witnesses, please state their full names: ..... Please attach any supporting evidence you consider relevant (emails, WhatsApp messages, voice recordings, phone calls, videos, sick notes, etc.): .....

V. Application

The complaint or report against .....*(Name of the perpetrator)* shall be deemed to have been lodged, and the procedure set out in this protocol for the prevention of and response to sexual harassment, harassment based on sex and other conduct contrary to sexual freedom shall be initiated:

Place and date:	Signature of the person concerned:

For the attention of the Investigating Committee responsible for the procedure relating to complaints or claims concerning sexual harassment, harassment based on sex and other conduct contrary to sexual freedom at .....*(Name of the company or organisation)*.

10. LGTBI PROTOCOL

Action plan for dealing with harassment or violence against LGBTI people at F-INIBIC

10.1. F-INIBIC'S COMMITMENT TO EQUALITY AND NON-DISCRIMINATION

Human dignity, the inviolable rights inherent to every person, the free development of personality, the right to privacy, physical and moral integrity, and the principle of equality and non-discrimination on the grounds of any personal or social condition or circumstance are fundamental rights enshrined in the Spanish Constitution.

Within the European Union, a legal framework has been established to protect workers who are subject to discrimination on the grounds of sexual orientation. Two directives have been adopted which are binding on all member States: the Framework Directive on equal treatment in employment and occupation (2000/78/EC), which includes sexual orientation amongst the grounds for non-discrimination, and the Directive on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (2006/54/EC).

Furthermore, Article 4.2(c) of the Workers' Statute establishes the right not to be directly or indirectly discriminated against in employment, or whilst in employment, on grounds of sex, sexual orientation and identity, gender expression, or sexual characteristics.

The enactment of Law 4/2023, of 28 February, promoting real and effective equality for trans people and guaranteeing the rights of LGBTI people, has introduced a new obligation for companies with a workforce of more than fifty employees. In accordance with Article 15 thereof, they must have a planned set of measures and resources in place to achieve real and effective equality for LGBTI people, including a protocol for dealing with harassment or violence against LGBTI people.

The signatories to this protocol declare their commitment to preventing, averting, resolving and, where appropriate, sanctioning cases of discriminatory harassment on the grounds of sexual orientation, gender identity or expression and sexual characteristics that may arise within the scope of this protocol, as a prerequisite for guaranteeing dignity, integrity, and equal treatment and opportunities at all levels of the organisation. Everyone affected by this policy has a responsibility to help ensure a harassment-free working environment. In particular, those who have staff under their supervision. All individuals, and in particular those in leadership roles, must take action and report any behaviour that contravenes the provisions of this protocol.

In order to ensure a working environment that respects the aforementioned rights of the members of this organisation, the company and the staff's legal representatives undertake to deal with any instance of harassment that may arise within the organisation with the utmost due diligence. In this case, the company will make full use of its managerial and disciplinary powers.

As there may be cases of multiple forms of harassment (against lesbians, transgender people and bisexuals), this protocol is linked to the protocol on sexual harassment and harassment based on sex; these two protocols complement each other, and the structure of the committees established under them is the same in order to avoid duplication in such cases.

10.2. SCOPE OF APPLICATION

1. The provisions of this Protocol apply to all persons working at F-INIBIC, regardless of the legal relationship they have with the organisation; consequently, they will apply not only to the permanent staff but also to any other personnel who may have a similar relationship, provided that they carry out their work within the company's organisational framework.

2. It must also apply to workers employed by companies subcontracted by F-INIBIC, provided that, within the framework of inter-company cooperation arising from Article 24 of Law 31/1995, of 8 November, on occupational health and safety, they provide their services at F-INIBIC and staff from the company are involved.

3. Finally, it shall also apply to those who do not form part of F-INIBIC but who have dealings with it in the course of their work: clients, suppliers and job applicants.

4. Under no circumstances will contracts be entered into with entities that fail to comply internally with the principles of the protocol on the prevention of and protection against LGBTI-phobic harassment.

10.3. TERM

This protocol shall enter into force on the date of its signature and shall remain in force until such time as the signatory parties deem it necessary to amend it, or until such time as statutory or contractual provisions require it to be amended. The protocol will be communicated to the company's staff on a regular basis, and a copy will be provided to all new recruits.

10.4. DEFINITIONS

Any behaviour, whether verbal or physical, based on a person's sexual orientation, gender identity, gender expression or sexual characteristics, which has the intention or effect of infringing upon their dignity or their physical or psychological integrity, or of creating an intimidating, hostile, degrading, humiliating, offensive or distressing environment, shall be considered harassment on the grounds of sexual orientation, gender identity or gender expression. This will be regarded as discriminatory behaviour.

Direct discrimination: a situation in which a person, or a group to which they belong, is, has been or could be treated less favourably than others in a similar or comparable situation on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

Indirect discrimination: a situation in which an apparently neutral provision, criterion, interpretation or practice may place one or more persons at a particular disadvantage compared with others on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

Multiple and intersectional discrimination: multiple discrimination occurs when a person is discriminated against, either simultaneously or consecutively, on two or more grounds of discrimination set out in Law 15/2022, of 12 July, on comprehensive measures for equal treatment and non-discrimination. Intersectional discrimination occurs when various causes coincide or interact, giving rise to a specific form of discrimination.

Discriminatory harassment: any conduct carried out on the grounds of any of the causes of discrimination set out in the Law 15/2022, of 12 July, with the aim or effect of undermining the dignity of a person or the group to which they belong, and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Discrimination by association and discrimination by mistake: Discrimination by association occurs when a person or a group of which that person is a member is subjected to discriminatory treatment because of their relationship with another person against whom one of the grounds of discrimination based on sexual orientation, gender identity, gender expression or sexual characteristics applies. Discrimination by mistake is discrimination that is based on an incorrect assessment of the characteristics of the person or persons being discriminated against.

Order to discriminate: any provision that entails direct or indirect discrimination on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

Discriminatory retaliation: adverse treatment or a negative consequence suffered by a person as a result of their having lodged a complaint, claim, report, lawsuit or appeal of any kind, with the aim of preventing, reducing or reporting the discrimination or harassment to which they are or have been subjected.

Depending on the perpetrator, three types of harassment can be distinguished:

- Top-down harassment: harassment in which the perpetrator holds a position of authority over the victim (from a manager to a subordinate).
- Bottom-up harassment: harassment in which the perpetrator is hierarchically subordinate to the victim (from a subordinate towards a manager).
- Peer-to-peer harassment: a form of harassment in which there is no hierarchical relationship between the perpetrator and the victim (between colleagues).

10.5. PREVENTION POLICY

To ensure that this protocol serves as a preventative measure, it must be communicated to all employees of the company, including senior management, middle management and staff, as well as new recruits.

In order to prevent situations that could be perceived as constituting harassment in the workplace, the following guidelines, amongst others, shall be taken into account:

1. **Respect:** An atmosphere of respect and propriety will be fostered in the workplace. The use of insulting, humiliating or intimidating expressions and language is prohibited.
2. **Communication:** Behaviours that lead to isolation or a reduction in normal communication amongst staff members are not permitted.
3. **Reputation:** Any behaviour intended to discredit or damage the professional or personal reputation of any member of staff is prohibited.
4. **Discretion in reprimanding:** Any communications aimed at correcting a person's behaviour or drawing their attention to inadequate work performance shall be made in private.
5. **Non-arbitrariness:** Any arbitrary or unreasonable allocation of work that cannot be carried out within working hours or that results in a loss of duties is prohibited.
6. **Consistency and fairness:** Work monitoring and performance review mechanisms will be applied consistently and fairly, taking personal circumstances into account.
7. **Preventing harassment:** Any adverse treatment resulting from the lodging of complaints or claims intended to prevent discrimination or to ensure effective compliance with the principle of equality is prohibited.

10.6. COMMITTEE FOR THE HANDLING OF HARASSMENT ON THE GROUNDS OF SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION OR SEXUAL CHARACTERISTICS.

- **Composition:** in response to each complaint, a committee shall be formed, comprising legal representatives of the workers and the company, at the number determined by the parties and on a joint basis.

- **Training:** to be eligible to serve on the Committee, candidates must have undergone training in equality, and in the prevention of and response to harassment.

- **Conflicts of interest:** should any of the persons involved in proceedings (complainant or respondent) have, in relation to any member of the Committee, a family relationship, whether by marriage/civil partnership or by blood, or a relationship of friendship or enmity, or be attached to the same department or area, the Committee member concerned shall automatically be disqualified from taking part in that specific proceeding and shall be replaced by the previously designated substitute.

If a member of this Committee is the subject of a complaint or is the complainant, they are disqualified from taking part in any other proceedings until their own case has been fully resolved. Such a conflict of interest may be raised by the member themself, by any other member of the Committee, or by any of the parties involved in the proceedings.

- **Functions of the Committee:**

a) To provide support, advice and guidance to people who may be victims of harassment.

b) To receive all complaints of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

c) To investigate allegations in accordance with the provisions of this protocol; to this end, the company must provide the necessary resources and ensure access to all information that may be relevant to the case. It must also have unrestricted access to all the centre's premises, and all staff must cooperate as required by the Committee.

d) To recommend and implement, within the Human Resources Department, any precautionary measures it deems appropriate.

e) To draw up a report setting out the conclusions regarding the alleged harassment under investigation, which shall include the evidence in the case, any aggravating or mitigating factors and, where appropriate, a proposal for the relevant disciplinary measures, within the scope of the company.

f) To monitor effective compliance with the sanctions imposed as a result of cases of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

g) To ensure that the safeguards set out in this protocol are upheld.

h) Any others that may arise from the nature of its duties and from the provisions of this protocol.

i) In cases where the preliminary investigation provides circumstantial evidence of the company's direct involvement in the act of harassment, the Labour Inspectorate shall be notified thereof ex officio for the appropriate purposes.

In cases where the preliminary investigation provides circumstantial evidence of a hate crime, the matter shall be referred ex officio to the Public Prosecutor's Office or the competent authority.

10.7. REPORTING A CASE OF HARASSMENT

1. For the purposes of lodging a claim or complaint as set out in this protocol, the following persons are deemed to be entitled to do so:

   a) Anyone who considers themself to be a victim of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

   b) Anyone who is aware of any act of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics. In such cases, the body receiving the complaint must seek the express, written consent of the person alleged to have been harassed before proceeding with the case.

   c) The works council or staff representatives, the trade unions represented on the works council or by staff representatives, and the trade union to which the victim may belong.

   d) People who are subject to guidelines that constitute discrimination on the grounds of sexual orientation, gender identity or expression, or sexual characteristics.

2. The complaint must include the identity of the alleged harasser and the alleged victim, as well as a detailed description of the events giving rise to the complaint.

3. The complaint or report must always be made in writing, using the form attached hereto as an annex, and must be signed by the person or organisation making it.

4. The report should be addressed to any member of the Committee for the handling of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.

5. F-INIBIC will, where necessary, immediately provide the victim with medical and psychological support, either through its own resources or via external services.

10.8. PROCEDURE FOR ACTION

10.8.1. GUIDING PRINCIPLES AND SAFEGUARDS OF THE PROCEDURE

- Respect for and protection of people: Appropriate discretion must be exercised to protect the privacy and dignity of those affected. Any actions or proceedings must be conducted with the utmost discretion and with due respect for all those involved, who must under no circumstances be treated unfavourably on these grounds. Any of the individuals involved who so request may be assisted by a representative or adviser at any time throughout the proceedings.

- Confidentiality: Those involved in the procedure are obliged to maintain strict confidentiality and discretion, and must not communicate or disclose any information regarding the content of complaints that have been lodged or are under investigation. The Committee must expressly inform all those involved of their duty of confidentiality.

- Diligence and efficiency: The investigation and resolution of the alleged conduct must be carried out without undue delay, so that the procedure can be completed as swiftly as possible whilst respecting the appropriate safeguards.

- Contradiction: The procedure guarantees an impartial hearing and fair treatment for all those concerned. All parties involved must, in good faith, seek to establish the truth and clarify the rights alleged.

- Compensation for victims: If the harassment has resulted in a deterioration in the victim's working conditions, F-INIBIC must restore the victim to their previous conditions, should the victim so request.

- Protecting the health of victims: The F-INIBIC management must, either on its own initiative or at the request of the Committee – or any of its members – or the victim, take whatever measures it deems appropriate to safeguard the right to health protection for the workers concerned. By way of example, the aforesaid protective measures may include psychological support, victim protection, or other forms of assistance necessary to facilitate the victim's full recovery. Any measures taken in this regard must have the victim's consent and must be reported to the Committee for inclusion in the case file.

- Prohibition of retaliation: Retaliation against anyone who makes a complaint, appears as a witness, or assists with or takes part in an investigation into harassment is expressly prohibited.

- Legal safeguards: Once the procedure set out in this protocol has been completed and the existence of harassment has been established, the company must provide legal assistance to the victim in cases where the harasser takes legal action against the victim or other members of staff involved in the process.

10.8.2. PARTIES INVOLVED

The parties to these proceedings are:

a) The complainant, who is the person who, having knowledge of the facts, lodges the complaint.

b) The victim, who may or may not be the same person as the complainant, is the person who has suffered or is suffering from the harassment.

c) The Committee for the handling of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, which is the body established to handle and investigate complaints, as well as to propose the adoption of appropriate measures.

d) The F-INIBIC management, which is responsible for implementing the aforementioned measures.

10.8.3. OUTLINE OF THE PROCEDURE

Two procedures are set out which complainants may follow, without prejudice to the victim's right to pursue administrative, judicial or any other remedies they deem appropriate.

First. - Interim measures

In cases of allegations of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, until the proceedings, whether formal or informal, have been concluded, and provided there is sufficient evidence to suggest that harassment has taken place, the Committee must, as a precautionary measure, request the separation of the victim from the alleged harasser, as well as any other precautionary measures (reorganisation of working hours, change of office, redeployment, etc.) which it deems appropriate and proportionate to the circumstances of the case. Under no circumstances may these measures result in the victim suffering any detriment or deterioration in their working conditions, nor in any substantial change thereto, including pay conditions. In cases where the protective measure involves separating the victim from the perpetrator by means of a change of workplace, it is the victim who decides whether they or the perpetrator should be relocated, and the Department must, at all times, ensure that the relocation of either person takes place as swiftly as possible.

Second. - Informal procedure

If the complainant deems it appropriate, an attempt may be made to resolve the issue informally at the outset. It may even be sufficient to simply explain to the person exhibiting the undesirable behaviour that such behaviour is not welcome, that it is offensive or makes others feel uncomfortable, or that it interferes with work, and to ask them to desist.

The complainant may report the issue, either verbally or in writing, to any member of the Committee, who acts in an advisory capacity. Among the duties of this adviser in this initial phase is that of informing and advising the complainant on their rights and on all the options and actions they may take, as well as advising the company's management on whether or not it is appropriate to adopt precautionary measures, in cases where the circumstances so warrant. In any event, both the person who is allegedly being harassed and the person against whom the complaint has been lodged may be assisted by the staff's legal representatives at every stage of the proceedings.

If the complainant is not the same as the person who is allegedly being harassed (hereinafter referred to as the 'aggrieved person'), the latter must contact the Committee, via the adviser, so that the Committee can examine the facts of the case and determine whether or not to uphold the complaint lodged by the complainant.

Once the complaint has been confirmed, the adviser has three working days to meet first with the aggrieved person and then with the person against whom the complaint has been made. During the interview with the respondent, the adviser will inform them that their behaviour is not acceptable and that it contravenes company policy.

The ultimate aim of this procedure is to put an end to the behaviour constituting harassment and to reach a mutually acceptable solution.

Within a maximum of five working days of receiving the complaint, the adviser must bring the procedure to a close by drawing up a report setting out the conclusions reached during the procedure:

a) Agreement between the parties: conclusion of the proceedings and, where appropriate, the implementation of such measures as may be determined.
b) No agreement: the informal procedure becomes the step prior to the commencement of the formal procedure.

Copies of the minutes will be provided to the complainant, the aggrieved person (if different from the complainant), the respondent, the company's management and the Committee.

In any event, if the complainant is not satisfied with the proposed solution, or if the perpetrator fails to comply with the same, the former may lodge a complaint through the formal procedure.

Third. - Formal procedure

If the informal procedure proves unsuccessful, or if the complainant considers that, given the seriousness of the allegations, this type of procedure is not appropriate, the formal procedure shall be initiated.

This procedure will be initiated by submitting a written application to the Committee. This document must state the full name of the complainant, that of the aggrieved person (if different from that of the complainant), and that of the person against whom the complaint is made. It must also include a statement setting out the facts, dates, duration and frequency of the events, the locations(s) where they occurred, and the evidence to be submitted (documents, witnesses, etc.).

Once a complaint has been received, the Committee has a maximum of five working days to convene and commence the preliminary investigations.

The Committee shall set out the procedure for the formal process in accordance with the following guidelines:

1. Re-assessing the need to adopt precautionary measures, such as separating the parties involved whilst the preliminary investigation is ongoing. Conveying this need to the company's management so that, if it deems it appropriate, it may adopt these precautionary measures.

2. Gathering all the information it deems necessary on the circumstances of the parties involved.

3. Identifying the individuals who are to be interviewed, taking into account, first and foremost, the suggestions made by the aggrieved person and the person against whom the complaint has been made.

4. Conducting the interviews, obtaining the express, written consent of the interviewees to access the information necessary to carry out the investigation; informing the interviewees that the information to which they have access in the course of the investigation and the reports drawn up are treated as confidential; advising interviewees that everything stated is confidential, both on their part and on the part of the members of the Committee; they must therefore be instructed that they must not disclose the content of the interview to anyone.

5. Drafting the minutes for all meetings and interviews held, ensuring complete confidentiality and discretion regarding the content thereof. These minutes, signed by the parties involved, shall be retained by the Committee.

6. Determining the evidence to be taken, establishing the procedure for obtaining it, and to gathering the evidence as determined, whilst ensuring it is properly safeguarded.

7. In accordance with the provisions of Article 96.1 of Law 36/2011, of 10 October, governing labour jurisdiction, this procedure establishes the so-called 'reversal of the burden of proof' if the complainant presents sufficient evidence of the existence of harassment on grounds of sexual orientation, gender identity and/or gender expression, in which case it falls to the respondent to prove the absence of discrimination by providing an objective, reasonable

and sufficiently substantiated justification for the measures taken and the proportionality thereof.

Once the investigation has been completed, the Committee must draft a report on the alleged harassment under investigation, setting out the conclusions reached and any aggravating or mitigating circumstances identified, and must call on the company's management to take one of the following measures:

a) Disciplinary measures against the harasser, specifying the offence found, the sanction and the severity thereof. In the event that compulsory transfer or dismissal is not proposed for the perpetrator, appropriate measures shall be proposed to ensure that the perpetrator and the victim do not work in the same workplace, with the victim having the option to remain in their current post or to request a transfer. This transfer must not result in any deterioration in their working conditions.

b) Closure of the case if it is considered that the facts do not constitute any of the types of harassment covered by this protocol. If the case is closed, but with an explicit statement regarding the good faith of the complaint, the aggrieved person may request a transfer to another office or department, without this adversely affecting their terms and conditions of employment.

Copies of the report will be provided to the complainant, the aggrieved person (if different from the complainant), the respondent, the company's management and the Committee. Both the preliminary investigation phase and the drafting of a report by the Committee shall last for a maximum of ten days, which may be extended by a further three working days. Finally, the Committee must oversee the application and effective enforcement of sanctions arising from cases of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, and must be kept informed of said matters as they are implemented by the company's management.

Fourth. - Complementary measures

If it is established that harassment has taken place on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, the Committee may propose the adoption of the following additional measures:

1. Psychological and social support for the victim of harassment and their family.

2. Modification of those working conditions which, with the prior consent of the victim of harassment, are deemed to be beneficial to their recovery.

3. Implementation of protective measures for the victim of harassment.

4. Reminder of the company's ethical and moral standards.

10.9. CLASSIFICATION

The use of language that may be offensive or discriminatory on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics shall be regarded as a minor offence. A repeat offence of this nature will be classified as a serious or very serious offence.

Depending on the circumstances of the case of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, or behaviours that infringe on the sexual freedom of employee shall be regarded as a serious or very serious offence.

Any breach of confidentiality regarding authorisations for gender reassignment surgery shall be regarded as a very serious offence.

Any act of retaliation against a person who has lodged an internal complaint or report of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, or against a person who has assisted in the investigation, shall constitute a very serious offence.

The sanctions to be applied will be those set out in the collective agreement or in any higher-ranking legislation in force at any given time for minor, serious and very serious offences.

The following **aggravating circumstances** will also be taken into account:

For the purposes of assessing the seriousness of the offences and determining the penalties that may, where appropriate, be imposed, the following shall be regarded as aggravating circumstances:

1. That the respondent is a repeat offender in committing acts of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.
2. That the victim has some form of disability, whether physical, mental or sensory.
3. That the victim has suffered medically confirmed serious psychological disturbances.
4. That the victim is in the probationary period.
5. That the harassment takes place during the recruitment process.
6. That pressure and/or retaliation are brought to bear on the victim, witnesses or people in their workplace or family circle with the aim of preventing or hindering the investigation.
7. That it is a case of top-down harassment.
8. That it responds to an order.

10.10. MONITORING AND ASSESSMENT OF THE PROTOCOL

The Committee responsible for monitoring the comprehensive set of measures and resources designed to achieve real and effective equality for LGBTI people must monitor the implementation of this protocol. To this end, it must perform the following tasks:

a. It shall meet annually to review complaints of harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, and to draft a joint report on its actions, which must be submitted to the company's management and, where appropriate, to the workers' representative body, and which shall be made available to the entire workforce. This report must respect the right to privacy and confidentiality of the individuals involved.

b. Prepare an annual report to ensure the effectiveness and confidentiality of the protocol and amend it if deemed appropriate.

10.11. FINAL PROVISIONS

One. - The regulations and procedures set out in this protocol do not preclude the initiation and pursuit, at any time, of any other action to enforce the relevant administrative, social, civil or criminal liabilities, as the case may be.

Two. - Both the human resources department and the staff's legal representatives must provide information and guidance to employees who request it on the subject covered by this protocol and on the procedures for resolving cases of harassment.

10.12. ANNEX I – Glossary

Biological sex: Consists of primary characteristics, such as testicles and ovaries, and secondary characteristics, such as a beard and breasts.

Intersex: A person with sexual characteristics of both sexes. These people form part of human biological diversity.

Gender identity (and sexual identity): The way a person identifies as a man, a woman or both. It is the overall result of the entire process of sexualisation. The identity formation process can be dynamic and subject to change. It may be the case that a person's sense of identity does not match the one others ascribe to them.

Gender expression: The way in which a person communicates their gender identity to others through behaviour, the way they dress, hairstyles, voice, personal characteristics, interests or affinities.

Sexual orientation: This refers to the object of sexual desire.

Gender role: The social construction of what it means to be a man or a woman in society. There is a cultural transmission of the definition of behaviour, social conduct, ways of dressing, and ways of interacting socially in public. It defines what it means to be a man or a woman, leaving no room for other, broader views of the individual. According to this, there are two genders (masculine and feminine) and there is no room for anything else. Gender is a social construct and therefore varies across cultures and historical periods.

Sexual practices: The sexual practices that each of us prefers to engage in during sexual intercourse. They are not determined by gender roles or sexual orientation.

Androcentrism: This is a way of viewing the world from a male perspective, assigning it a hegemonic status in relation to masculinity. As a social construct, everything associated with masculinity is empowered and overvalued, whilst that which is associated with femininity is undervalued or devalued.

LGTBI: The acronym used to refer collectively to lesbian, gay, bisexual, transgender and intersex people.

Homosexuality: Sexual orientation towards people of the same sex.

Heterosexuality: Sexual orientation is directed towards people of the opposite sex.

Bisexuality: Bisexuality is the sexual orientation of people who feel sexual, emotional and/or romantic attraction towards people of more than one gender and/or sex, not necessarily at the same time, nor in the same way, nor to the same degree, nor with the same intensity. The terms *(pomosexuality / post-modern sexuality)*, pansexuality and omnisexuality are currently used to refer to this concept.

Pansexuality: Sexual orientation is defined as the ability to be attracted to people regardless of their sexuality, focusing primarily on who they are on the inside; that is, on their feelings, behaviour and personality.

Gay: A homosexual man.

Lesbian: A homosexual woman.

Homosexual behaviour or practices: These are erotic relationships between two people of the same sex. These practices are usually engaged in by gay men, lesbians and bisexuals, but they also occur amongst heterosexual people. It is important not to confuse what one does with what one is. Sexual activity does not necessarily imply a homosexual sexual orientation.

Heterosexual behaviours or practices: These are erotic relationships between two people of different sexes. These practices are usually engaged in by heterosexual and bisexual people, but they also occur amongst homosexual people. It is important not to confuse what one does with what one is. Sexual activity does not necessarily imply a heterosexual sexual orientation.

Transsexual: A person whose gender identity does not correspond to that determined by their genitals or other sexual characteristics, nor to the identity that others assume they have. In order to live in a way that is consistent with their gender identity and to achieve the physical appearance they feel is their own, they may use medication, hormones or undergo surgical procedures. This identification with one sex or the other is independent of sexual orientation. The destination rather than the origin should be used to define a transgender person; they will be male if the transition is from female to male, or female if the transition is from male to female.

Transgender: These people's gender identity does not correspond to that indicated by their genitals or other sexual characteristics, nor to the identity that others assume they have. These people do not believe they need to undergo surgical or hormonal transition treatment. This identification with one sex or the other is independent of sexual orientation.

Transvestite: A person who derives satisfaction from dressing as a member of the opposite sex. This behaviour does not imply a specific sexual orientation or a conflict with one's sexual identity.

Transformer: A person who dresses as someone of the opposite sex, not for personal satisfaction or because they enjoy it, but for professional reasons. This behaviour does not imply a specific sexual orientation or a conflict with one's sexual identity.

Trans: A broader, more general term used to encompass all the different perspectives on people who do not identify with a particular gender or assigned sex, in all their forms.

Cissexual or cisgender: A person whose sexual identity matches their biological sex at birth. It is commonly used as the opposite of 'transsexual'.

Transition process: A personal and unique process of affirming one's own identity, aimed at gradually aligning with one's felt gender identity. It is up to each individual to decide when to begin this process. The term 'sex change' should never be used.

Effeminate or camp: A man whose gestures, postures or other outward characteristics are socially regarded as more typical of women. This term relates to appearance and does not refer to sexual orientation or gender identity. This word is used with derogatory connotations.

Butch/Dyke: A woman whose gestures, postures or other outward characteristics are socially regarded as more typical of men. This term relates to appearance and does not refer to sexual orientation or gender identity. This word is used with derogatory connotations.

Coming out: An act by which an LGBTI person publicly acknowledges their own sexuality to others. This process is characterised by a deep-seated fear of rejection. Coming out is usually a gradual process, and it does not have to happen in every area of one's life; a person can remain in the closet with their family and be out with their friends. They will also need to do so each time they find themself in a new situation (a new job, new colleagues, etc.).

Queer: Originally an insult directed at homosexual people, the term is now used as a political/sexual self-identification by those who do not conform to mainstream sexual expectations.

Workplace harassment: Exposure to behaviours of severe psychological abuse, directed repeatedly and over a prolonged period of time towards one or more individuals by one or more persons who act towards them from a position of power, not necessarily hierarchical but in psychological terms, with the aim or effect of creating a hostile or humiliating environment that disrupts the victim's working life. This violence occurs within the context of an employment relationship, but does not serve the organisational needs of that relationship; it constitutes both an affront to the individual's dignity and a risk to their health.

Workplace bullying: Harassment in the workplace.

Discrimination by association: A situation in which a person is subjected to discrimination on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, as a result of their relationship with an LGBTI person or group.

Discrimination by mistake: A situation in which a person or group of people are subjected to discrimination on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics, as a result of an incorrect assessment.

Multiple discrimination: A situation in which a lesbian, gay, bisexual, transgender or intersex person, by virtue of belonging to other groups that are also subject to discrimination, suffers specific, aggravated forms of discrimination.

Secondary victimisation: Additional abuse suffered by lesbians, gay men, bisexuals, transgender people or intersex people who are subject to discrimination, harassment or retaliation as a direct or indirect consequence of shortcomings in the measures taken by the relevant bodies, as well as the actions of other parties involved.

10.13. ANNEX II – LGBTIphobia

Heteronormativity: It is taken for granted, without question, that heterosexuality is the norm to be followed; in other words, that everyone must be heterosexual. This situation leads people to believe that anything other than heterosexuality is 'abnormally different' and can result in rejection or discrimination. It is a form of violence.

Homophobia: This refers to aversion, hatred, fear, prejudice or discrimination against homosexual men or women, although it also includes other people who form part of sexual diversity, such as bisexual and transgender people. In some people, homophobia takes on very extreme, even violent, pathological forms that can be classified alongside other mental health disorders. Homophobia is linked to the dominant patriarchal culture, which also discriminates against women.

Lesbophobia: Aversion, hatred, fear, prejudice or discrimination towards lesbianism or lesbians; attitudes of rejection; irrational fear of lesbian women.

Biphobia: Aversion, hatred, fear, prejudice or discrimination towards bisexuality or bisexual people.

Transphobia: Aversion, hatred, fear, prejudice or discrimination towards transsexuality or trans people.

Intersexphobia: Aversion, hatred, fear, prejudice or discrimination towards intersexuality or intersex people.

Plumophobia: Aversion, hatred, fear, prejudice and discrimination against people with feathers or towards having feathers.

Monosexism: The belief that everyone is either homosexual or heterosexual. It is a biphobic attitude.

LGBTIphobia is a hostile attitude that regards non-heterosexual sexual orientation, transsexuality and intersexuality as contrary, different, inferior, worse or abnormal, and views the people who practise them and/or identify as such as different, bad, strange, sick, depraved or unnatural.

There are different degrees of LGBTIphobia, ranging from very low intensity, such as indifference to or denial of LGBTI people, to high levels of aggression, which takes the form of physical and verbal violence.

LGBTIphobia can be perpetrated by individuals or groups; there is even such a thing as institutional LGBTIphobia, which can range from laws that fail to recognise equality to the enactment of laws that punish, persecute or even sentence LGBTI people to death.

Insults, whether direct or indirect, are the most common form of LGBTIphobia. Insults are a form of abuse that every LGBTI person has experienced at some point in their life: being called names, feeling abnormal, feeling rejected or stigmatised.

The various forms that LGBTIphobia may take are outlined below:

Cognitive LGBTIphobia: The belief that LGBTI people are unnatural, depraved, sinful and/or that this makes them inferior and/or undesirable.

Emotional LGBTIphobia: Feelings of rejection that arise in certain people *(when interacting with / when imagining themselves interacting with)* LGBTI people. This rejection usually takes the form of an aversion to physical contact, feeling uncomfortable around LGBTI people or displays of affection between LGBTI people. These are the people who say they 'feel disgust' or 'repulsion' towards LGBTI people.

Liberal LGBTIphobia: The expression of sexual diversity is permitted in private, but under no circumstances is it accepted in public.

Behavioural LGBTIphobia: This relates to behaviour towards LGBTI people. This behaviour can manifest itself in many ways, ranging from the mildest form, a crude joke, to the most serious form, physical aggression.

LGBTIphobia can also be categorised as follows:

Externalised LGBTIphobia: Behaviour characterised by verbal and physical behaviour (behavioural LGBTIphobia), as well as emotional behaviour (affective LGBTIphobia), which may lead to some form of abuse towards LGBTI people.

Internalised LGBTIphobia: The internalisation, through heteronormative education, of the idea that behaviours related to sexual orientation and gender identity are negative. This affects both heterosexual and LGBTI people; the latter may suffer from serious self-esteem issues, leading to a sense of personal invisibility.

LGBTIphobia encompasses the following phobias: homophobia, lesbophobia, biphobia, transphobia, plumophobia and intersexphobia.

In the workplace, other forms of LGBTIphobia may occur, such as dismissal on the grounds of sexual orientation, gender identity or gender expression (although attempts will be made to conceal this), or pressure, through workplace bullying, on the affected worker to ensure that they are the one who ends up leaving the company, or a failure to adapt public spaces to allow a trans-worker to have privacy, the inclusion in workplace censuses of an assigned sex, which, in many cases, provides no information of vital importance.

10.14. ANNEX III – COMPLAINT FORM

I request that the formal procedure set out in the Protocol be initiated in relation to harassment on the grounds of sexual orientation, gender identity and/or gender expression.

Complainant: Mr/Ms .....

Aggrieved person: Mr/Ms .....

Description of the events: .....

Evidence (witness evidence, documentary evidence, etc.): .....

Date: .....*(Day, month and year)*

(Complainant's signature / Stamp):

For the attention of the Committee for the Handling of Harassment on the Grounds of Sexual Orientation, Gender Identity, Gender Expression or Sexual Characteristics.

10.15. ANNEX IV – Consent

The person ..... gives their consent to ..... to initiate the formal procedure under the Protocol concerning harassment on the grounds of sexual orientation, gender identity, gender expression or sexual characteristics.