



## **Procedure on preventing and combating sexual harassment and moral harassment in the workplace within Societatea Nationala Nuclearelectrica S.A.**

### **1. PURPOSE**

SNN undertakes to provide a safe environment for all employees, without discrimination on the basis of race, nationality, ethnicity, language, religion, social category, beliefs, sex, sexual orientation, age, disability, chronic non-contagious disease, HIV infection, membership of a disadvantaged group or on the basis of any other criterion that has the purpose or effect of restricting, the recognition, use or exercise, on equal terms, of human rights and fundamental freedoms or of rights recognized by law, in the political, economic, social, cultural or any other field of public life.

Ensuring equal opportunities and equal treatment between women and men is fundamental and any form of manifestation of power relations between men and women is strictly prohibited, being considered a violation of human dignity and the creation of an intimidating, hostile, degrading, humiliating or offensive environment.

SNN will apply a zero-tolerance policy for sexual harassment and moral harassment in the workplace, will treat all incidents seriously and promptly and will investigate all allegations of harassment.

Within SNN, disciplinary action will be taken against any person found to have harassed another person, up to and including termination.

### **2. SCOPE**

2.1 The procedure applies to all employees of SNN Executive and of the NPP and NFP branches, hereinafter referred to as units, as well as to persons (contractors and subcontractors) with whom they interact directly during working hours.

### **3. DEFINITIONS AND ABBREVIATIONS**

**Harassment** is unwanted behaviour, including of a sexual nature, that makes a person feel offended, humiliated or intimidated. This includes situations in which a person is required to engage in sexual activities as a condition of that person's employment, as well as situations that create a hostile, intimidating or humiliating environment. Harassment involves multiple incidents and/or actions of a repetitive nature that constitute physical, verbal and non-verbal harassment.

Harassment can occur both between people of different sexes and between people of the same sex. In situations where actions take place that are contrary to legal, ethical and professional conduct in the workplace and are not desired or well received by the recipient, the measures set out in the procedure will be ordered. Harassment is a manifestation of power relations and can also occur in the case of unequal relationships in the workplace, for example, between management and employees, but not exclusively. Power relations can take multiple forms and can manifest themselves subtly and unpredictably (employees in subordinate positions are not always only victims). Any type of harassment is prohibited, both in and out of the workplace, when participating in various events, business trips, training sessions or conferences, including in relation to SNN's contractors and subcontractors.

**Moral harassment** in the workplace, in the meaning of Government Ordinance no. 137/2000 on the prevention and sanctioning of all forms of discrimination, republished, as subsequently amended and supplemented, represents:

- Any behaviour towards an employee, exercised by another employee who is the hierarchical superior of the former employee, by a subordinate employee and/or by an employee on the same hierarchical level, in relation to the employment relationships, of which purpose is to deteriorate the working conditions by damaging the employee's rights or dignity, by affecting the employee's physical or psychological health or by jeopardizing the employee's professional future; such behaviour may take any of the forms below: hostile or unwelcome conduct, verbal comments, actions or gestures;
- Any behaviour that, by its systematic nature, may damage the dignity, the physical or the mental integrity of an employee or group of employees, thereby endangering their work or degrading their work environment. In the meaning of the law, stress and physical exhaustion fall within the scope of moral harassment at work.

**Examples of conduct or behaviour that constitutes harassment in the workplace:**

- a. **Physical conduct** - unwanted, repeated physical contact (inappropriate touching of the body), physical violence (including sexual assault), use of threats or rewards related to work to solicit sexual favours.
- b. **Verbal conduct:** comments about an employee's appearance, age, private life, sexual comments, stories and jokes of a sexual nature, sexual advances, repeated and unwelcome social invitations for dating or physical intimacy, insults related to the employee's gender or other characteristics, exaggeratedly familiar remarks, sending humiliating, degrading, sexually explicit messages by telephone, e-mail or any other means of communication, if they are made systematically/repeatedly and if they are intended to, result in or are likely to lead to physical, psychological, sexual harm.
- c. **Nonverbal behaviour:** displaying sexually suggestive or sexually explicit material; sexually suggestive gestures, whistling, leering, if done systematically/repeatedly.
- d. **Other types of inadequate conduct, like:**
  - manifestation or dissemination of offensive or indecent material;
  - insinuations, insults or obscene or sexist/racist/homophobic remarks, made systematically/repeatedly;
  - using offensive language in describing a person with a disability or mocking a person with a disability;
  - comments about a person's physical appearance or character, likely to cause embarrassment or distress;
  - unwanted attention, such as spying, constant stalking, constant following, teasing, overly familiar behaviour or unwanted verbal or physical attention;
  - making or repeatedly sending of: unwanted phone calls, SMS, e-mails, social network messages, faxes or letters with sexual, hostile or sexually suggestive connotations or that affect a person's privacy;
  - unjustified, unwelcome or persistent questions about a person's age, marital status, personal life, interests or sexual orientation or similar questions about a person's racial or ethnic origin, including their culture or religion;
  - unwanted sexual advances, repeated requests for a date or threats;
  - suggestions that sexual favours can get a person promoted, or that if they do not, their career will suffer.

On the other hand, for the purposes of the legislation applicable to labour law and the present proceedings, attitudes that are the employer's prerogative and are legitimate in the

relationship with the employee, respectively, **DO NOT CONSTITUTE HARASSMENT:**

- direct supervision of employees by setting performance expectations and providing feedback on work performance;
- taking action to correct performance deficiencies, such as placing an employee on a performance improvement plan;
- the application of reasonable disciplinary measures;
- guidelines on how and when the work should be done;
- requesting updates or reports;
- approving or denying requests for time off.

#### **4. WORK METHOD**

The Head of the unit, namely the General Manager in the case of SNN Executive and the Branch Managers in the case of NPP and NFP, will appoint by Decision, a responsible person and a Commission for receiving and solving cases of harassment, which will function within each unit.

At the time of their appointment, the persons responsible and the members of the Commissions for receiving and resolving cases of harassment shall sign a confidentiality agreement under the sanctions provided for in Article 26(2) and Article 39(2) lit. f) of Law no. 53/2003 - Labor Code, republished, as subsequently amended and supplemented, in conjunction with the provisions of Article 227(1) of Law no. 286/2009 on the Criminal Code, as subsequently amended and supplemented.

##### **5.1. Incidents that are the subject of the complaint/notice or report**

5.1.1. A case of sexual harassment and moral harassment in the workplace can include several distinct situations depending on its evolution.

The alleged victim has the possibility to lodge a complaint / notice in any of these situations on the following issues:

- a) differences of opinion, slight interpersonal conflicts that can be resolved at the level of the people involved, but which, if left unresolved, can degenerate;
- b) the gradual onset of tension, through systematic/repeated aggressive actions directed by one person or a group of people against another person;
- c) a state of heightened tension that requires the intervention of the employer's/manager's representatives in order to mediate the conflict and avoid its escalation;
- d) stigmatization and/or social isolation in the workplace, dismissal or forcing the victim to resign from the job, which decreases the victim's chances of re-employment in other jobs.

5.1.2. The steps a victim of sexual harassment and moral harassment in the workplace can take are:

- a) directly approach the alleged harasser or, if a victim cannot directly approach an alleged harasser, he/she can inform the alleged harasser's superior about the unwanted and disturbing behaviour;
- b) inform the person in charge of any systematic/repeated actions of sexual harassment and moral harassment in the workplace;
- c) attempt to settle the case amicably;

- d) refer the matter to the court.

## **5.2. Communication channels**

The complaint / notice and resolution procedure realized at the level of the SNN units is administrative and can be formal or informal.

### **5.2.1. Informal procedure**

Employees who are subjected to harassment should, if possible, inform the alleged harasser that they perceive the behaviour in question as unwelcome and disturbing.

Harassment may occur in unequal relationships, i.e. between a person in a managerial position and a person in a subordinate position. There may also be situations in which it is not possible for the victim to inform the alleged harasser that he or she perceives the behaviour in question as unwanted and disturbing, for example, the alleged harasser may be the person assigned to handle the harassment case or the victim's superior.

If a victim is unable to approach an alleged harasser directly, the victim will inform/communicate with the alleged harasser's supervisor about the unwanted and disturbing behaviour. The victim will also inform another representative with a managerial role in the unit or the union representative. In this context, the persons mentioned above will make sure that the victim is adequately informed so that the choice of an informal resolution does not exclude the possibility that the victim may also want a formal resolution, if the harassment continues.

### **5.2.2. Formal procedure**

#### **5.2.2.1. By internal reporting**

The victim may file a complaint / notice to the person responsible in any of the above situations, in writing, signed in handwriting or electronically, but in all cases signed by the victim, respecting the protection of identity data, in order to ensure the victim's protection, or may verbally report to the person responsible, in which case a report will be drawn up.

To file the complaint, the victim also has access to the dedicated web portal available within SNN, [www.nuclearelectrica.ro](http://www.nuclearelectrica.ro) under the heading “**report an irregularity**”, where the Irregularity Reporting Form is available, or the e-mail addresses [sesizari@nuclearelectrica.ro](mailto:sesizari@nuclearelectrica.ro) and [conformitate@nuclearelectrica.ro](mailto:conformitate@nuclearelectrica.ro) managed by the Ethics and Compliance Service.

The complaint/notice will include at least the following: name and first name, contact details of the victim, the context in which the reported facts occurred, description of the facts and, where appropriate, the evidence supporting the report, date and signature.

The responsible person will analyse the content of the complaint/notice and, as far as it contains all the necessary elements, will forward it to the Commission for resolution, together with the case report.

In case the victim who submitted the complaint/notice through the dedicated internet portal is from a different unit, it is forwarded to the responsible person within that unit, with appropriate measures taken to maintain confidentiality and data protection.

#### **5.2.2.2. By external reporting**

An employee who has been subjected to harassment can also make a complaint to other institutions that have competence in the field of harassment. These complaints can be made under the provisions of Law no. 202/2002, republished, as subsequently amended and

supplemented, to the Territorial Labor Inspectorate, the National Council for Combating Discrimination, the courts or criminal investigation bodies if the harassment is so serious that it falls within the forms provided by the Criminal Code.

In these cases this procedure does not apply.

### **5.2.2.3. Closing reports**

#### **Reports are closed when:**

- a) they are transmitted anonymously;
- b) they do not contain elements regarding the description of the fact likely to constitute a breach of procedure/law and, where applicable, there is no evidence to support the report, and the responsible person has requested to complete it within 5 working days, without this obligation being fulfilled.

### **5.3. The process of verification of the issues raised and the resolution of complaints/notices by the responsible person and the Commission**

After receiving the complaint/notice, the responsible person will initiate the preparation of a case report that will include data resulting from the process of guidance and counselling of the victim and data resulting from the process of hearing and counselling of the person alleged to have committed acts of harassment.

The case report is made within a maximum of 7 working days from the filing of the complaint/notice and can be extended once by a maximum of 5 working days, in the situation where the victim has made additions to the complaint/notice, at the request of the responsible person. In the case report the responsible person proposes to the head of the unit, if necessary, measures to protect the victim, in compliance with the legal provisions and verification/investigation by a designated Commission. Depending on the measures ordered by the management, the case report is forwarded to the human resources department of the unit/the unit's management. When an inquiry is necessary and/or additional checks and investigations need to be carried out (consultation, analysis, evaluation of data and documents, hearing of other witnesses, etc.), the human resources department of the unit draws up a decision appointing a Commission.

#### **Resolution of the complaint/notice**

The resolution of the complaint/notice is the final stage of the procedure, during which the Commission prepares a final report detailing its investigations, findings and proposed measures, as appropriate, which it will submit to the unit's management. In the event that disciplinary offenses are identified, the provisions of the internal procedures on disciplinary investigation and disciplinary sanctions become applicable.

### **5.5. Communication**

Annually, by the end of the first quarter, a report will be drawn up for the company's management, highlighting the manner of compliance with the application of the provisions of this procedure for the previous year, including the number of incidents recorded and how they were resolved at the level of each unit, as well as the recommendations made.