

Code of Ethics and Conduct of Noesis

Harrassment Chapter

1. Harassment Chapter

In compliance with the provisions of paragraph k, of no. 1 of article 127 of the Portuguese Labour Code, this Code of Conduct for the prevention and combat of harassment at work was drawn up and approved.

Compliance with this Code is mandatory

1. The Law

Labour Code

Article 29 - Harassment

1 — Harassment is forbidden.

2 — Harassment is defined as unwanted behaviour, namely that based on a discriminatory factor, practised when accessing employment or on the job itself, work or vocational training, with the purpose or effect of disturbing or constraining a person, affecting their dignity, or creating an intimidating, hostile, degrading, humiliating or destabilising environment.

3 — Sexual harassment constitutes unwanted behaviour of a sexual nature, in verbal, non-verbal or physical form, with the purpose or effect referred to in the preceding number.

4 — The practice of harassment gives the victim the right to compensation, and the provisions of the previous article shall apply.

5 — The practice of harassment constitutes a very serious offence, without prejudice to possible criminal liability under the terms of the law.

6 — The whistleblower and the witnesses indicated by him/her may not be disciplinary sanctioned, unless they act maliciously, based on statements or facts contained in the records of a judicial or administrative proceeding initiated for harassment until a final and unappealable decision has been taken, without prejudice to the exercise of the right to adversarial proceedings.

Article 28 - Compensation for discriminatory acts

Discriminatory acts against worker or job applicant entitles the compensation for patrimonial and non-pecuniary damages, under the general terms of the law.

If the acts of harassment are committed, culpably, by a hierarchical superior of the employee, the employer is liable for compensation for the damage suffered, by virtue of the provisions of Article 800, paragraph 1, of the Civil Code.

According to the European Parliament resolution on psychological harassment, it constitutes a potential health risk for individuals, often leading to work-related stress-related illnesses. Bullying can consist of verbal and physical attacks, as well as more subtle acts such as devaluing work or social isolation. It can cover physical and psychological violence aimed at lowering the victim's self-esteem and, ultimately, their disengagement from their job.

Noesis fosters respect for the person. Each employee is responsible for fostering a culture of trust that puts the person above their personal interests and respects him/her as a human being. As such, Noesis does not accept any form of harassment. We believe in an environment free of discrimination and an inclusive working environment free of any offensive and disrespectful conduct.

1.1 Examples of harassing behaviour

Harassment includes unacceptable verbal, visual or physical abuse or any other conduct that makes the workplace an intimidating, offensive or hostile environment.

The following are examples of unacceptable conduct and not constitute an exhaustive list:

- **Sexual Harassment**
 - Sexual insinuations:
 - Jokes or comments about one's appearance that may have offended him/her;
 - Offensive jokes or comments about one's body;
 - Offensive jokes or comments of a sexual nature.
 - Unwanted sexual attention:
 - Invitations to unwanted meetings;
 - Explicit and unwanted proposals of a sexual nature;
 - Unwanted sexual advances via email, SMS or via websites and social networks;
 - Offensive phone calls, letters, SMS, e-mails or images of a sexual nature;
 - Insinuating glances;
 - Intrusive and offensive questions about private life.
 - Physical contact and sexual assault:
 - Unwanted physical contact (touching, grasping, groping, kissing or attempting to kiss);
 - Assault or attempted sexual assault.
 - Grooming:
 - Requests for sexual favours associated with promises of obtaining employment or improving working conditions.

- **Moral Harassment**

Like sexual harassment, bullying can be operationalised along four dimensions:

- Social isolation:
 - Promoting one's isolation or lack of contact with colleagues;
 - Promoted one's isolation or lack of contact with supervisors.
- Professional persecution:
 - Systematically setting impossible goals or objectives;
 - Systematic devaluation of work;
 - Inadequate or strange functions to the professional category;
 - Systematically giving confusing and imprecise work instructions;
 - Systematically asking for urgent work without necessity;
 - Systematically denying information necessary for the performance of the duties of other employees (colleagues or subordinates), while making the content of that information available to other employees.
- Intimidation:
 - Systematic threats of dismissal;
 - Systematically creating objective stressful situations in order to provoke the recipient of this conduct to lose control.
- Personal humiliation
 - Direct or indirect ridicule or belittling due to physical, psychological or other characteristics;
 - Systematically shouting in order to intimidate people;
 - Systematically commenting on the personal life of others.

1. Scope:

It applies to all persons, natural or legal, who maintain professional, commercial or other relations with Noesis, even if temporary.

It applies to all employees and to the Board of Noesis.

It applies to all relations within the scope of Noesis' activity, whether they take place during or outside normal working hours, at the headquarters, in branches, on business trips.

It applies to relations within the scope of Noesis' activity whether they take place in person or through information and communication technologies.

2. Responsibilities:

Noesis, its Board and all employees are responsible for complying with a zero-tolerance policy regarding sexual and/or moral harassment practices, under the terms of this Code.

Noesis has defined an internal policy of zero tolerance to sexual and/or moral harassment at work, under the terms foreseen in this Code.

3. Application in the regulation of professional and/or commercial relationships:

The zero-tolerance commitment is an integral part of the procurement contracts for goods and services.

The zero-tolerance commitment is an integral part of labour contracts.

This commitment must be clearly assumed by all persons, including employees, clients and suppliers, and a copy of this commitment must be appended to all new contracts or other instruments that bind them mutually.

4. Reporting harassment

Any person covered by this Code of Ethics and Conduct who believes he or she has been or is being subjected to sexual and/or moral harassment should contact the Noesis "Harassment Protection Committee" (CPA):

Anyone covered by this Code of Ethics and Conduct must report an incident of harassment, whether they are the target or a witness.

Anyone wishing to report behaviour likely to constitute harassment can do so in the following way:

- Personally to a member of the CPA of Noesis;
- In writing to the e-mail assedio@noesis.pt;
- To the authority for Working Conditions (ACT), through the e-mail that can be found on the ACT homepage (<https://portal.act.gov.pt/Pages/queixa-denuncia.aspx>);
- From the Commission for Equality in Labour and Employment by email on the homepage (<https://assedio.cite.gov.pt/>)

People who report incidents of harassment are especially protected by Noesis from retaliation or attempted retaliation. Retaliation is a serious violation of this Code of Ethics and Conduct and, like harassment or discrimination itself, will be subject to disciplinary action.

5. Enquiry and resolution

In the event of a harassment situation, the procedure to be developed internally should be based on the following principles, applicable to all persons involved (whistleblower, reported person and witnesses):

- a) Equality and transparency of all procedures to all persons involved (whistleblower, accused and witnesses);
- b) The interest of all parties to act with the necessary discretion to protect each other's dignity and privacy;
- c) The non-disclosure of any information to other parties not involved in the incident;
- d) The Hearing and the fair treatment of all parties;
- e) The support of all complaints with credible and detailed information;
- f) The adoption of prompt and effective measures against the perpetrator(s) of proven harassment practices, including all legally prescribed disciplinary sanctions;
- g) The sanctioning of the author(s) of false accusations, including all disciplinary sanctions legally foreseen.

6. Sanctions

Employees involved in any behaviour prohibited by this Code, as well as those who make reports in bad faith, will be subject to disciplinary action.

The practice and attempt of sexual and/or moral harassment and retaliation by suppliers or clients of Noesis results in the immediate termination of the respective contracts for the supply of goods or services.

Repeated abusive behaviour by an employee (targeting the same or another person) may result in immediate termination of his/her employment contract or the termination of contracts for the supply of goods or services.

Any form of retaliation registered during the fact-finding process strongly increases the potential sanctions.

7. Procedure

Article 1

Informal Approach

1. In some cases, it may be possible to correct situations without going through all the formalities inherent to the procedure, namely when the "defendant" clearly does not perceive his behaviour as inappropriate or rejectable, and a direct, frontal and immediate approach that includes all intervening parties, may lead to an understanding about what happened and about the immediate and definitive cessation of the behaviour;
2. As a result of this type of approach the "Commission", together with the Hierarchical Superiors of those involved, must do everything possible to:
 - a. Prevent, eliminate and correct behaviour;

- b. Avoid Harm.
3. The existence of inappropriate behaviour after this informal approach, even if isolated, is an aggravating factor.

Article 2

Formal Procedure

In the event of an allegation of harassment, a disciplinary procedure shall be opened which, without prejudice to the rules contained in the Labour Code, shall comply with the following acts:

1. The employee must present and formalise his/her complaint in the most detailed way possible, consisting of a precise description of the facts constituting harassment at the workplace, the time and location of each event, the identity of the victim, the identification of witnesses;
2. The "Commission" will carry out the investigation of the complaints it receives, having at its disposal the necessary means, access to information and documentation that may be related to the case, and all human resources are obliged to collaborate;
3. The internal procedure should be confined to the knowledge of those involved and be appropriate to the seriousness of the facts alleged;
4. A report with conclusions is drawn up, which includes the facts, their legal framework, indicating if possible, aggravating or attenuating circumstances and proposing to the Board of Directors that a final decision be taken;
5. The procedure must be carried out within 30 consecutive days and is considered as a Preliminary Inquiry Process, suspending for this reason, the 60-day period for the opening of disciplinary proceedings, as of the knowledge of the facts by the "Commission".

Article 3

Rights of Workers who are victims of harassment

1. Receive compensation for all damages caused;
2. File a criminal complaint;
3. Compensation for damage arising from occupational diseases resulting from the practice of harassment;
4. Not be disciplined for reporting the harassment of which you are a victim, unless you act with the intention of harming your employer.

