

Protocol on unwanted behavior, including complaints procedure

Prevention of unwanted behavior

1. Within our company, aggression, (sexual) harassment, discrimination, bullying and any other forms of unwanted behavior are not accepted at any level. This policy aims to prevent and combat arbitrariness and/or careless treatment within our company. Employees who unexpectedly encounter such unwanted behavior will be given the opportunity to put an end to it.
2. Within our company, appropriate policies and measures are actively pursued to prevent and combat any aggression, violence, discrimination and (sexual) harassment at work.
3. The employer is obligated to implement a coherent policy that prevents and combats aggression, violence, discrimination, (sexual) harassment, and other forms of unwanted behavior.

Confidential Advisor for Unwanted Behavior

The confidential advisor is: Marjan Verhage, 06-20952838.

Responsibilities of the Confidential Advisor for Unwanted Behavior

1. The confidential advisor will listen, support, guide and provide advice to the person who has a complaint regarding aggression, violence, discrimination, (sexual) harassment, and other forms of unwanted behavior.
2. The confidential advisor will investigate the complaint in consultation with the complainant and try to find a solution to the reported problem in collaboration with the involved parties.
3. The confidential advisor will assist the complainant in filing a complaint with the company's own complaints committee and/or -if it concerns a criminal offense- in reporting the incident to the police, if desired.
4. The confidential advisor will not take any action to perform their duties without consulting and obtaining the consent of the employee who filed the complaint. The confidential advisor is solely accountable to the management for the execution of their duties, while respecting the confidentiality of the information. The employer must ensure that the confidential advisor is available for consultation in confidence, in writing, orally, and by phone.
5. The confidential advisor must also consider the rights of the (suspected) perpetrator when performing their duties.
6. The confidential advisor will advise the management and other relevant company departments on the prevention and combating of sexual harassment, both on request and unsolicited.

The Complaints Committee for Unwanted Behavior

1. The members of the complaints committee are:
 - Mark van Keulen
 - Erik Goedhart
2. Complaints can be submitted via the Discrimination Complaint Form.

Complaints procedure for unwanted behavior

1. Filing a complaint

A complaint about aggression, violence, discrimination, (sexual) harassment, and other forms of unwanted behavior is submitted in writing to the complaints committee by the complainant. The complainant and the person(s) who have been complained about will receive a copy of this chapter of the company rules that deals with the complaints procedure.

2. Anonymous complaints cannot be considered by the complaints committee.

3. Investigation

The complaints committee conducts an investigation into every complaint submitted to them regarding aggression, violence, discrimination, (sexual) harassment and other unwanted behavior. The complaints committee is entitled to all information from the employer that it needs in fulfilling its task.

4. Within 2 weeks of receiving the complaint, the complaints committee will separately interview the employee who submitted the complaint and other parties involved, including the person(s) who the complaint is about.

5. The complainant and the person who the complaint is about have the right to be assisted by a legal counsel and to have access to relevant documents. The complaints committee is obliged to hear both the complainant and the person who the complaint is about.

6. The committee is authorized to hear from others as well.

7. The committee may decide to have experts conduct an investigation. The employer will be responsible for the costs of this.

8. The complainant and the person who the complaint is about will be given the opportunity to become aware of each other's positions and to respond to them.

9. The meetings of the complaints committee are confidential.

10. A written report will be made of each meeting, which will be signed by all parties involved. If a party refuses to sign, the reason for this will be mentioned in the report.

11. After the investigation is completed, a written report will be prepared and sent to the management and directly involved parties.

Temporary measures

Both at the start of the procedure and during the investigation, the complaints committee may request the employer to make temporary arrangements. The employer will comply with this request if it is necessary for the well-being of the complainant and/or any other employee or person involved, including the person(s) about whom the complaint has been made.

Decision

1. The complaints committee shall provide a written report to the management as soon as possible, but no later than one month after the complaint has been submitted.

2. The report shall include at least:

- the name of the complainant
- the name of the person(s) against whom the complaint was made
- who was affected by the unwanted behavior
- a description of the complaint
- the committee's assessment of the credibility of the complaint

- a recommendation to the employer regarding measures to be taken (including any sanctions) in the specific case
 - a recommendation to the employer regarding measures to be taken in general
3. If the above-mentioned period is exceeded, the complainant and the person(s) against whom the complaint was made shall be informed of the handling time.
 4. A copy of the written report shall be sent to the persons concerned as well as to the confidential adviser if he or she was involved in the complaint.

Sanctions and Measures

1. Within 14 days of receiving the report from the complaints committee, the management will make a decision on the measures to be taken at an individual level. The management will take the advice of the complaints committee as a starting point. If the management deviates from the advice, it will do so in consultation with the complaints committee and will provide written reasons for its decision.
2. Depending on the severity of the complaint(s), the following sanctions may be imposed by the management on the person against whom a justified complaint has been made:
 - a written reprimand
 - suspension
 - official warning
 - transfer
 - dismissal
3. If it turns out that the expressed complaint is unfounded, the management will take the necessary measures to normalize the situation in the workplace. The complaints committee will be asked for advice on this.
4. If there is a deliberate false complaint, the management will take appropriate measures to rehabilitate the person against whom the complaint is directed. Appropriate measures will also be taken against the person who has deliberately filed the false complaint. The complaints committee will be asked for advice on this.

The Decision

A copy of the decision will be sent to the parties involved.

Disagree with the decision

If any of the parties involved disagree with the decision of the management, they can make a written objection with reasons directly to the management. The management will respond to the objection in writing within 14 days.

If the response of the management is not satisfactory to the party involved, they can approach the competent court.

Confidentiality

All parties involved must treat the information they receive as strictly confidential. This confidentiality does not apply to the advice of the complaints committee and the final decision of the employer, which is at the discretion of the management.