



Protocol to Prevent, Address and Eradicate Workplace Violence

Fibra Danhos

Administradora Fibra Danhos



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INTRODUCTION

Fibra Danhos (FD) is a Mexican Real Estate Investment Trust (REIT) established primarily to develop, own, lease, operate and acquire iconic and premier quality real estate assets in Mexico.

Administradora Fibra Danhos (AFD) is a subsidiary company of Fibra Danhos (FD), which, through a Management Agreement, and in accordance with the instructions of the Trust Technical Committee, is empowered to carry out all the necessary or convenient acts for the fulfillment of the Trust's purposes, including the hiring of personnel and contractual relationships with suppliers and service providers.

SCOPE

Establish actions for the implementation of procedures to prevent and address cases of workplace violence derived from the employment relationship, including mobbing, harassment and sexual harassment.

Objectives

- a)) Define the mechanism to provide assistance to the alleged victims of a workplace violence case.
- b) Promote an organizational culture of gender equality and a favorable working environment for the eradication of workplace violence.

REGULATORY FRAMEWORK

Constitución Política de los Estados Unidos Mexicanos

Articles: 1; 5; first paragraph; and 123, section A.

Ley Federal del Trabajo

Articles: 2, 3 fourth paragraph, 3 Bis, 47 section VIII, 51, section II, 132, section XXXI, 133 section XIII, 378, section IV, 523, 530, 536, 590-A, 684-E, 685 Ter , section I and, 994, section VI.

Ley Federal para Prevenir y Eliminar la Discriminación

Articles: 1, 2, 3, 4, 8 and 9.

Official Mexican Standard NOM-035-STPS-2018, Factores de Riesgo Psicosocial en el Trabajo- Identificación, Análisis y Prevención

Numbers 1 to 13.



REFERENCE FRAMEWORK¹

This protocol was made based on the "Modelo de Protocolo para Prevenir, Atender y Erradicar la Violencia Laboral en Los Centros de Trabajo " by the Ministry of Labor and Social Welfare (STPS) of March 2020.

REACH

This protocol covers all collaborators of Administradora Fibra Danhos and the employment relationships derived from them, in addition to the actions derived from the exercise of work.

GUIDING PRINCIPLES

This protocol is governed by the following guiding principles:

Dignity and defense of the person

Every person has the right to be protected against any act that affects their dignity, such as acts of workplace violence. This principle requires the adoption of protection measures for the people affected and is closely linked to the principle of confidentiality.

Healthy and pleasant environment

Every person has the right to carry out their activities in a healthy and safe environment that preserves their physical and mental health and that stimulates their development and professional performance.

Equal opportunities

Every person must be treated with respect in their workplace, with equal access to productive resources and employment.

Confidentiality

The procedures must maintain the confidentiality of the people involved in the processes at all times, and the dissemination of any information about the procedure is prohibited, including that which could make the participants identifiable.

Due diligence

The broad, effective, efficient and comprehensive performance of the actions carried out within the framework of the Protocol must be ensured, in order to guarantee the seriousness of the mechanisms that derive from it.

¹ La Secretaría del Trabajo y Previsión Social (STPS), Modelo de Protocolo para prevenir, atender y erradicar la violencia laboral en los centros de trabajo 1-48 (marzo 2020).

<https://www.gob.mx/stps/documentos/modelo-de-protocolo-para-prevenir-atender-y-erradicar-la-violencia-laboral-en-los-centros-de-trabajo>



No re-victimization

Avoid necessarily exposing the victims to remembering, verbalizing and exposing the facts of the case multiple times; likewise, it must act with respect for the presumed victims, taking into account the principle of personal dignity.

DEFINITIONS

Workplace Harassment (mobbing)

Form of violence that occurs in a series of events that aim to intimidate, exclude, opaque, flatten or emotionally or intellectually consume the victim, causing physical, psychological, economic and work-professional damage. This can be presented horizontally, vertically ascending or vertically descending, either in the workplace or outside it as long as it is linked to the employment relationship.

Sexual Molestation

Form of violence in which, although there is no subordination, there is an abusive exercise of power that leads to a state of defenselessness and risk for the victim, regardless of whether it is carried out in one or several events.

Attention and Follow-Up Committee

Committee made up of the collaborators designated together with the employers, in charge of attending and monitoring the application of this Protocol.

Sexual Harassment

Exercise of power, in a relationship of real dependency of the victim against the aggressor in the workplace. It is expressed in verbal, physical or both behaviors related to sexuality with a lascivious connotation.

Workplace Violence

It is exercised by people who have an employment relationship, regardless of the hierarchical relationship, consisting of an act or omission in abuse of power that damages the self-esteem, health, integrity, freedom and security of the victim, and prevents their development and attention against equality. It can consist of a single harmful event or a series of events whose sum produces the damage. The definition of workplace violence includes workplace bullying, sexual harassment, and sexual harassment.

Counseling Person

The person designated by AFD who will guide and accompany the alleged victim of workplace violence, in case he or she decides so.



Aggressor

The person who inflicted any form of workplace violence on a collaborator.

Alleged Aggressor

The person of whom acts of workplace violence against a collaborator are presumed, either in the workplace or outside, as long as it is linked to the employment relationship.

Alleged victim

The person who presumes their rights have been directly affected by being the object of an alleged act of workplace violence.

Victim

The person who has been directly or indirectly affected for being the object of a workplace violence act.

STRATEGIC ACTORS FOR THE IMPLEMENTATION OF THE PROTOCOL

Counseling Person

Profile of the Counselor

The collaborator designated as a counselor must have the following profile:

- Knowledge and/or training in issues of equality, non-discrimination and attention to cases of workplace violence.
- Use assertive communication and active listening.
- Build trust with other collaborators and respect their expressions of feelings and emotions, acting with empathy.
- Know and apply the guiding principles of the Protocol.
- Conduct yourself with humanity and respect for the dignity of other people.
- Does not have a history of having carried out discriminatory acts towards people in their work environment, or any type of other conduct indicated in this Protocol.

The counselor must sign a commitment letter (see Annex 1) endorsing her adherence to the guiding principles of this protocol, including the obligation to update and continuously train on issues related to her actions within the framework of this instrument.



Functions of the Counselor

The counselor will have the following functions:

- Provide first contact care and advice to the alleged victim on mechanisms for dealing with cases of workplace violence.
- Receive the complaint from any worker who presents the case.
- Carry out the actions indicated in the procedure.
- Guide and provide information on mobbing, sexual molestation and sexual harassment.
- Support in the accompaniment for the attention of the case of workplace violence, when the alleged victim so requests.
- In the event that a possible conflict of interest is identified by the Counselor, it must be communicated to the Attention and Follow-Up Committee, depending on the case that applies.
- Inform the Attention and Follow-Up Committee on the matter, as the case may be, for the analysis and implementation of the protection measures based on the provisions of this Protocol, within a period of no more than 5 business days.
- Follow up on the case of violence within the workplace.

Attention and Follow-Up Committee

Constitution of the Attention and Follow-Up Committee

The members of the Attention and Follow-Up Committee must have profiles that promote dialogue and conflict resolution. Likewise, it is essential that the Attention and Follow-Up Committee act under the guiding principles of this protocol with absolute transparency, time and manner, since it will be the instance of first contact and, on many occasions, for the resolution of cases.

Functions of the Attention and Follow-Up Committee

The Attention and Follow-Up Committee will assume the following functions:

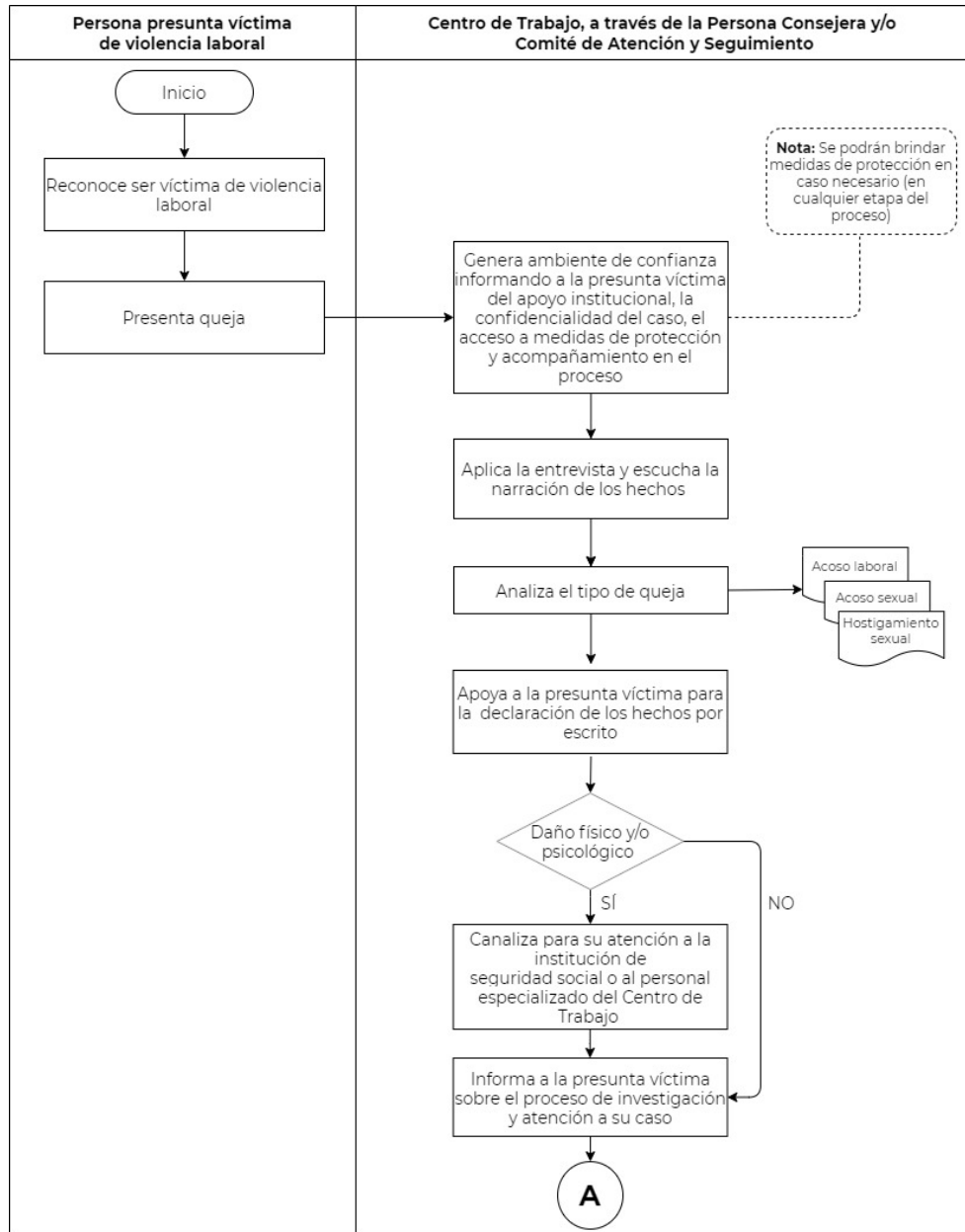
- Issue and adopt the protocol for the prevention, care and punishment of cases of workplace violence that includes mobbing, sexual molesting and sexual harassment.
- Determine the work plan for sensitization and training of committee members and staff.
- Know and pay attention to complaints about cases of workplace violence.
- Analyze cases of workplace violence and determine protection measures if deemed necessary.
- Act in accordance with the guiding principles of this Protocol.

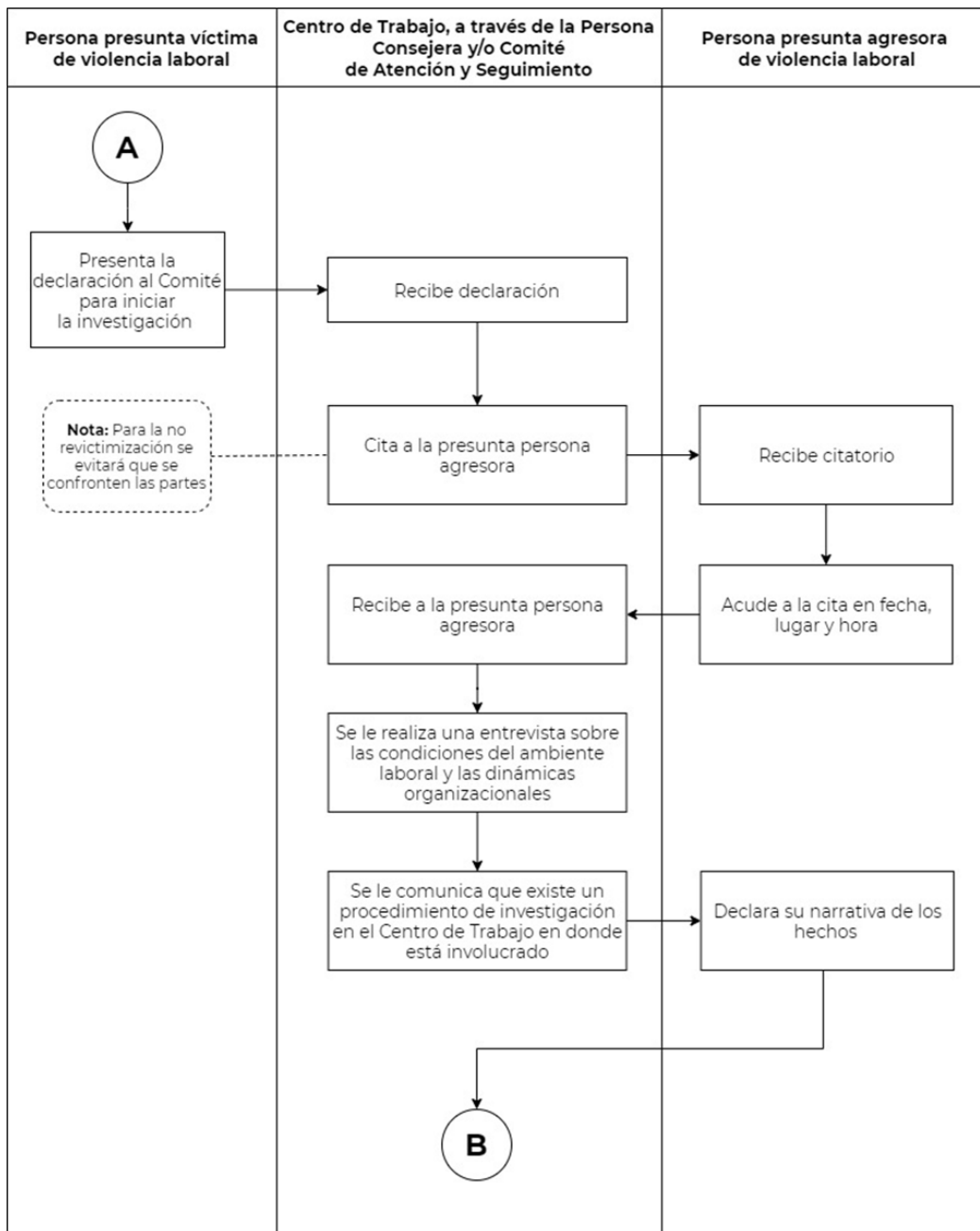
PROCEDURE FOR THE ATTENTION OF CASES OF WORKPLACE VIOLENCE

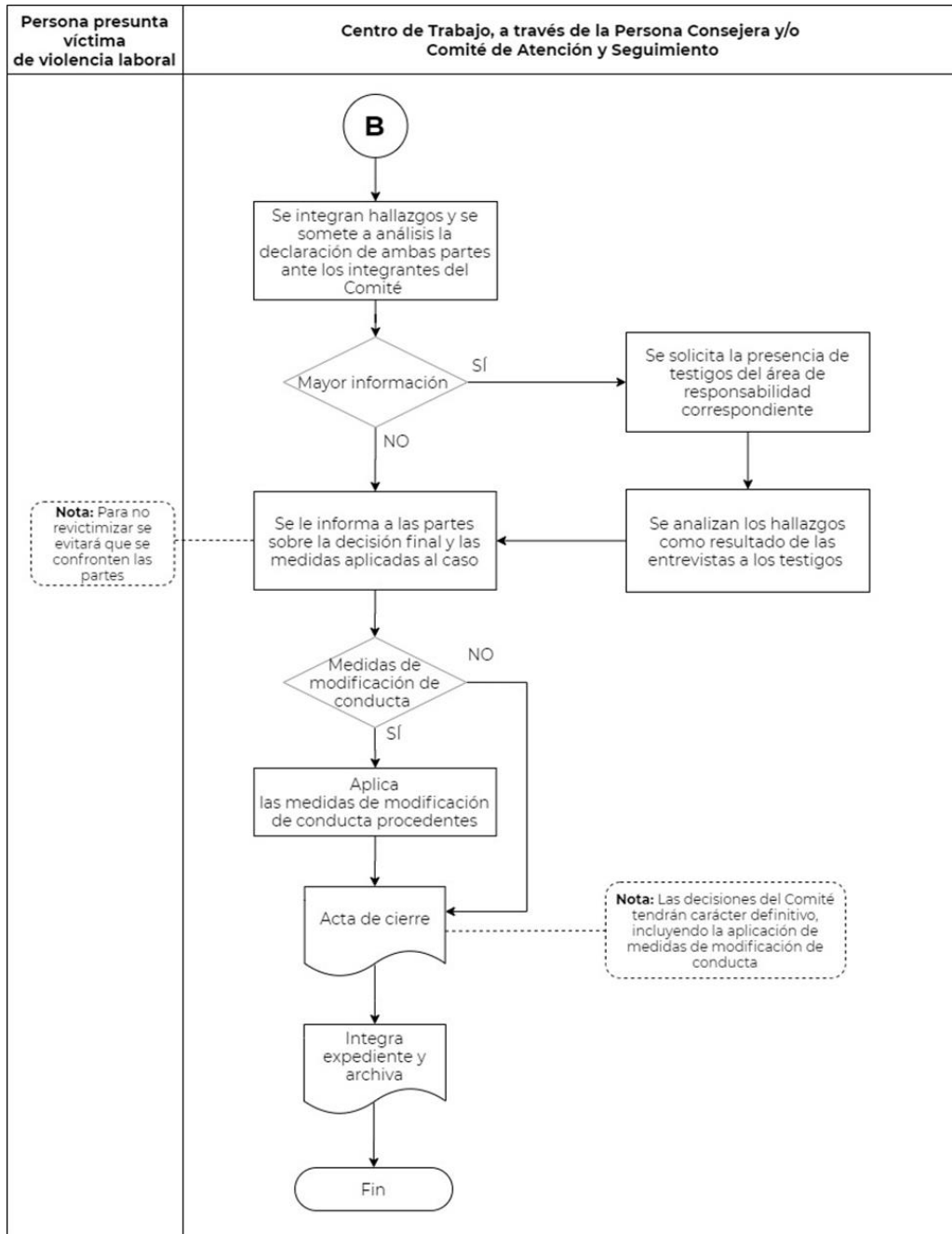
Attention mechanism

The alleged victim will have the right to choose the best option for the attention of the case, being able to choose not to make use of it and go directly to mechanisms and jurisdictional channels outside this one.

This protocol develops the procedure for resolving cases of violence through the Counselor and/or the Attention and Follow-up Committee, according to the following diagram (no translation available):







In the event that the alleged aggressor confirms his responsibility in actions of workplace violence with respect to the alleged victim, he must act in accordance to the following:

1. It is communicated that this type of behavior is not acceptable and that it needs to stop.
2. The behavior modification measures to which the aggressor is subject based on the decision of the Attention and Follow-Up Committee (according to the Protection Measures Proposal) is communicated.



3. The Attention and Follow-Up Committee will file the file of the case attended to.

To avoid re-victimization, the Counselor and/or the Attention and Monitoring Committee will prevent the Alleged Victim from facing the Alleged Aggressor.

In order to facilitate the procedures to be followed in the investigation stage, guides are included as annexes for conducting interviews in order to detect cases of mobbing, sexual molestation and sexual harassment (see Annex 3); in addition to a format proposal for the presentation of complaints of mobbing, sexual molestation and sexual harassment (see Annex 2).

PROTECTION MEASURES

Use of protective measures

They are those that can be determined by the Attention and Follow-Up Committee in order to avoid damage that is difficult to repair, which will be made known to those responsible for the different areas involved, including administrative or human resources areas.

Protection measures may be applied at any time during the procedure, in order to guarantee the protection of the alleged victim in the workplace.

For the determination and implementation of protection measures, the following principles must be followed:

- The veracity of the facts should not be prejudged.
- Prevent possible acts in which the alleged aggressor could retaliate against the alleged victim.
- Be empathetic with the parties and considerations of the case.

Likewise, the alleged aggressor may be required to refrain from behaviors of mobbing, sexual molestation or sexual harassment.

Proposal of protection measures

The following protection measures may be applied separately or jointly, in order to protect the alleged victim, addressing the complaint and in order to create an appropriate work environment.

- a) Apply awareness actions to a particular business area.
- b) Evaluate possible physical relocation or change of area of the alleged victim or the alleged aggressor.
- c) Explore a change in the working hours of any of the people involved, in order to provide security and confidence in the environment.



- d) Other measures that the Committee considers contribute to the protection of the alleged victim and the work environment.

MEASURES FOR BEHAVIOR MODIFICATION

Use of Behavior Modification Measures

The measures for behavior modification will be determined by the Attention and Follow-Up Committee when the facts contained in the victim's complaint are confirmed.

These measures will have the purpose of modifying the behavior of the aggressor in front of the victim and the rest of her colleagues and co-workers.

Proposal of measures for behavior modification

The following measures for behavior modification may be applied separately or jointly, based on the merits of the complaint to protect the victim and in order to promote an appropriate work environment.

- a) Courses and workshops to raise awareness about workplace violence, harassment and sexual harassment, as appropriate for the aggressor.
- b) Awareness actions for employees in the area affected by the conduct of workplace violence.
- c) Evaluate the physical relocation or change of area of the victim or aggressor, as deemed appropriate.
- d) Explore the victim's or aggressor's schedule change.
- e) Termination of the employment relationship of the aggressor.
- f) Other measures, which are considered for the modification of the behavior, including the private warning to the aggressor.

Likewise, the strengthening of the work environment and the organizational climate of the affected business area will be sought, through the following activities, which may be applied separately or jointly, in response to the complaint:

- a) Actions to raise awareness in the affected area by the conduct of workplace violence.
- b) Dissemination of the procedure for dealing with cases of workplace violence based on the Protocol.
- c) Other measures that are considered to improve the work environment and organizational climate of the affected area.



RESOLUTION OF THE PROCEDURE

For the resolution of the procedure, the Attention and Follow-Up Committee will review the evidence and the narrative of the facts to make a decision. Said decision will be embodied in a closing document, indicating the Committee's decision, the narrative of the facts, the protection measures and behavior modification established for the parties, in addition to its final and binding nature.

Finally, the Attention and Follow-Up Committee must take care of the privacy of the case, so that, regardless of its resolution, the integrity of the parties is protected.