



**PROTOCOL FOR THE PREVENTION, SANCTIONING AND ERADICATION
OF MISTREATMENT, WORKPLACE HARASSMENT AND SEXUAL
HARASSMENT.**

PRELIMINARY CONSIDERATIONS

GENERAL PROVISIONS

Consistent with Masisa's vision, mission, attributes and business principles, in addition to the organization's commitment to creating a healthy and safe work environment based on respect for human rights, it has begun an internal awareness process on the issues of violence, mistreatment, and workplace and sexual harassment, and for this reason it has defined having a protocol in place as a matter of priority.

PURPOSE OF THE PROTOCOL

To create a tool that orients and guides the implementation of preventive measures and enables the reporting, investigation and sanctioning of abusive conducts and sexual and workplace harassment. The purpose of said protocol is to promote the prevention and eradication of such behaviors and to generate a healthy and safe work environment based on respect for human rights and other policies implemented by Masisa, which are an essential part of this instrument.

TITLE ONE

LEGAL FRAMEWORK

The regulations on which the protocol is based and which provide support for its implementation must be incorporated by each country.

SCOPE OF APPLICATION

The persons to whom the regulation applies must be indicated. Likewise, for each country the recommendation is to adjust the individualizations or denominations according to the applicable regulations.

Proposal:

- A. To employees with an indefinite and fixed-term employment contract.
- B. To interns, in accordance with the provisions of Book I, title II, chapter one of the Labor Code.

This protocol will apply to persons indicated above who engage in any of the behaviors regulated herein at any of Masisa's units or outside of them, during the fulfillment of their functions or tasks. It will also be applied when the behaviors take place in activities convened by the institution or any of its units, whether they are of a labor nature or of an extracurricular nature.

Likewise, this protocol will be applied in the case of people outside the company who are linked by virtue of a service agreement, in the case of being affected by any of the behaviors regulated in it and in the case that they are committed by the persons indicated above, or the persons specified above are those affected by it.

TITLE TWO

CONCEPTUAL FRAMEWORK

For all purposes of this protocol, the terms below shall be understood according to the following:

- **Mistreatment:**
 - **Definition:** Any manifestation of abusive and serious conduct, especially in terms of behavior, words, acts, gestures, writings or omissions, which may attack the personality, dignity or physical or mental integrity of one or more people, endangering their employment or affecting or degrading the work environment.
 - **Characteristics:** Within the **characteristics** of this type of abuse, the following, among others, exist:
 - Presents as serious aggression over time.
 - Involves behavior that may be overt or silent.
 - Affects the dignity or integrity of people.
- **Workplace Harassment:**
 - **Definition:** Any conduct that constitutes repeated aggression or harassment, exercised by the employer or by one or more employees, against another or other employees, by any means, and that causes impairment, mistreatment or humiliation with regard to the affected person, or that threatens or harms his or her employment situation or employment opportunities and that is not of a sexual nature. Behaviors that constitute workplace harassment are, in particular, situations that involve physical aggression towards the affected worker and aggression of a psychological nature, whatever the means by which such aggression or harassment is carried out and that produces an impairment, mistreatment or humiliation.
 - **Characteristics:** Within the characteristics of this type of harassment, we can mention the following:
 - The conduct is selective, it is specifically oriented towards one or more employees, the employer or the direct supervisor.
 - The action can be overt or silent.
 - Its goal is to wear down the victim(s).
 - The harassment is repeated over time.
 - It affects people's dignity, it constitutes a serious action that degrades those who suffer it.
- **Types of workplace harassment.**
 - **Descending vertical:** in which the harasser occupies a higher position than the alleged victim, such as his or her boss.
 - **Upward vertical:** exercised by one or more harassing persons against the alleged victim who is in a higher position, for example, groups of employees conspiring to harass the leadership.
 - **Horizontal:** exercised by one or more harassers against the alleged victim who does not have leadership functions with respect to such harasser(s) and who is not included in the hypothesis of downward workplace harassment as, for example, a worker who harasses another man or woman who is not his or her boss.

- **Examples of workplace harassment.** Abusive conduct may be manifested through behavior, words, acts, gestures, and/or in writing. By way of example, the following behaviors can be pointed out, including but not limited to:

- Yelling, whispering or insulting the alleged victim when he/she is alone or in the presence of other people.
- Continuously threatening and/or intimidating the alleged victim.
- Treating the victim in a different or discriminatory way, with the aim of stigmatizing them in front of others.
- Selectively and disproportionately overloading the victim with a lot of work.
- Ignoring or excluding, speaking only to the other person(s) present, acting as if the victim doesn't exist.
- Inventing and/or spreading stories of non-existent situations or malicious or slanderous rumors that damage the reputation, honor, dignity or image of the alleged victim – personally, in the family, or at work.
- Maliciously ignoring, minimizing or making the victim's professional successes invisible, or attributing them to another person(s), or to elements unrelated to the victim, such as chance or luck.
- Ridiculing the victim's work, their ideas or the results they have obtained in front of other employees.
- Assigning tasks and goals with impossible deadlines.
- Arbitrarily removing areas of responsibility, substituting other tasks or not assigning any work.
- Arbitrarily modifying the alleged victim's powers, functions and/or responsibilities without previously informing them.
- Withholding information crucial to the victim's work or manipulating the victim in order to mislead them and then accusing them of negligence or professional misconduct.
- Harshly punishing or preventing any decision-making or personal initiative within the framework of their powers.
- Making fun of a worker's sexual orientation.
- Making fun of a worker's disability.
- Repeatedly sending emails, text messages, WhatsApp or any other communication by digital means that is contrary to the dignity of one or more people.
- Making phone calls in order to humiliate, undermine or assault a person.

- **Workplace sexual harassment:**

- **Definition:** Any conduct or behavior that a person performs improperly, by any means, making requests of a sexual nature, not consented to by the person at whom it is directed, and that threatens or harms their employment situation or their employment opportunities.

Behaviors of sexual harassment at work will constitute, in particular, the following: gestures, smirks, telephone calls, emails, messages, letters or personal letters, invitations that insinuate or contain proposals of a sexual nature, groping, cornering, holding the harassed person, pressurizing, threatening and, in general, any hostile, intimidating and offensive action or conduct that, by any means, tends to encourage or insinuate a relationship of a sexual nature.

- **Characteristics**

Distinguishing some elements that emerge from the definition of sexual harassment, it is possible to mention the following:

- **Request of a sexual nature:** Existence of a request of a sexual nature.
- **Performed by a person:** Meaning that sexual harassment includes not only harassment from a man towards a woman, but also from a woman towards a man and between people of the same sex. Sexual

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harassment can be considered as another form of gender-based discrimination, both from a legal perspective and in this particular matter.

- **Without consent:** Lack of consent is a determining factor of sexual harassment, that is, when the person subject to a request of a sexual nature responds and accepts of his/her own free will, he/she cannot subsequently allege being a victim of sexual harassment.
 - **By any means:** The behaviors constituting harassment are not limited to approaches or physical contact, but include any action of the harassing person towards the alleged victim that may represent an inappropriate sexual request. These types of actions can be carried out through the use of information and communication technologies.
 - **With threat of harm to work or job opportunities:** when a person's rejection of or submission to such conduct is used explicitly or implicitly as the basis for a decision that affects the work of that person, such as access to training or employment; employment continuity; promotion; salary; or any other employment-related decisions. It is conduct that creates an intimidating, hostile or humiliating work environment for those who suffer from it.
- **Examples of sexual harassment.** Behaviors and examples of sexual harassment. Although they do not make up a closed list, the following are indicative of this type of conduct:
 - **Physical behavior of a sexual nature:** Unwelcome physical contact, which can range from unnecessary touching, patting, pinching, or rubbing another person's body, to attempted rape or coercion (compulsion) into sexual intercourse.
 - **Verbal conduct of a sexual nature:** Unwelcome sexual advances, propositions or pressure for sexual activity, offensive flirtations, suggestive or obscene comments.
 - **Non-verbal behavior of a sexual nature:** Display of sexually suggestive or pornographic photos, objects or written materials, obscene stares, whistles or gestures suggestive of sex.
 - **Behaviors based on sex that affect the dignity of the person at the workplace:** This is conduct of a sexual nature that demeans, intimidates or is physically abusive, such as insults related to sex, offensive comments about appearance or clothing, etc.
 - **Spreading rumors about people's sex lives.**
 - **Communications, letters, notes or messages through telephone calls, emails, WhatsApp, or other similar of sexual content and offensive nature.**
 - **Usage of images, graphics, cartoons, photographs or drawings content sexually explicit or suggestive.**
 - **Complaint.** Denouncement made by one or more persons to the authorities or through the corresponding official channels, reporting the occurrence of one or more events that may constitute mistreatment, workplace harassment or sexual harassment.
 - **Complainant:** Person, be it the affected party or a third party, who reports the mistreatment, workplace harassment or sexual harassment, through a complaint, in order to obtain the intervention of the company.
 - **Denounced person:** Person whose alleged conduct is the subject of the complaint for mistreatment, workplace harassment or sexual harassment.
 - **Affected person:** Person on whom the conduct constituting mistreatment, workplace harassment or sexual harassment falls, whether or not they are a company employee.

- **Deadlines:** The deadlines indicated in this protocol will be of business days. Saturdays, Sundays and holidays are non-business days.

GUIDING PRINCIPLES OF THE PROTOCOL

The procedure established in this protocol, as well as all the actions that comprise it, must respect the following guiding principles:

- A. **Confidentiality:** The process of reporting and investigating behaviors constituting workplace and/or sexual harassment, incorporates as a fundamental basis the duty of prudence and discretion, especially, in whoever assumes the responsibility of complying with the procedure, in the relationship with those involved, in their general actions and regarding the information they become aware of, so that the employees have a guarantee of privacy and confidentiality in the process.
- B. **Impartiality:** It must be ensured and guaranteed that the process is characterized by objective and well-founded judgments, without bias or stigmatizing behavior for any of the parties involved, avoiding all types of discrimination, such as gender, sexual orientation, beliefs, religion, ethnic origin, disability, nationality or others of a similar nature.
- C. **Speed:** The nature of this procedure makes it necessary to work as quickly as possible, avoiding the bureaucratization of the processes, considering that slow action decreases the assessment of the degree of guilt, often undermining the corrective and restorative purposes that are pursued. In addition, the procedure must be developed and concluded within the terms expressly established in this protocol.
- D. **Responsibility:** The complaint must be made with all the corresponding seriousness, knowing that, in the face of a false complaint, based on arguments, evidence or others that are proven false, the complainant may be subject to disciplinary measures, after the instruction of a prior investigative procedure.
- E. **Due Process:** In any labor and/or sexual harassment investigation, the principles of due process will be respected: right to defense, presumption of innocence, pre-existence of the sanctions that will be applied, right to appeal and right to know the content of the complaint.
- F. **Proportionality:** In this procedure, before any measure that may affect a fundamental right, the restriction that is intended to be adopted must be weighed, taking into account the assessment of the means used (constriction of the fundamental right) and the purpose desired (exercise of one's right). When applying any sanction, the seriousness of the conduct, as well as the existence of mitigating and aggravating circumstances, must be considered with respect to the accused.
- G. **Prevention:** The procedure must allow all persons to whom it is applicable in the organization to identify behaviors that violate dignity, provide guidelines and technical specifications for a complaint and investigation process, and detect and mitigate risk factors in the work environment, in order to prevent and protect an environment free of harassment, violence and arbitrary discrimination, whether for reasons of sex, gender or sexual orientation or of any nature. Likewise, it tends to modulate behavior based on what is permitted and prevent any attacks on dignity.
- H. **Gender Equality:** Understood as equal rights, responsibilities and opportunities for women and men or people of different genders (LGBTQ+), which are guaranteed through equitable mechanisms that consider equivalent treatment in terms of rights, benefits, obligations and opportunities.

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- I. **Dignity and Integrity of people:** The purpose of the procedure is to protect people's dignity, so the application of any measure and development of any procedure, should try not to affect the dignity of any of the people involved in it. The victim, complainant, denounced, witnesses, and those responsible for applying the procedure, cannot be subjected to mistreatment of any kind, being prohibited from carrying out intimidation, harassment, interference or threats; in order to influence the outcome of the investigation.
- J. **Collaboration:** Every person who works in the company, regardless of their position and type of contract, has the duty to collaborate with the investigation, when handling background information that can be contributed to the investigation.

TITLE THREE

PREVENTION MEASURES

In order to prevent behaviors or situations potentially constituting mistreatment, workplace and sexual harassment, Masisa will establish the following measures:

- A. It will promote an environment of respect and correctness in the workplace, instilling in all employees the values of equal treatment, respect, dignity and free development of the personality.
- B. Everything pertinent to the subject will be incorporated into the current induction program, with the aim of orienting and guiding employees in matters of mistreatment, workplace and sexual harassment, explicitly making known the values and principles that must be respected in the company, regarding these matters.
- C. Dissemination of the rights of victims and explanation of the institutional mechanisms for prevention, support of victims and complaints.
- D. Periodic training workshops that raise awareness and empower people in situations of sexual violence.
- E. Carry out internal communication campaigns that reinforce and raise awareness of the organization's commitment to generating a healthy and safe work environment based on respect for human rights and the eradication of violence, mistreatment, workplace harassment and sexual harassment within the company.
- F. The Company prohibits insinuations or statements that are contrary to the principles outlined, expressed in words as well as in communications and attitudes.

TITLE FOUR

PROTECTION MEASURES AND PROCEDURE FOR THE INVESTIGATION, PUNISHMENT AND REPORTING OF ABUSE, WORKPLACE AND/OR SEXUAL HARASSMENT.

In this title, there are differences according to country, so it is recommended that each country adjust deadlines and procedures according to applicable regulations.

PURPOSE OF THE PROCEDURE

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The purpose of the procedure is to establish a guideline for rapid, efficient action – and for it to be within the reach of all employees, and, in general, of any person who becomes aware of the existence of any of the behaviors defined in the Conceptual Framework of this protocol, to request that the company intervenes in order to protect the integrity of the affected person, determining the possible responsibilities of the people who may be involved and applying the corresponding disciplinary measures or sanctions.

COMPLAINT

- Any employee of the Company who suffers or knows of facts that may constitute abuse, sexual or labor harassment, has the right to report them to the General Manager, Country Manager, People, Culture and Communications Department, Legal Department, Audit Department or to the complaint channel principios@masisa.com, specially enabled for this, or to the Labor Directorate, when appropriate, according to applicable regulations.
- The complaint addressed to the General Manager, Country Manager, People, Culture and Communications Manager or the Legal Manager of Masisa, as appropriate, must indicate the following:
 1. Date and place where the accused behavior takes place.
 2. Name, national identity card of the complainant, position held in the company, and a specification of their hierarchical relationship with the accused and signature of the complainant.

Without prejudice to the duty to protect confidentiality, which is specific to this protocol, the identification of the complainant will be an essential requirement for the complaint, since the complainant will have to provide the minimum information required by the Company. When the complaint is made electronically, the complainant must attach the form or instrument containing the complaint, digitally signed or scanned and physically signed.

3. Identification of the accused person.
4. The description of the facts, date and place in which such behavior occurred.
5. Attach or mention the evidence and supporting documents, when possible.

In the event that the complaint fails to comply with the aforementioned, he/she will be requested to provide the missing information within a period of (number of business days defined by country), being warned that the failure to do so will be understood as he/she deciding to withdraw such complaint.

- To file the complaint, Masisa will provide a digital form on its portal <https://corporativo.masisa.com/nuestra-empresa/gobierno-corporativo/canal-de-denuncia/>, which will contain minimum requirements, and will be disseminated and made available to all people who work in the company or interns or third parties related to the Company by virtue of a contract.
- The General Manager, the People, Culture and Communications Manager and/or the Legal Manager, may **report the case to the respective Labor Directorate within (business days, as defined by country) counted from the complaint**, in cases where they believe that it is better for the investigation, or that they are unable to carry out the investigation due to the content of the complaint, or when they consider that the Company does not have qualified personnel to carry out the investigation.

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- Any complaint made in the terms indicated in the preceding point, **must be investigated by the Company within (business days, as defined by country)**, designating for this purpose an impartial, internal or external and duly qualified person to know these matters.
- Once the complaint is received, the investigation will be carried out internally, the internal or external investigator(s) will be appointed, who will have **(business days, as defined by country) counted from receipt of the same**, to start with the investigation.
- Within the same period, the investigator must personally notify the parties of the beginning of the investigation procedure and immediately set the date or dates to hear the parties involved so that they can provide evidence to support their position.
- The investigator or investigators, according to the initial information they hold, will request that the General Manager and/or respective Manager adopt precautionary measures, such as the separation of the physical spaces of those involved, the redistribution of the working day or that one of the parties works in another place, depending on the seriousness of the reported facts and the consequences derived from their working conditions.
- The investigation process shall be recorded in writing, leaving a record of the actions carried out by the investigator, of the statements made by those involved, the witnesses and the evidence that was presented by the parties.
- In these procedures, the suspension of the investigation will not proceed.
- The procedure will be strictly confidential and due process will be guaranteed to both parties.
- Once the information collection stage is over, the investigator will proceed to issue his report on the facts, which may or may not constitute abuse, sexual harassment or workplace harassment.
- The report will contain the identification of the parties involved, a list of the facts, the individualization of the witnesses who testified and the other evidence provided by the parties and the measures or sanctions that are proposed for the case.
- The following shall be considered as aggravating circumstances:
 - Repetition of the conduct, i.e., the accused person having been previously sanctioned for any of the conducts described in this protocol.
 - The existence of asymmetry of power between the affected and the accused person.
 - The event that two or more people jointly committed the conduct constituting mistreatment, workplace or sexual harassment.
- The report with the conclusions reached by the investigator or investigators, including the proposed measures and sanctions, must be delivered to the General Manager and/or Country Manager of the Company **no later than (business day, as defined by country)**, counted from the beginning of the investigation and will be notified personally to the parties or by certified letter sent to the address indicated in the employment contract.

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- The General Manager and/or Country Manager may approve the report or request clarifications or new proceedings that it deems pertinent.
- Those involved may make observations and provide new information through a written document addressed to the investigator(s) within **(business days, as defined by country)** of the date on which the report was notified to them.
- The investigator(s) will appreciate the new information ratifying or modifying its original report and notifying the parties in the manner indicated above.
- The report and all background of the investigation will be sent to the Labor Directorate or competent agency in accordance with the regulations of the respective country within **(business days, as defined by country)** of the expiration of the term of (business days of the duration of the investigation or its completion, if it has been completed before the aforementioned deadline of **(business days, as defined by country)**).
- The observations made by the Labor Directorate, or the appropriate agency according to the regulations of the respective country, will be considered by the Management of the Company, making the pertinent adjustments to the final report of the investigator(s). The final report, which will contain the observations of the Labor Directorate or competent agency, will be notified to the parties within (business days, as defined by country) of receiving the observations of the respective Labor Directorate or competent agency, if appropriate according to regulations, personally or through registered letter.
- The final measures and sanctions proposed will be applied within (business days, as defined by country) of the notification of the final report to the respective parties.
- If the sanction is the application of a fine, the affected party may use the general appeal procedure for this type of sanction established in the internal regulations or pertinent laws.

FALSE, UNFOUNDED OR MALICIOUS COMPLAINTS

In the event that it is found that a complaint is manifestly unfounded, maliciously false or made with the sole intention of harming the accused, the provisions included in each Internal Order, Hygiene and Safety Regulation / Internal Regulation / Regulation / or each country's regulations shall apply, in order to determine the eventual liability of the people who are involved and apply the corresponding disciplinary measures.

SANCTIONS FOR MISTREATMENT, WORKPLACE AND/OR SEXUAL HARASSMENT

Adjust measures according to the regulations of each country.

In the event that any mistreatment, labor and/or sexual harassment conduct is considered to be proven, given the seriousness of the facts investigated, any of the sanctions established in each Internal Regulation or pertinent law may be applied individually or collectively.

The sanction applied must be related, proportional and adjusted to the alleged facts. The sanctions will be applied by taking into account the respective mitigating and aggravating circumstances of the case.

CONTRACTOR COMPANIES / TRANSITORY SERVICES COMPANIES

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Adjust according to the regulations of each country, if applicable.

The obligation for the service provider to respect the principle of probity and the prohibition of engaging in conduct constituting mistreatment, workplace and/or sexual harassment (which are regulated in this protocol) will be included in the respective contracts signed with them. If behavior constituting mistreatment, workplace and/or sexual harassment is proven and it is attributable to the service provider, it will constitute a serious breach of the contract, which will allow Masisa to terminate the respective contract without the need for any court decision to that end, having to pay the services provided up to that date, without prejudice to its power to file the respective legal actions.

OTHER MEASURES RELATED TO THE WORK ENVIRONMENT

The People, Culture and Communications Department, together with the corresponding Department, may propose the necessary measures for restoring a healthy work environment and mutual respect in the affected area, such as, for example, periodic meetings between the responsible heads and the employees in order to deal with these issues, including those related to prevention to protect dignity and psychophysical integrity, as well as those measures that involve preventing and eradicating other types of negative behavior in the work environment. The measures indicated in the previous paragraph could be decreed whether or not there is an ongoing investigation procedure. In the measures that are adopted, special emphasis will be placed on working with the affected teams, when appropriate, on strategies to transform the institutional culture, with an emphasis on gender equality and non-discrimination.

DUTY OF CONFIDENTIALITY AND RESPECT

The information received during the application of this protocol and the development of the respective investigations, shall be kept confidential.

This duty will include, particularly, the identity of the complainant, the accused, the affected person and those who have knowledge of the facts.

Likewise, any employee that carries out any of the actions described in this Protocol or that intervenes in the disciplinary procedures that are eventually instructed in this matter, will have to protect the information pertaining to the complainant, the accused, the affected person and the people who have knowledge of the facts, as well as the secrecy of the investigation, when appropriate.

NO RETALIATION

To be decided for each country.

Any measure of dissuasion, censorship or reprimand against the allegedly affected person, the persons who make the complaints, testify, help or collaborate in the investigation of the reported facts will be prohibited. In the event of non-compliance with the aforementioned prohibition, the provisions contained in the Internal Regulations or pertinent laws shall apply.

GENDER APPROACH IN THE PROCEDURE

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The people involved in the complaint, investigation and sanction procedures must be trained in gender equality and be recognized by the employees in this regard. The key person involved in the application of the procedure must have awareness and training in gender equality and irreproachable conduct in these matters.

VALIDITY

This protocol will take effect from January 2022.

The investigative procedures for mistreatment, workplace harassment and sexual harassment that have been initiated prior to the entry into force of this protocol will continue to be followed in accordance with the rules in force on the date of their initiation.

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TITLE FIVE

FINAL PROVISIONS

Transitory provisions for a better understanding or application of the protocol may be incorporated hereto.

VALIDATION PROCESS

Function	Name	Position	Date
Prepared by	Margarita Celis Rocío Labra	Head of Social and Environmental Management Head of Development and Culture Protocol Workgroup	November 2021
Reviewed by	Paula Rodriguez	Labor Relations Specialist Attorney	November 2021
Approved by	Zoraida Cabrera	People, Culture and Communications Manager	December 2021
Effective Date: January 2022		Version: 0	

CHANGE CONTROL

Reason	Responsible	Date
Review and incorporation of IDB observation	Margarita Celis	March 2022
Approved by: Zoraida Cabrera People, Culture and Communications Manager		April 2022
Effective Date: April 2022	Version 1	