

I. OBJECTIVE

The purpose of this Policy is to establish the measures to prevent, investigate and sanction sexual harassment at ENGIE ENERGÍA PERÚ S.A. (hereinafter referred to as the "Company") and regulate the procedure for investigating and sanctioning sexual harassment.

The Company seeks to promote a healthy work environment and is therefore committed to promoting and establishing measures to prevent any sexual harassment act against its workers and, in general, all people under the scope of this Policy.

II. SCOPE

The provisions of this Policy are applicable to all workers of the Company. Additionally, according to their contractual relationship with the Company, this Policy will also be applicable to people under labor training modalities, personnel from outsourcing companies or service companies assigned to the Company's workplaces, and people under other contractual modalities that provide services at the Company's workplaces.

III. APPLICABLE REGULATIONS

- Single Revised Text of Legislative Decree No. 728, Productivity and Labor Competitiveness Law, approved by Supreme Decree No. 003-97-TR (hereinafter "LPCL").
- Law No. 27942, Law on Prevention and Punishment of Sexual Harassment (hereinafter the "Law").
- Supreme Decree No. 014-2019-MIMP, Regulation of Law No. 27942 (hereinafter the "Regulation").
- Law No. 30364 "*Law to prevent, sanction and eradicate violence against women and members of the family unit*".
- Regulation of Law No. 30364, Supreme Decree No. 009-2016-MIMP.
- Internal Work Regulation (RIT for its acronym in Spanish) of the Company.

IV. GLOSSARY OF TERMS

- **Behavior of a sexual nature:** Behaviors or physical, verbal, gestural acts or other sexual connotation, such as comments and insinuations; lewd remarks looks; exhibition or exposure of pornographic material; touching, rubbing or brushing against another person's body; sexual advance or proposition; visual contact; and others of similar nature.
- **Sexist behavior:** Behaviors or acts that promote or reinforce stereotypes, based on which women and men have attributes, roles or their own spaces, that imply subordination of one sex or gender to the other.
- **Whistleblowing Report / Complaint:** Submitted by the person (male / female) who considers himself/herself to be the victim of a sexual harassment act, in order to conduct an investigation and apply the corresponding sanctions. It may be verbally or in writing.
- **Whistleblower / Complainant:** Person (male or female) who files the report / complaint as he/she considers himself to be the victim of sexual harassment.
- **Respondent:** Person (male or female) against which a sexual harassment complaint is filed.
- **Sexual harassment:** Form of violence that is perpetrated through a conduct of a sexual or sexist nature that is unwelcomed or unwanted by the person against whom it is directed. It may create an intimidating, hostile or humiliating working environment for the recipient or it may affect the working, training or other situation of the recipient, but such consequences are not necessarily required. The express refusal of the targeted person or the repetitiveness of the conduct are not required to be evidenced. Additionally, sexual harassment occurs regardless of any hierarchy degrees between the harassed and the harasser or whether the sexual harassment act occurs during or outside training or working hours, or inside or outside training or workplaces.
- **Harasser:** Person (male or female) who commits one or more acts of sexual harassment against another person, whose responsibility has been determined after the corresponding investigation procedure.

- **Harassed:** Person (male or female) who is the victim of one or more acts of sexual harassment, duly validated after the corresponding investigation procedure.
- **Relation of authority:** It refers to any relationship existing between two people where one of them has power of direction over the activities of the other person or has an advantageous situation in relation to the other person. This concept includes the relationship of dependency.
- **Relation of subjection:** It refers to any relationship that originates within the framework of the rendering of services, training, coaching or similar services, where one person has power to influence another.
- **Advantageous situation:** Situation occurring in a relationship where there is no position of attributed authority, but where one person has power to influence another, even if the persons involved in an act of sexual harassment have the same position, level or hierarchy.

V. PRINCIPLES

This Policy is governed by the following general principles:

- a) **Principle of dignity and defense of people:** Any person involved in the prevention and punishment of sexual harassment shall act taking into account that the human person and the respect of his/her dignity are the ultimate objectives of the society and the State.
- b) **Principle of enjoying a healthy and harmonious environment:** All people have the right to perform their activities of any nature in a healthy and safe environment, so as to protect their physical and mental health, and their professional development and performance.
- c) **Principle of equality and non-discrimination for gender reasons:** Equality among people shall be guaranteed, irrespective of their sex or gender.
- d) **Principle of respect of personal integrity:** Any person involved in the prevention and punishment of sexual harassment shall guarantee respect of the physical, psychological and moral integrity of the parties involved.
- e) **Principle of immediate and timely intervention:** All people involved in the prevention and punishment of sexual harassment shall intervene in a timely manner, promptly instructing the performance of measures to prevent acts of sexual harassment, as well as measures to protect the harassed person.
- f) **Principle of confidentiality:** The information contained in the sexual harassment investigation procedures is confidential, nobody can provide or disclose information, save for legally established exceptions.
- g) **Principle of due process:** Those participating in sexual harassment investigation procedures have all the rights and guarantees inherent to the due process, which comprises the right to present arguments, offer and produce tests, obtain a grounded and founded decision within a reasonable period of time, and all those attributes deriving from their essential content.
- h) **Principle of officio promotion:** All those involved in the investigation and punishment of sexual harassment shall direct and promote ex officio the procedure and instruct the performance or execution of acts, as well as obtain tests as may be convenient for the clarification of the events and resolution of the procedure.
- i) **Principle of informality:** All those involved in the investigation and punishment of sexual harassment shall interpret the rules contained in applicable laws in the most favorable way to the admission and final ruling on the complaint or report without affecting the rights and interests of the whistleblower or complainant and respondents, due to formal aspects that can be remedied within the procedure.
- j) **Principle of expediency:** All those involved in the investigation and punishment of sexual harassment shall adjust their actions so as to avoid procedural actions hindering the development of the procedure or constituting mere formalisms in order to reach a decision within the timeframes established by law.
- k) **Principle of the superior interest of children and adolescents:** All those involved in the investigation and punishment of sexual harassment shall prioritize the superior interest of children and adolescents in all measures affecting them directly or indirectly.
- l) **Principle of non-re-victimization:** All those involved in the investigation and punishment of sexual harassment shall adopt all the necessary measures to prevent the victim of sexual harassment from being

re-victimized, exposing him/her to situations such as the repeated statements of facts, witness confrontation or questions about his/her conduct or personal life, confrontation with the alleged harasser, etc.

VI. MANIFESTATIONS OF SEXUAL HARASSMENT

Sexual harassment is a form of violence that is perpetrated through a conduct of a sexual or sexist nature that is unwelcomed or unwanted by the person against whom it is directed. It may create an intimidating, hostile or humiliating working environment for the recipient or it may affect the working, training or other situation of the recipient, but such consequences are not necessarily required. The express refusal of the targeted person or the repetitiveness of the conduct are not required to be evidenced. Repetitiveness may be considered circumstantial evidence.

Sexual harassment occurs regardless of any hierarchy degrees between the harassed and the harasser or whether the sexual harassment act occurs during or outside training or working hours, or inside or outside training or workplaces. Additionally, sexual harassment may be manifested through any behavior that fits the aforementioned definition, as well as in the following manifestations of sexual harassment under the law:

- a) Implied or express promise to the victim of preferential or beneficial treatment with respect to his or her current or future situation in exchange for sexual favors.
- b) Threats implicitly or explicitly demanding unwanted conduct from the victim that violates or offends his/her dignity.
- c) Use of terms and comments of a sexual or sexist nature or connotation (written or verbal), sexual insinuations, sexual propositions, obscene gestures or exhibition through any means of images of sexual content, which are hostile, humiliating or offensive to the victim.
- d) Body advances, rubbing, touching or other physical conduct of a sexual nature that is offensive and unwanted by the victim.
- e) Offensive or hostile treatment due to the rejection of the behavior indicated in this section.
- f) Any other conduct that fits the definition of sexual harassment.

This list is for reference only, and there may be other practices that can be categorized as sexual harassment, provided that they fit the definition of sexual harassment.

VII. PREVENTION OF SEXUAL HARASSMENT

The Company is responsible for maintaining at the workplace the conditions of respect among its workers. To such end, the Company shall:

- a) Provide training on sexual harassment at the beginning of the labor, educational, contractual or any other relationship of authority or dependency over the standards and policies against sexual harassment in the company, and annual specialized training for the Human Resources area, the Sexual Harassment Intervention Committee and all those involved in the investigation and sanction.
- b) Conduct annual evaluations to identify acts of sexual harassment or risks that may arise (through questionnaires or other tools aimed at collecting information to identify improvement actions).
- c) Communicate information on a regular basis to identify sexual harassment behaviors and applicable sanctions.
- d) Communicate publicly and visibly the channels to address complaints or reports, make available the formats to submit complaints and basic information on the procedure.
- e) Adopt the necessary measures to stop the threats or retaliation by the harasser, as well as the physical or comments of a sexual or sexist nature that creates a hostile or intimidating climate in the workplace.
- f) Set up a Sexual Harassment Intervention Committee made up of the workers' representatives and the

employer's representatives in the same proportion and gender parity. The Committee investigates and puts forward sanction recommendations and other preventive measures.

- g) Notify the Ministry of Labor and Employment Promotion about the complaints of sexual harassment, the protective measures applied and the results of the investigations.

VIII. SEXUAL HARASSMENT INVESTIGATION AND SANCTIONING PROCEDURE

The bodies intervening in the investigation and punishment of sexual harassment, their responsibilities and details of the procedure are detailed below.

8.1. Bodies intervening in the procedure

a) Sexual Harassment Intervention Committee (hereinafter the "Committee"):

The Committee is responsible for conducting the investigation and issuing recommendations of sanctions and other supplementary measures to prevent new cases of harassment. The agreements of the Committee are adopted by simple majority. The casting vote is cast by the representative of the Human Resources Management. Additionally, the Committee aims at ensuring the participation of all workers in the procedure for investigation and punishment of sexual harassment.

b) Human Resources:

Responsible for:

- Receiving the report/complaint, forwarding it to the Committee (within one business day) and to the respondent and adopting the corresponding protection measures (within three business days after it was filed).
- Making available to the complainant physical or psychological services (within one business day after the complaint has been received).
- Notifying the Ministry of Labor about the complaint, or that it has started ex officio an investigation on the matter, as well as the protection measures applied (within six business days after the complaint has been received).
- The Committee, upon completing the investigation, issues the decision about the existence or non-existence of acts of sexual harassment and, where appropriate, applies the disciplinary sanction and the corresponding supplementary measures to avoid new cases of sexual harassment.
- Notifying the Ministry of Labor about the decision on the complaint (within 6 business days after the final resolution has been issued).

8.2. Whistleblowing / complaint channels

The internal reports or complaints for sexual harassment will be filed verbally or in writing to the Human Resources Management, which will communicate and make available to the public the formats for filing them.

8.3. Procedure

The following procedure may be started with the complaint of any worker in the Company, who believes is the object of sexual harassment, or a third party, or ex officio, when the Company becomes aware through any means of the facts that allegedly constitute sexual harassment.

The procedure aims at determining whether an act of sexual harassment has occurred and the corresponding responsibility, ensuring that the victim is protected at all times and a reserved, confidential and effective investigation is conducted.

1. A worker who believes himself/herself to be the victim of an act of sexual harassment, or a third

party who became aware of facts that allegedly constitute sexual harassment, shall file a complaint verbally or in writing with the Human Resources Management, attaching, where applicable, any evidence he/she deems convenient. If the Company becomes aware, through any means, of facts that allegedly constitute sexual harassment, it shall also start ex officio an investigation into the sexual harassment.

The complaint shall include the name of the harasser, his/her title or position and an overview of the facts (indicating dates, places, etc.). Additionally, the complainant may submit any proof he/she deems pertinent to substantiate his/her complaint, e.g., request for witness statements, public or private documents, e-mails, text messages, WhatsApp messages, messaging via social networks, pictures, screen prints, medical records, etc.

It should be noted that, in application of the constitutional principle of presumption of innocence, the complainant of sexual harassment shall provide proof of his/her allegation in the filed complaint. Without prejudice to the above, in accordance with the guidelines set forth in article 12.1 of the Regulation of Law No. 30364, when evaluating the evidence produced by the complainant, the possibility for his/her sole statement to be sufficient shall be considered to set aside the presumption of innocence if there are no objective reasons to invalidate his/her statements, evaluating on a case-by-case basis the absence of subjective incredibility, the plausibility of the statements and persistence of incrimination.

2. After receiving the complaint, the Human Resources Management will forward it to the Sexual Harassment Intervention Committee to start the investigation and to the respondent within 1 business day after the filing of the complaint. Additionally, the Human Resources Management will provide the complainant with channels to receive medical and psychological care within one (01) business day after the complaint has been received. As a result of this care, a report is issued and incorporated into the procedure as evidence, only with approval of the victim.
3. The Human Resources Management, within three (3) business days after the complaint, will establish and implement the protection measures deemed suitable to protect the alleged victim, including:
 - Rotation of the alleged harasser.
 - Temporary suspension of the alleged harasser. This suspension is classified as an imperfect suspension of work. If the sexual harassment is confirmed, the remuneration provided during the suspension period may be deducted.
 - Rotation of the victim at his/her own request.
 - Prohibition to approach the victim or his/her family or establish any type of communication with the victim, for which a request will be made to the competent body.
 - Other measures to protect and ensure the wellbeing of the victim.
4. The Company will notify the Ministry of Labor and Employment Promotion that it has received a complaint, or that it has started ex officio an investigation into sexual harassment, as well as the protection measures provided to the alleged victim, within six (6) business days after receipt of the complaint.
5. No later than fifteen (15) calendar days after the complaint was received, the Sexual Harassment Intervention Committee will issue a report with the following minimum contents:
 - a) Overview of the facts.
 - b) Evaluation of the evidence.
 - c) Proposal for sanctioning or filing with due justification.

- d) Recommendation for additional measures to avoid new harassment cases.

Within the established term for the investigation, the Committee will serve notice of the complaint and evidence, as appropriate, to the respondent and will grant three (3) calendar days to present rebuttals and any evidence he/she may deem convenient. Upon receipt of such rebuttals, the Committee will forward them to the complainant to comment on the same within the term established for the investigation.

Additionally, within the framework of the investigation, the Committee may carry out the acts it may deem convenient to obtain relevant proof to clarify the facts. In such sense, the Committee may convene with the complainant and possible witnesses to obtain their statements on the events, request relevant evidence (recording from security cameras, audios, etc.) to other areas of the Company and to external entities in case of complaints of acts of sexual harassment outside the workplace, and any other evidence deemed necessary.

The evidence may be submitted before the investigation is closed by the Committee, which shall be duly evaluated together with all existing proof to help the Committee to ascertain the commission of the reported acts.

6. After the investigation has been completed and the report has been issued, the Sexual Harassment Intervention Committee will submit the corresponding report to the Human Resources Management within one (1) business day.

Upon receipt of the report, the Human Resources Management will issue a Resolution to determine whether the sexual harassment occurred or not. In case it is determined that the sexual harassment occurred, it will apply the corresponding disciplinary sanctions and will establish other applicable measures to prevent new cases of sexual harassment. The Human Resources Management will issue its decision within ten (10) calendar days after receiving the report from the Committee. Within such period, the Human Resources Management will forward the report of the Committee to the respondent and to the complainant, who shall submit their allegations, if deemed pertinent, within three (3) calendar days.

The decision of the Human Resources Management is notified to the Ministry of Labor and Employment Promotion within six (6) business days following its issuance.

7. The resignation, cessation of termination of employment of the complainant or the respondent do not prevent the investigation and punishment of sexual harassment from being brought to completion and, if appropriate, applying the corresponding disciplinary sanction.
8. When, as a result of the procedure, there is proof of a crime being committed, the Public Prosecutor's Office, the Peruvian National Police or other competent institutions will be notified, and the victim will be informed.

8.4. Applicable sanctions

If the sexual harassment is confirmed, the Sexual Harassment Intervention Committee will propose in its report the disciplinary sanction that it deems pertinent for the harasser, depending on the severity of the events, and recommend additional measures to prevent new cases of sexual harassment.

The applicable measures may include written reprimand, suspension or termination of employment. In

order to ascertain the severity of the conduct and the applicable disciplinary measure, the Committee shall merit the facts according to the reasonability, objectivity, proportionality and non-arbitrariness criteria considering the number of incidents and the intensity of each case, without reiteration being a determining factor for the fault to occur.

The person responsible for the application of the disciplinary measure is the Vice-President of the division of the worker to be sanctioned and Human Resources.

8.5. Additional considerations

- When evaluating the existence or occurrence of sexual harassment, the reasonability and proportionality criteria shall be used, evaluating the facts taking into account the gender of the complainant of sexual harassment, his/her attributes, work history, career level or hierarchical level of the respondent, with the understanding that both men and women have equal rights despite having different physical, biological and psychological conditions.
- Throughout the procedure for the investigation and punishment of sexual harassment, the due process of both parties is respected, taking into consideration the vulnerability of the alleged victim.
- The evaluation of any evidence cannot expose the victim to re-victimization situation (confrontation hearing, questioning of his/her conduct, witness confrontation, etc.).
- All procedural acts shall be documented in writing or other means accessible to the parties.
- Any breach of workers involved in the receipt, investigation or evaluation of the filed complaint, consisting in disclosing in any way or providing access to confidential information, will be sanctioned by the Human Resources area with the corresponding disciplinary measures.
- If the report or complaint is against the Compensations and Labor Relations Manager or Vice-President of Human Resources, it shall be filed with the Chief Executive Officer or Ethics Officer. In such cases, the alleged harasser shall excuse himself/herself from participating in the investigation.

8.6. False complaints

When the report or complaint of sexual harassment is declared unfounded by firm resolution and the bad faith of the complainant is confirmed, the person who is attributed the facts in the report or complaint has the right to take the pertinent legal actions. In this case, the alleged harassed complainant is obliged to pay the compensation established by the respective judge.

Through a firm ruling that declares the report or complaint of sexual harassment unfounded, the Company may terminate the employment contract of the complainant with cause.

Additionally, if the Company, upon completing the investigation, determines that the complaint was filed unfairly or seeking to prejudice the respondent, it may apply the disciplinary measures it deems convenient.

IX. PROCEDURE TO ELECT THE SEXUAL HARASSMENT INTERVENTION COMMITTEE

The Sexual Harassment Intervention Committee is made up of four (04) principal members: two (2) workers' representatives and two (2) employer's representatives. Each of the principal members shall have an alternate, and with respect to principal and alternate members, the gender parity shall be guaranteed.

9.1. Requirements

In order to be a member of the Sexual Harassment Intervention Committee, the following is required:

- a. Being employed by the Company.
- b. Being at least 18 years old.
- c. Not having police, criminal and judicial records.
- d. Not being sentenced and/or reported for violence against women and family members.
- e. Preferably having received training in prevention and punishment of sexual harassment.

9.2. Election procedure

The Company is responsible for all aspects related to the organization of the election of the Sexual Harassment Intervention Committee and for promoting the participation of all workers in these elections.

The employer's representatives are appointed directly by the Company as follows: one (1) representative of the Human Resources Management and one (1) representative appointed by the employer. The alternate members will be elected in the same manner as the principal members.

In case of a draw, the Election Committee will be responsible for determining, by simple majority, the order between the tied candidates. If there is no agreement by the Election Committee, the worker with more experience as member of the Intervention Committee will be designated, and -if both have the same experience- the election will be decided by drawing lots. Upon completion of the process, the results will be included in a record, which will be signed by the election committee and the elected members (principal and alternate members).

9.3. Mandate of the Committee

The mandate of the Committee members is valid for a maximum term of 2 years.

9.4. Vacancy

The position as Committee member will be vacant for any of the following reasons:

- Death.
- Expiration of the election mandate term.
- Resignation as a Company worker.
- Resignation as a Committee member.
- Physical or mental illness that prevents filling the position.
- Failure to comply with their obligations in the Committee, as verified by qualified majority of the Committee or those attending the session.
- Having committed faults related to sexual harassment, after simple majority vote of the Committee.
- For any other reason that terminates the employment and/or prevents adequate performance of the role as representative and Committee member, to be evaluated and approved by the Committee.

The vacant positions of workers' and Company representatives in the Committee shall be immediately filled by the corresponding alternate member or members, until the end of the period.

The remaining positions of the workers' representatives will be filled by order of merit (number of valid votes) according to the last election process. Where this is not possible, early elections shall be held to fill vacant positions in the manner established in the foregoing articles.

In order to fill vacant positions, the members who are the Company's representatives will be designated by the employer.

X. SPECIAL CASES

1. If the harasser is the employer, management staff, personnel in positions of trust, principal, associate, director or shareholder, the harassed person may opt between the cease of hostility or the payment of compensation, terminating the employment contract, pursuant to article 35° of the LPCL. In this case, notice to the employer for the cease of hostility is not required, as stipulated in article 30° of the same regulation. Additionally, the alleged harassed worker has the right to file a lawsuit for liquidated damages as a result of the sexual harassment.
2. Irrespective of the category or position of the harasser, if the Company or the competent area fails to start the investigation of the sexual harassment case or to adopt the corresponding protection and sanctioning measures, the victim may also decide to take the aforementioned actions.
3. In case that the alleged harasser works for an outsourcing or service company and the alleged victim is part of the Company, the report is filed with the Company, and within one (1) business day after the report or complaint is received or the facts are made known, it shall notify the outsourcing or service company about the report or complaint for it to take the pertinent measures. The Company will conduct the investigation procedure through the Committee, which issues the investigation report and decided on the protection measures. If the final report of the Committee includes sanction and other additional recommendations to prevent new cases of sexual harassment, it will be submitted to the outsourcing or service company to act as required by law and the regulation.
4. If the alleged victim of sexual harassment works for an outsourcing or service company and the alleged harasser is part of the Company, the report or complaint is filed with the Company, and within one (1) business day after the report or complaint is received or the facts are made known, it shall notify the outsourcing or service company about the report or complaint for it to take the pertinent measures. The Company will conduct the investigation procedure as established in this policy, ensuring that the alleged victim can report acts of sexual harassment.
5. When the alleged harasser and the alleged victim work for an outsourcing or service company, and the act of sexual harassment occurs within the area of control or in connection with the service provided to the Company, the alleged victim may file the complaint with the outsourcing or service company or with the Company. In the latter case, the Company will convey the report or complaint to the company of the alleged harasser within one (1) business day after it was received. The investigation and sanction procedure will be in charge of the outsourcing or service company, without prejudice to the corresponding coordination with the Company. The investigation procedure does not imply the recognition of the labor relationship of the respondent or the complainant with the Company.
6. When the sexual harassment occurs in a relationship of subjection that is not regulated by labor laws, such as provision of services, training modalities, training programs, etc., the investigations will be carried out according to the procedure established in item 8.3.
To such effect, the Human Resources Management receives the complaint and provides the necessary protection measured. Additionally, a Committee is set up with two (2) representatives of the Human Resources Management and one (1) from the area receiving the service or where the training modality takes place for the evaluation of the reported events. Upon completion of the investigation, the corresponding area proposes the sanctions and necessary measures to prevent further acts of sexual harassment.

XI. REVISION OF THE POLICY

The Company has the right to review on a regular basis this Policy. Any amendment or replacement of the Policy will be communicated to the workers and to those to whom it may be applicable.

XII. VALIDITY

This Policy shall be effective from the date following its posting and distribution to workers.