



## CODE OF CONDUCT TO PREVENT AND COMBAT WORKPLACE HARASSMENT

### Preamble

1. i3S - Institute for Research and Innovation in Health of the University of Porto, private non-profit association of public benefit, legal person nº 515 769 053, headquartered at Rua Júlio Amaral de Carvalho, 45 4200-135 Porto, in compliance with the provisions of article 127, no. 1, k) of the Labor Code, added by Law no. 73/2017, of 16th August, adopts this Code of Conduct to Prevent and Combat Workplace Harassment, hereinafter simply Code of Conduct.
2. The Code of Conduct provides the guidelines for preventing and combating discrimination and harassment in the course of i3S activities.
3. The Code of Conduct was formulated within a policy of discrimination and harassment prevention and combat.

### Article 1

#### (Scope)

1. The Code of Conduct applies to all workers, collaborators, consultants, service providers or associates, whatever the nature of the employment or service relationship they maintain with the Institute.
2. For the purposes of this regulation, the reference to “workers” generally includes any of the persons identified above.
3. The Code of Conduct covers the behavior practiced by workers towards other workers, by the employer towards workers, and by workers towards the employer.

### Article 2

#### (Definitions)

For the purposes of applying this Code of Conduct, it is understood that:

1. DISCRIMINATION is the act by which social distinction is made, be it racial, political, religious, sexual, gender or age, that is capable of leading to social exclusion;
2. MORAL HARASSMENT is unwanted behavior, namely based on discriminatory factors, practiced when accessing employment or in the job, work or professional training, with the aim or effect of disturbing or embarrassing the worker, affecting their dignity or creating an intimidating, hostile, degrading, humiliating or destabilizing environment, manifested in a repetitive and prolonged way, during the work period and during the exercise of the worker's functions, as a repeated process and not as an isolated fact;
3. SEXUAL HARASSMENT is unwanted sexual behavior, characterized by repeated or unwanted innuendo or sexual proposal by one of the parties, which may be verbal, gestural or physical; an isolated instance is not deemed sexual harassment.

### Article 3

#### (Procedures)

The Code of Conduct describes the rules and procedures to be followed when discrimination or harassment occur.



#### **Article 4 (Prohibition)**

Harassment is prohibited.

#### **Article 5 (Harassment in the workplace)**

1. Harassment in the workplace is unwanted behavior (gesture, word, attitude or other) practiced with noticeable recurrence and whose goal or effect is to affect the person's dignity or creating an intimidating, hostile, degrading, humiliating or destabilizing environment, characterized by intention and repetition, either of a moral or sexual nature.

2. The following behaviors are considered acts of moral harassment in the workplace:

- a) Consistent downplay of the work of colleagues or hierarchical subordinates;
- b) Promoting social isolation of co-workers or subordinates;
- c) Ridiculing, in a direct or indirect fashion, a physical or psychological characteristic of co-workers or subordinates;
- d) Making recurrent threats of dismissals;
- e) Establishing, on a regular basis, goals and objectives that are impossible to achieve or set deadlines that cannot be achieved within a certain timeframe;
- f) Repeatedly assign strange tasks or inadequate to the professional category;
- g) Frequent misappropriation of ideas, proposals, projects and work from colleagues or subordinates vis-à-vis other colleagues or superiors;
- h) Despising, ignoring or humiliating colleagues or workers, causing their isolation;
- i) Providing confusing and inaccurate work instructions;
- j) Frequent demands for urgent job completion without it being required;
- k) Repeated yelling to intimidate people;

3. The following behaviors are considered acts of sexual harassment in the workplace:

- a) Regular repetition of suggestive remarks, jokes or comments about appearance or sexual condition;
- b) Sending, on a regular basis, cartoons, drawings, photographs or images off the Internet of unwanted or sexual content;
- c) Making advances in the form of unwanted phone calls, letters, text messages or emails of a sexual nature;
- d) Promoting unwarranted physical contact, intentional and unsolicited, or causing unnecessary and repeated physical approaches.

#### **Article 6 (Exemptions)**

1. The occurrence of a conflict situation in the workplace does not necessarily constitute harassment.

2. Harassment is characterized by intentional and repetitive nature.

3. The following situations do not constitute moral harassment, namely:

- a) The occasional work conflict;



- b) Legitimate decisions arising from the organization of work, provided they conform to the employment contract;
- c) Physical or verbal aggression that takes place on occasion;
- d) The legitimate exercise of hierarchical or disciplinary power, namely in the assessment of performance and quality or in the establishment of disciplinary proceedings;
- e) The pressure arising from the exercise of positions of responsibility.

4. Romantic advances between workers or involving hierarchical superiors, as long as consensual and reciprocated, or the occasional praise, do not constitute sexual harassment.

### **Article 7 (Victim Protection)**

1. Victims of moral harassment, provided that it is objectively degrading, humiliating or vexing, and affects the moral integrity of those concerned, are legally protected by the Constitution of the Portuguese Republic (namely by Article 25 that enshrines the right to physical and moral integrity) and by the Labor Code that prohibits discrimination and moral and sexual harassment in articles 23 to 30.
2. Harassment confers the victims the right to compensation for property and non-property damage, in general terms of the law.

### **Article 8 (Liability)**

1. i3S safeguards the moral integrity of its workers, ensuring working conditions that respect individual dignity.
2. i3S does not tolerate or allow discrimination, threats, or moral or sexual harassment towards its workers, during the performance of their functions and because of them.
3. i3S will promote the establishment of relationships with suppliers or other stakeholders complying with the legislation in force and foster conditions unfavourable to discrimination, and moral or sexual harassment.

### **Article 9 (Complaint)**

1. A worker who believes to be the victim of discrimination or harassment or a worker who witnesses or receives a complaint related to this type of behavior must report the occurrence.
2. The report to which the previous number refers must be addressed, simultaneously, to the hierarchical superior and to the head of the Human Resources Department, and should be filed in writing and properly substantiated.
3. Should the occurrence refer to the worker's hierarchical superior, the complaint must be addressed to the head of the Human Resources Department and to anyone who ranks higher or, if such person does not exist, to the i3S Board of Directors.
4. Should the occurrence refer to the head of the Human Resources Department, the worker must file the complaint to their direct superior and to the i3S Board of Directors.



5. If the worker's hierarchical superior is the head of the Human Resources Department, the worker should only file the complaint to the i3S Board of Directors.
6. The Human Resources Department appraises the situation and proposes disciplinary measures to the i3S Board of Directors.
7. In the event of a conflict of interest, if the head of the Human Resources Department is an implicated party, only the i3S Board of Directors will appraise the situation and enforce the appropriate measures.
8. The enforced disciplinary measures will be proportionate to the severity of the facts and the agent's recurrent behavior.
9. i3S guarantees the confidentiality of the procedure, also ensuring that the whistleblower is not, under any circumstances, jeopardized.
10. Anonymous complaints are disregarded, the judgment of any disciplinary liabilities notwithstanding.

#### **Article 10** **(General Provisions)**

1. The Code of Conduct prohibits the access and display of material of a sexual or pornographic nature, during or off normal working hours, using the institute's technical resources (namely hardware, software, application systems, email, LAN).
2. Workers are allowed to use computer resources strictly for professional reasons.
3. These resources cannot be used to send messages or to access information conducive to discriminatory conduct.

#### **Article 11** **(Approval and Validity)**

1. The Code of Conduct was approved by the Board of Directors on 16/02/2021 and comes into force on 01/03/2021.
2. The Code of Conduct will be displayed at the institute's premises in locations intended for such purpose.
3. A declaration of acceptance of the rules in force in this Code of Conduct will be an integral part of the individual employee admission process.