

RULEBOOK ON PROTECTION AGAINST HARASSMENT IN THE WORKPLACE



ALKALOID
SKOPJE

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IN THE WORKPLACE**



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Health above all

Pursuant to Article 119 of the Statute of ALKALOID AD Skopje and the provisions of the Law on Protection against Harassment in the Workplace (Official Gazette of RM No. 79/2013), the Management Board of ALKALOID AD Skopje, at the session held on 26 April 2024, adopted the following:

RULEBOOK ON PROTECTION AGAINST HARASSMENT IN THE WORKPLACE¹

General provisions

Article 1

This Rulebook shall govern in detail the legally established rights, obligations, and responsibilities that regulate the relations between the employer, managers and employees concerning the prevention of psychological and sexual harassment in the workplace and at the place of work, the measures and procedure for protection against workplace harassment, as well as other relevant issues pertaining to the prevention and protection against harassment in the workplace.

ALKALOID AD Skopje (hereinafter ALKALOID) shall not tolerate and strictly prohibits any form of violence, discriminatory or harassing behaviour towards any employee, manager, intern, job candidate, partner, supplier, contractor or any other person with whom there is interaction during the execution of work processes, as well as any abuse of the right to protection against workplace harassment.

Harassment and mobbing undermine ALKALOID's core values and can have severe negative effects on the health, confidence, morale, and qualities of those affected.

For the purposes of interpreting this Rulebook, the following definitions apply:

Employees - according to this Rulebook, are individuals employed under an employment contract with ALKALOID, whether for a fixed or indefinite period, as well as those hired through a private employment agency.

Managers - according to this Rulebook, are members of ALKALOID's management bodies, as well as individuals with special authorizations and responsibilities determined by a decision of ALKALOID's Management Board.

Harassment in the workplace - refers to multiple unacceptable behaviours and practices, or threats thereof, whether single or repeated, that are intended to, result in, or are likely to cause physical, psychological, sexual, or economic injury and harm, and include gender-based violence and harassment. Harassment in the workplace can occur in the form of psychological and sexual harassment.

Psychological harassment at the workplace is any repeated, continuous, and systematic negative behaviour by an individual or group that violates the dignity, integrity, reputation, and honour of the persons referred to in Article 2 of this Rulebook, causing fear, discomfort, or humiliation, with the purpose of causing harm to their physical and mental health, compromised professional future, employment termination, or leaving the workplace.

Sexual harassment is any verbal, non-verbal or physical behaviour of a sexual nature, that aims or represents a violation of the dignity of the persons referred to in Article 2 of this Rulebook, causing fear, discomfort or humiliation.

Perpetrator of workplace harassment can be one or more persons exhibiting negative behaviour, regardless of their role, whether an employee or manager, acting individually or in a group.

Place of committing workplace harassment encompasses any work-related location, including the workplace, outside the workplace, the place/places where they normally commute to and from the workplace, as well as through work-related communications, including those facilitated by information and communication technologies.

Time of harassment is the period during working hours, the period commuting to and from the workplace, as well as during business trips, trainings, events, and work-related social activities.

Application

Article 2

This Rulebook applies to the following individuals: employees and managers, job candidates, interns, third parties engaged through contracts, suppliers, contractors, and any other persons with whom employees and managers interact during work processes.

Behaviours and activities not considered workplace harassment

Article 3

The following behaviours and activities are not considered harassment in the workplace:

- Individual acts adopted by ALKALOID deciding on the rights, obligations and responsibilities of the employment relationship, against which the employee has the right to protection through a legally established procedure;
- Denial and inability to exercise and use rights established by law, the Collective Agreement, and the employment agreement, with protection available through procedures within ALKALOID and the competent court;
- Any unjustified discrimination resulting in unequal treatment of an employee on any grounds of discrimination, which is prohibited and subject to protection in accordance with the law;
- Occasional differences of opinion regarding issues and problems related to the performance of work and work tasks, unless intended to harm or deliberately insult the employee.

Article 4

ALKALOID shall provide work conditions during the work process enabling the work to be carried out in an atmosphere of mutual respect and cooperation, free from hostile, humiliating or offensive behaviour; it shall promote awareness among the persons referred to in Article 2 of this Rulebook of the need for mutual respect and teamwork in the performance of work tasks and shall allow employees to express their views, opinions and suggestions regarding the performance of work at the workplace, without suffering any negative consequences.

The persons referred to in Article 2 of this Rulebook shall behave correctly, decently and with dignity towards each other in the course of their work and contribute to the creation of a work environment in which there will be no harassment at the workplace and by their positive example contribute to the prevention of workplace harassment.

During the course of their work, every individual subject to this Rulebook shall adhere to both legal and by-law regulations, as well as the internal acts of ALKALOID, namely: The Code of Ethical and Business Conduct, the Rules on Work Order and Discipline, the Policy on the Protection and Promotion of Human Rights, the Policy on Non-discrimination and Promoting Diversity, Equal Opportunities and Inclusion, and the Occupational Safety and Health Policy.

Preventive and other measures to protect against harassment

Article 5

ALKALOID shall provide the following preventive measures for protection against harassment in the workplace:

- A healthy work environment that ensures respect for the dignity, integrity and health of the persons referred to in Article 2 of this Rulebook;
- Taking necessary measures to prevent and protect employees, job candidates, volunteers, interns and other contracted third parties from workplace harassment;
- Mediators to implement the mediation procedure in case of workplace harassment;
- Inform and familiarize the employees with the measures and the procedure regarding protection against harassment in the workplace, as well as with the content of this Rulebook during their employment and during the course of their work.

Preceding procedure

Article 6

The preceding procedure serves as an effort to overcome and resolve a disputed situation without initiating a procedure for protection against harassment at the workplace before ALKALOID, i.e. before the competent court.

Employees, managers and other contracted individuals engaged with ALKALOID's operations who believe they have been subjected to workplace harassment are required to issue a written warning to the person whom they believe is harassing them and indicate the following:

- That their behaviour is inappropriate, unacceptable and unwanted, and violates both the law and this Rulebook;
- Warn them that they will seek legal protection if such behaviour does not stop immediately.

The written warning is a prerequisite for certain behaviours to be qualified as psychological, i.e. sexual harassment, i.e. the person who believes they have been subjected to harassment must warn the perpetrator of the harassment in writing that this behaviour is distressing and that they consider it harassment at the workplace.

Initiation of a procedure

Article 7

Before filing a lawsuit to the competent court, the person who believes they have been subjected to harassment, shall submit a written request for protection against harassment in the workplace to the Chief Executive Officer or to another person authorized by the Chief Executive Officer, in accordance with the Law on Protection against Harassment in the Workplace and with this Rulebook.

The person who believes they have been subjected to harassment can file a lawsuit before the competent court after a prior written warning to the perpetrator of the harassment, without initiating a procedure for protection against harassment in the workplace.

Article 8

The request for protection against harassment shall be submitted in writing to the Chief Executive Officer or to another person authorized by the Chief Executive Officer.

The person who believes they have been subjected to harassment in the workplace can authorize another person in writing to submit the request.

A request can also be submitted by another person (union representative, occupational health and safety workers' representatives, the Corporate Compliance Officer and a representative from the Human Resources Department) after a written consent from the person who believes they have been subjected to harassment.

Article 9

The request for protection against harassment in the workplace shall contain:

- Information on the petitioner;
- Information on the person who believes they have been subjected to harassment at the workplace if they are not the petitioner;
- Information on the alleged harasser;
- A brief description of the behaviour that is justifiably considered to constitute workplace harassment;
- Duration and frequency of behaviours that are considered harassment at the workplace, as well as the date when that behaviour was last committed;
- Stated facts and evidence.

The request can be submitted no later than six months from the day when the behaviour constituting harassment in the workplace was last committed.

With the expiration of this term, the right to initiate a procedure for protection against harassment at the workplace expires.

Course of the procedure

Article 10

The Chief Executive Officer or another person authorized by the Chief Executive Officer, after receiving the request for protection against harassment at the workplace, shall immediately forward it to the Corporate Compliance Commission of ALKALOID AD Skopje for consideration and determination of whether the reported behaviour has grounds to be considered harassment at the workplace, in accordance with this Rulebook and the Law on Protection against Harassment in the Workplace.

The Corporate Compliance Commission shall review the reported behaviour from the perspective of applying ethical principles in the relations between the parties and whether universal standards of respect for the reputation and dignity have been violated in the context of the events and activities that constitute the alleged harassment.

The Corporate Compliance Commission, in deciding whether certain behaviour constitutes harassment in the workplace, shall be guided by the principles set forth in the Code of Ethics and Business Conduct, as well as by scientific principles, if applicable, and shall interpret all elements of the reported behaviour according to objective criteria.

The Corporate Compliance Commission shall notify the Chief Executive Officer or another person authorized by the Chief Executive Officer as soon as possible of the opinion reached on whether the reported behaviour has grounds to be considered workplace harassment.

If an opinion is reached that there are grounds for the reported behaviour to be considered harassment at the workplace, the Chief Executive Officer or another person authorized by the Chief Executive Officer immediately, and within eight days from the day of receiving the request for protection against workplace harassment at the latest, shall propose mediation to the parties as a way to resolve the disputed relation and shall suggest that they choose a person from the list of mediators.

If the parties cannot agree on the choice of a mediator, the Chief Executive Officer or another person authorized by the Chief Executive Officer shall, within eight days from the expiration of the period from paragraph 1 of this Article, deliver a written notification to the petitioner and the person who believes they have been subjected to harassment at the workplace, and who is not the petitioner, that no mediator has been selected.

From the day of delivery or non-delivery of this notification, the 15-day period for filing a lawsuit to the competent court for protection against harassment at the workplace begins.

The preceding procedure for protection against harassment at the workplace with the employer is not mandatory and does not constitute grounds for initiating court proceedings for protection against harassment, in accordance with the Law on Protection against Harassment at the Workplace.

Article 11

The mediation procedure shall be urgent and closed to the public.

The mediator shall act independently and impartially and in a manner that will help the parties reach an agreement.

At the request of the parties, a representative of the union in which the employee is a member, i.e. a representative of the employees, may participate in the mediation procedure.

The information obtained during the procedure can be communicated only to the procedure participants, and any disclosure of the information obtained during the mediation procedure shall constitute violation of work obligations.

Article 12

The parties can agree on the manner in which the mediation procedure will be carried out.

The mediator can conduct joint or separate discussions with the parties, as well as with the persons proposed as witnesses by the parties.

The mediator shall prepare minutes for each action taken and for the conducted discussions with the parties and witnesses.

The mediator must complete the mediation procedure within 15 days.

Successful mediation (reaching an agreement)

Article 13

If the mediation procedure is successful and the parties reach a settlement, the mediator shall prepare an agreement within three days from the conclusion of the mediation procedure, which will contain recommendations for the workplace harassment perpetrator and for ALKALOID on stopping the harassment and the method of removal of possibilities for continuation of the workplace harassment (moving the employee to another workroom, i.e. another location).

The agreement shall be signed by both parties and the mediator.

ALKALOID shall act according to the agreement recommendations.

Unsuccessful mediation

Article 14

If the parties in the mediation procedure fail to reach an agreement on how to stop the workplace harassment, the mediator shall prepare a written notification that no agreement was reached, i.e. that the mediation was unsuccessful within three days from the conclusion of the mediation procedure.

The written notification of unsuccessful mediation shall be delivered to both parties and to the Chief Executive Officer or another person authorized by the Chief Executive Officer.

Stopping the procedure

Article 15

If, during the mediation procedure, the parties give a written statement to stop further conducting the procedure, the mediator shall reach a conclusion to stop the procedure within three days of receiving the statements.

The mediator shall deliver the conclusion to both parties and to the Chief Executive Officer or to another person authorized by the Chief Executive Officer.

Article 16

If an authorized health institution specializing in occupational medicine determines that the health of the person who believes they have been subjected to workplace harassment has been adversely affected due to the harassment at the workplace, ALKALOID shall temporarily relocate the employee to a different workroom or work environment until the procedure for protection against harassment is completed.

Article 17

ALKALOID may impose one of the measures for non-compliance with work order and discipline, i.e. for violation of work obligations to the person who has committed harassment at the workplace or has abused the right to protection against harassment at the workplace, in accordance with the Law, the company's Collective Agreement and the Rules on Work Order and Discipline.

If the person to whom a measure was imposed due to workplace harassment commits harassment against the same person or another person again within six months, ALKALOID may terminate the employment contract, i.e. impose a measure of termination of the employment relationship, in accordance with the Law, the company's Collective Agreement and the Rules on Work Order and Discipline.

Protection of procedure participants

Article 18

Initiating a procedure for protection against workplace harassment, or participating in such a procedure as a witness, cannot be grounds for putting the individual in a less favourable position regarding their employment rights and obligations. This includes initiating disciplinary, material, or other liability procedures against the employee or terminating their employment for business reasons within two years from the date the harassment protection procedure was initiated or from the date they participated as a witness in the harassment protection procedure.

Article 19

A person who believes they have been subjected to harassment at the workplace, and who is not satisfied with the outcome of the procedure for protection against workplace harassment, can file a lawsuit with the competent court.

Article 20

Abuse of the right to protection against workplace harassment occurs when an individual, who knew or should have known that there were no valid reasons for initiating a procedure for protection against harassment at the workplace, instigates or initiates it with the intent to harm a third party or to gain material or intangible benefits for themselves or others.

Article 21

This Rulebook shall enter into force on the day of its adoption.

This Rulebook shall be published on the official website of ALKALOID AD Skopje and on the notice boards.

¹ This version of the Rulebook on protection against harassment in the workplace of ALKALOID AD Skopje is formatted and designed to inform the public about it. The official version of the Rulebook is kept at the Company headquarters.

ALKALOID AD Skopje

Bld. Aleksandar Makedonski 12, 1000 Skopje,
Republic of North Macedonia

www.alkaloid.com.mk

