Anti – Harassment and Discrimination policy adopted by the decision of the Board of Directors dated 15.05.2020

1. Purpose

Harassment and discrimination may harm the health, confidence, morale, and work of our employees and are also illegal according to the laws on equality. An act of harassment or discrimination may break civil law and be deemed a criminal offence, as well as go against the mandatory provisions of the Health Act.

Both harassment and discrimination are at odds with the standards of conduct we expect from our employees at Transparency International – Bulgaria.

Neither of these behaviours is considered acceptable at the workplace and will not be allowed nor tolerated.

Such misconduct may be subject to disciplinary action, including dismissal.

Transparency International – Bulgaria has established a complaint procedure for reporting and dealing with harassment and discrimination and encourages those affected to use it.

All complaints will be reviewed with due care, without delay and with the necessary confidentiality.

Employees, who make complaints in good faith as well as those who provide evidence or information in relation to the complaints, will receive fair treatment.

All employees at Transparency International – Bulgaria must seek to prevent harassment by making it clear that they find such behaviour unacceptable and supporting colleagues who are subject to mistreatment.

Any employee aware of cases of harassment or discrimination must inform the Executive Director.

The anti-discrimination policy applies to all employees of 'Transparency International – Bulgaria.'

The policy exists and has been implemented to describe the methods and actions that 'Transparency International – Bulgaria' takes to prevent discrimination and harassment both amongst its employees and partners including trainees, volunteers, members, consultants and providers.

This document sets out Transparency International - Bulgaria's policy on cases of harassment and discrimination in the workplace, as well as ways to protect employees who may be affected.

Transparency International - Bulgaria is an employer that provides equal opportunities. We make systematic efforts to observe the spirit of our current norms, guaranteeing equal opportunities and full realisation of all our employees and partners. We promote a harmonious work environment in which our employees and partners treat each other with mutual respect and dignity.

Transparency International works in accordance with all legal norms for protection against discrimination of the Republic of Bulgaria and European legislation, and explicitly prohibits indecent and / or offensive behaviour in places where it carries out activities (including, but not limited to offensive / humiliating comments on gender, race, nationality, ethnicity, origin, religion, personal or social status, marital status, age, sexual orientation, etc.)

2. For the purpose of this policy, the following definitions have been adopted:

The Law on Protection against Discrimination defines discrimination as unequal, less favourable treatment of a person on the basis of the reasons under Art. 4, para 1 of the Law against Discrimination.

Art. 4. (1) (suppl. - SG No. 70/2004, in effect since 01.01.2005) Any direct or indirect act of discrimination shall be prohibited based on sex, race, nationality, ethnicity, human genome, citizenship, origin, religion or belief, education, beliefs, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status or any other grounds established by law or in an international treaty of which the Republic of Bulgaria is a part of.

(2) Direct discrimination shall be defined as any more unfavourable treatment of a person on the basis of the reasons under para. 1, than is treated, has been treated or would be treated by another person in comparable similar circumstances.

(3) (Amended, SG No. 105/2016) Indirect discrimination shall be the placement of a person or persons fitting the criteria under Art. 4, para. 1, or to persons who, without bearing such criteria, together with the former suffer less favourable treatment or are placed in a particularly unfavourable position resulting from a seemingly neutral provision, criterion or practice, unless the provision, criterion or practice are objectively justified in view of a legitimate aim and the means of achieving the aim are appropriate and necessary.

Legal consequences of forms of discrimination also apply to **harassment:**

Art.5. Harassment on the basis of the reasons under Article 4 (1), sexual harassment, incitement to discrimination, persecution and racial segregation, as well as the

establishment and maintenance of an architectural environment that makes it difficult for persons with disabilities to access public places, are all considered forms of discrimination.

§ 1. For the purposes of this law:

1. (suppl. - SG, iss. 58 in 2012, in effect since 01.08.2012) 'Harassment' is any unwanted behaviour on the basis of the reasons under Art. 4, para. 1, expressed physically, verbally or in any other way, which has purposely or otherwise resulted in the violation of the dignity of the person and creation a hostile, humiliating, insulting or threatening environment.

2. (supplemented - SG No. 58/2012, in effect since 01.08.2012) 'Sexual harassment' shall be any unwanted conduct of a sexual nature, expressed physically, verbally or in any other way, by which the dignity or honour of a person is harmed and a hostile, degrading, insulting, or threatening environment is created and, in particular, when the refusal to accept such behaviour or the coercion to it may affect the decision-making affecting the person.

3. Scope

This policy is implemented in accordance with the commitment of 'Transparency International – Bulgaria' to create a safe working environment and one that seeks to create positive working relationships. In this regard, all employees are expected to adhere to the following minimum standards of conduct, including:

- To be polite and kind to others;

- To respect differences between people and their opinions;

- Ensure that they do not help, participate in or encourage others in the workplace to engage in acts of harassment or discrimination of any kind;

- Adherence to the complaint procedure if he or she has personally been harassed or discriminated against;

- Reporting any act of harassment or discrimination that they see happening to other people in the workplace;

- Protecting confidential information if they participate in an investigation into harassment or discrimination;

In addition, the Management/Board and Executive Director of the Association have some special responsibilities:

- Create an organisation to encourage behaviour promoting safe and healthy working conditions, free from discrimination and harassment;

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- The responsible person / Executive Director who receives reports of alleged harassment or discrimination in the workplace should respond in accordance with the procedures;

- The responsible person / Executive Director should not ignore the reports and make an objective and thorough examination of the allegations of harassment or discrimination in accordance with the complaint or other procedures;

4. Mechanisms for filing complaints/reports:

- All complaints are sent directly to the employee designated by the Executive Director. If a complaint is filed against this specific employee, then it must be given directly to the Executive Director.

- The complaint may be prepared by the victim or by a friend, colleague or family member, clearly indicating the author.

- The complaint is sent directly to the Executive Director or the Chairman of the Board in writing (by email or letter) or verbally (in person or by phone) in order to take the necessary action.

- In case of a verbal complaint, it is recommended to make a memo from its content. The memo shall be provided to the person filing the complaint, who will then verify whether the information matches what they said by providing their signature. In case of non-compliance, they are given the opportunity to submit a written complaint.

-Anonymous complaints are not accepted. Anonymous complaints are considered those, which do not carry the signature of the complainant.

- The complainant must file the complaint within thirty (30) working days from the date of the alleged incident.

Upon receipt of a complaint, the designated staff member shall proceed with the verification and provision of additional information, by following the procedures outlined below.

5. Content of the complaint:

- Factual description of the incident (s) with date (s), time (s) and location (s), indicating as accurately and clearly as possible:

- Name of the perpetrator or all alleged perpetrators;

- Names of witnesses, if any, and any physical or recorded evidence to support the allegation. Such evidence may include emails, text or voice messages, photos, letters, and more.

6. Investigation procedure:

Upon receipt of the complaint, the designated staff member shall examine whether it has all of the necessary details. If they are missing, they must provide a deadline to eliminate the shortcomings. When present, they must listen to both parties and witnesses, gather evidence and examine their credibility.

In addition to verbal and written evidence and that presented by witnesses, if any, the designated officer will examine other circumstantial evidence in accordance with applicable law.

The designated official will be discreet in his approach as he records the complainant's testimony. He will refrain from asking questions that may be interpreted as insensitive, embarrassing, harassing or offensive; the official designated for this purpose will record the testimony of the complainant, a transcript of which will be signed by the complainant with provided to them.

The official designated to do so shall request additional information from the complainant, other officials and partners involved or present at the case;

The official designated for this shall require explanations from the perpetrator of the alleged act of discrimination or harassment;

The employee designated for this purpose shall make a careful analysis of the collected data;

The designated officer shall complete the inspection and prepare his report within thirty (30) working days of receipt of the complaint. If it is deemed necessary, this period may be extended to 60 working days. The report will include: findings, assessment, and analysis of findings as well as a recommended course of action.

The employee designated for this purpose shall submit the report to the Executive Director, and when the complaint is against the Executive Director, must submit it to the Chairman of the Management Board to make a decision based on the complaint and evidence and materials on which it is based.

Based on the recommendations of the report, the Executive Director will communicate the result and decision to the complainant (s) and the alleged perpetrator.

When the complaint is against the Executive Director, the Chairman of the Management Board will announce the result and decision to the complainant and indicated perpetrator. When there is sufficient data for the development of a procedure for disciplinary punishment, the Executive Director, respectively the Chairman of the Management Board shall take the necessary actions in accordance with the LC.

7. Temporary measures:

Transparency International will provide advice or refer legal aid if the complainant requests it in order to recover from the effects of the act of discrimination or harassment. Depending on the seriousness of the alleged act, steps will be taken to avoid close contact between the complainant and the alleged perpetrator at the workplace or suspend the said perpetrator from work until the inspection is completed.

8. Filing of unlawful complaints:

If it turns out that the complainant has filed an illegal (false) complaint, the designated employee will recommend appropriate disciplinary measures against malicious actions. Disciplinary action is also taken against persons who have provided false information or allegations in support of the complaint.

9. Withdrawal of complaint:

If the complainant wishes to withdraw the complaint or end the inspection at any stage, they must provide the official designated for this with a written request, together with the reasons for their decision. If the designated official is not convinced of the grounds for withdrawing the complaint, he will consult with the complainant to ensure that they have decided to withdraw the complaint on their own free will.

In any event, once the investigation has begun, it shall continue - notwithstanding that the complainant wishes to withdraw the complaint - if the official designated to do so have concrete and consistent evidence of an act of discrimination or harassment.

10. Involving experts and commissioning an investigation into cases of harassment or discrimination:

If appropriate, the designated employee may request from the Executive Director, respectively the Chairman of the Management Board, to rule on the need to:

- Involve experts who have the relevant knowledge and experience to assist in the inspection;

- Assign the inspection to an independent third party;

11. Disciplinary measures:

If the Executive Director, respectively decides that an employee of Transparency International - Bulgaria or other persons (trainees, volunteers, members or partners) are guilty of harassment or other forms of discrimination in the workplace, the perpetrator will face the following disciplinary measures and other actions in accordance with the rules of

the Labor Code, the statutes of the association or the relevant contract, depending on the severity of the act, as follows:

1. Warning

2. Deduction from remuneration

3. Termination of employment

4. Dismissal

If the perpetrator is a consultant or service provider, his contract may be terminated if his guilt is proven.

12. Hiring

Hiring of employees is done in accordance with Bulgarian legislation and as far as possible, Transparency International Bulgaria takes measures not to hire persons who have committed sexual exploitation, harassment, and abuse. Measures may include, for example, a background check and recommendations of former employers of the applicant in accordance with data protection regulations.

Transparency International - Bulgaria will ensure that any individual who is dismissed for harassment or discrimination will not be re-appointed or hired, as long as this is not contrary to the law or court orders.

13. Documentation and training:

Transparency International - Bulgaria will store information on each case of a received complaint and the results of the inspection within the personnel files of the complainant and the accused.

Transparency International – Bulgaria will maintain a database of the number of complaints of harassment or discrimination filed each year, as well as the decisions that have been made and implemented.

Transparency International - Bulgaria will ensure that a copy of this policy is made available to all current employees, trainees, volunteers and partners of the association. Reminder sessions will be held periodically in connection with the current policy.

This policy will also be provided to all new employees, trainees, volunteers and partners of Transparency International - Bulgaria.