



**CODE OF CONDUCT FOR THE
PREVENTION OF DISCRIMINATION AND
THE PROTECTION OF THE DIGNITY OF
WOMEN AND MEN**

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SECTION I - PREAMBLE

PREAMBLE

With this Code of Conduct, Exacer S.r.l. (hereinafter, “Exacer”) intends to give evidence of its desire to maintain the best conditions of well-being at work, ensuring a work environment inspired by principles of equality and protection of the freedom, dignity and inviolability of the person, enhancing the management of free time and the reconciliation of work and family time, in the full awareness that the achievement of personal balance is positively reflected on social and working life.

The adoption of specific rules of conduct, as explained in the Code of Conduct, allows to guarantee in the workplace the right to a favorable environment and interpersonal relationships, in compliance with the principles of equality, freedom and dignity of the person.

This Code of Conduct is also adopted pursuant to the “Framework Agreement on Harassment and Violence in the Workplace” of 26 April 2007 and the “Regional Agreement on Harassment and Violence in the Workplace” of 17 May 2018.

PRINCIPLES AND PURPOSE

The Code of Conduct is a guarantee tool, aimed at preventing and combating any form of sexual harassment, mobbing and discrimination, with absolute respect for confidentiality.

In particular, by adopting this Code of Conduct, Exacer intends to:

- Protect the dignity and equality of women and men in the workplace, promoting and encouraging the adoption of decisions and behaviors inspired by the principles of equity, respect, equal opportunities, collaboration and fairness;
- Define the conduct that, beyond individual sensitivities, constitutes situations of harassment, mobbing or discrimination, committing to:
 - Create the conditions to promote, in the workplace, the mutual respect of people as such, dictating rules of conduct to be kept both towards staff and, above all, towards customers;
 - Condemn all discrimination based on age, racial or ethnic origin, sex, social status, political opinion, religious belief, gender, sexual orientation, as well as disability, in full respect of the protection of the rights of freedom and dignity of everyone, promoting and encouraging the adoption of decisions and behaviors inspired by the principles of equity, respect, equal opportunities, collaboration and fairness;
- Ensure, in case of reporting harmful conduct, the immediate use of timely and impartial procedures, aimed at decisively and effectively reconciling cases of sexual harassment, mobbing or discrimination and preventing repetition;
- Identify the actors involved and their respective roles, as part of the action to prevent and combat harmful conduct governed by the Code;
- Identify and monitor episodes of sexual harassment, mobbing, or discrimination, in order to prepare adequate management strategies for prevention and contrast;

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- Promote the knowledge and application of current legislation and to protect equality and equal opportunities for all workers and promote information on the rules on sexual harassment, mobbing and discrimination in the workplace.

SCOPE OF APPLICATION

This Code applies to all employees, whatever the type of relationship established and the professional classification.

Each worker has the duty to collaborate with Exacer to promote and maintain a work environment in which everyone's dignity is respected, in which correct personal relationships are fostered and in which the practice of discrimination and harassment is considered naturally unacceptable.

The managers of the structures must pay adequate attention to prevent acts and behaviors detrimental to the dignity of persons.

All persons who come into contact with Exacer personnel – suppliers, *partners*, consultants, customers and third parties in general – in compliance with the characteristics of the related relationships are also required to comply with this Code.

The principles contained in this Code apply to all aspects concerning the employment relationship, such as, but not limited to: the selection process, the recruitment phase, professional growth, remuneration, etc.; these aspects are based on merit and performance and cannot be influenced by factors such as race, ethnicity, sexual and/or political orientation, etc.

This Code of Conduct must be made known to new hires during the establishment of the employment relationship.

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SECTION II - DEFINITIONS

DISCRIMINATION

As defined by the Code of Ethics, Exacer does not allow any form of discrimination and guarantees equal opportunities and equal dignity and impartiality of treatment for all subjects.

For the purposes of national law, the principle of equal treatment in employment and occupation means the absence of any direct or indirect discrimination, as defined below:

- Direct discrimination where a person is treated less favourably because of sex, age, racial or ethnic origin, religion, ideology or other belief, political or trade union orientation, health reasons, disability, sexual orientation, pregnancy, maternity or paternity, including adoptive or foster care, care for disabled family members, or because of ownership and exercise of the relevant rights, was or would have been another in a similar situation;
- Indirect discrimination where an apparently neutral provision, criterion, practice, act, agreement or conduct is likely to put certain workers at a particular disadvantage compared with other persons as a result of the abovementioned causes.

All workers must be treated solely on the basis of their professional skills and competences, any form of discrimination being prohibited.

Difference in treatment due to characteristics which constitute essential requirements for the performance of the occupational activity shall not constitute discrimination, provided that the objective pursued is legitimate and the means used to achieve it are proportionate to the aim and necessary.

SEXUAL HARASSMENT

Sexual harassment consists of any unwanted conduct of a sexual nature expressed in physical, verbal or non-verbal form, having the purpose or effect of violating the dignity and freedom of the person who suffers it and creating an intimidating, hostile, degrading, humiliating or offensive environment.

The essential characteristic of sexual harassment consists in an unwanted act on the part of the person who suffers it and a claim on the part of those who carry it out: it is up to the individual to determine what behavior he can tolerate and which is to be considered offensive; a simple attention to the person can become harassment when it takes the form of behavior considered, by those who are the object of such attention, clearly offensive, or unwanted or unjustified.

The typology of sexual harassment includes behaviors such as, by way of example:

- Explicit or implicit requests for sexual services or sexual attention not appreciated or deemed inappropriate and offensive;
- Inappropriate or unwanted physical contact (such as pinching, rubbing, hugging, caresses and the like), as well as provocative and unseemly gestures or winks of a sexual nature, as well as gestures alluding to sexual intercourse;
- Two-way sexual communications disseminated by letters, e-mails, tickets, phone calls, text messages, or any other means;

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- Verbal appreciation of the body and comments on sexuality or orientation deemed offensive;
- Exposure in the workplace, by any means and in any way, of pornographic material;
- Implicit or explicit promises of benefits, privileges or career advancement in exchange for sexual services;
- Threats, blackmail and retaliation suffered for rejecting sexual behaviour, which directly or indirectly affects the establishment, conduct or termination of the employment relationship and career progression.

Sexual harassment by people who exploit their position of power is aggravated if accompanied by threats or blackmail regarding their employment status.

MORAL HARASSMENT OR MOBBING

Moral harassment or *bullying* is a work situation.

Moral harassment or mobbing is those hostile, aggressive and vexatious acts and behaviors, carried out repeatedly and systematically, in constant progress, with persecutory methods, against the worker by those who are in a superordinate or subordinate position (ascending or descending vertical mobbing), or by other colleagues (*mobbing* horizontal) and that, by creating an intimidating, humiliating, degrading and offensive climate, have the purpose and effect of violating his personal dignity and damaging his psychophysical integrity, including by marginalizing him/her from the work environment,

Moral harassment or mobbing is considered as discrimination pursuant to article 26 paragraph 1 of Legislative Decree 11 April 2006, no. 198, containing “Code of equal opportunities between men and women, pursuant to Article 6 of Law 28 November 2005, no. 246”.

Moral harassment or mobbing is also considered harassment perpetrated against employees because of ethnicity, religion, personal and political beliefs, disability, age, sexual orientation.

The type of moral harassment includes behaviors such as:

- Verbal ill-treatment and personal offenses, defamation, insinuations, disclosure of confidential information and any other action to discredit the person;
- Slander, defamation of a worker or his family;
- Psychological pressures, aggressive, hostile, humiliating or intimidating attitudes, even in a veiled or indirect form;
- Exclusion or unjustified marginalization of work, from training, retraining and professional updating initiatives;
- Deliberate denial of information concerning work or incorrect or deficient information;
- Unjustified criticism and delegitimization of the image of the worker, even in front of colleagues or people outside the company;
- Assignment of tasks that are disqualifying in relation to the professional profile possessed, or exorbitant or excessive, aimed at demotivating the worker, or preventing the achievement of the assigned objectives;

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- Methods of excessive, unjustified, vexatious control over the behavior and operation of the employee.

A report of sexual or moral harassment made for the sole purpose of disparaging, discrediting or harming someone constitutes harassment within the meaning of this Code of Conduct and any subsequent effect.

The following may constitute moral harassment:

- Damage to self-image: such as intimidation offenses, slander, insults, inappropriate reproaches, dissemination of confidential information, insinuation about psychological or physical problems of the person, which induce the same to be absent repeatedly, or any other action of devaluation of the person and the results achieved such as to make the subject the target of unfounded criticism, undermining his self-esteem and making him weak and vulnerable;
- Damage to the professionalism of the individual, such as threats of dismissal, forced resignation, unjustified transfers, wage discrimination, prejudice in the prospect of career progression, unjustified removal of assignments already entrusted, assignment of improper tasks, systematic devaluation of results, impediment of work, emptying of assigned tasks, lack or unjustified deprivation of work tools, unjustified exclusions from projects, requests for extraordinary services not justified by service requirements, repeated and unjustified reminders, unjustified refusals of holidays or permits, actions that create demotivation or distrust in the person, discouraging the continuation of his activity;
- Attempts at marginalization and isolation, such as unwanted changes of duties or work colleagues with persecutory intent, limitations of the faculty of expression or excesses of control.

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SECTION III - IMPLEMENTING RULES

RESPONSIBILITY

In the workplace, all personnel of all levels must follow the following behaviors:

- Respect the rights, dignity and worth of others;
- Comply with the principles contained in this Code;
- Provide full adherence to the implementation of equal opportunities and non-discrimination;
- Protect your own health and safety and that of others;
- Treat others as yourself;
- Create and maintain a work environment that is as harmonious and non-intimidating, hostile, degrading, humiliating or offensive as possible;
- Commit to developing a safe work environment, inspired by the principles of fairness, freedom and dignity in interpersonal relationships and in which women and men mutually respect the inviolability of the person;
- Show impartiality towards people, so as to ensure that everyone is treated fairly and equally;
- Promote the adoption of diversified, timely and impartial measures, aimed at preventing and combating the phenomenon of mobbing or other phenomena, however named, aimed at altering the psycho-physical integrity of the worker;
- Support anyone who manifests that they have been discriminated against or harassed and be sensitive to the perception of the situation, directing them to report the case to the company function in charge;
- Inform the company function in charge of any harassment and discrimination that becomes known;
- Maintain the utmost confidentiality on the information received.
- Collaborate with the competent offices for the promotion and implementation of any preventive and repressive measure of the phenomenon of mobbing and other phenomena attributable to forms of discrimination or harassment;

In application of these principles, it is therefore forbidden to:

- Engage in forms of harassment in any form (intimidation, bullying, abuse, insults, marginalization, exclusion, *stalking* and any form or discriminatory attitude);
- Induce, pressure or persuade others to discriminate or harass or even to assume an act of discrimination or harassment;
- Stalking a worker who has complained of an act of discrimination or harassment or has taken legal action or provided testimony or information in a case of discrimination or harassment;
- Take part in and/or encourage entries regarding cases of alleged or actual harassment or discrimination.

DISCIPLINARY LIABILITY

Harassment (sexual or moral) violates laws and rules on equal treatment between men and women.

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Therefore, any discrimination, direct or indirect, based on ethnicity, religious confession, personal, political or trade union opinions, age, sex, disability violates the constitutional principles of equality, freedom and dignity of the person.

It is a disciplinary offence to carry out discriminatory acts and harassment in the workplace.

It is also a disciplinary offence to carry out acts of retaliation against those who report discrimination and/or harassment or intend to give or give testimony.

Equally reprehensible and punishable is the omissive attitude on the part of those who see or are aware of cases of harassment and do not report them.

The penalties will be imposed in proportion to the seriousness of the act and depending on the protection of the victim, regardless of the position held by the person involved.

The disciplinary procedure, relating to the facts and circumstances provided for in this Code, is conducted in accordance with the provisions of the relevant National Collective Labour Agreement.

PROCEDURE FOR DEALING WITH CASES OF DISCRIMINATION AND HARASSMENT

Exacer workers can send reports of possible violations, behaviors, practices that do not comply with the provisions of this Code and the Code of Ethics to odv@exacer.com.

In addition, workers who feel subject to harassment or discrimination are invited to involve the Management without delay, as well as to report the incident to the competent company function.

Those who have witnessed discriminatory behavior and / or configurable as harassment, must immediately report it to the same channels.

For conduct that is believed to have criminal relevance, Exacer urges any person who considers himself a victim of such conduct to contact the competent authorities without delay.

In any case, this is without prejudice to any other form of judicial protection or the right to turn to other protection structures.

Once the report has been received, the competent structure has the obligation to activate all the initiatives deemed suitable for solving the problem that creates discomfort to people and interferes with the performance of work, with the aim of safeguarding the primary interest of the dignity of the workers involved in the affair, thus seeking the most appropriate solutions to interrupt and overcome the situation of discomfort and restore a peaceful work environment.

If serious elements emerge from the report – whether in electronic or verbal form – Exacer will initiate disciplinary proceedings in accordance with legal and contractual legislation, through the Structure appointed for this.

The records of the process and the provision and the filing of the file will take place with the caution that the delicacy of the reports imposes.

Any form of direct or indirect retaliation against those who report a case of discrimination of harassment and / or mobbing, including third parties or witnesses, can also be assessed from a disciplinary point of view.

The Management must promptly inform the Supervisory Body of the events that have occurred.

If the report is unfounded, Exacer may take steps to rehabilitate the accused person. The author of the unfounded complaint will also have to answer disciplinarily.

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CONFIDENTIALITY

It is mandatory that all persons involved, for whatever reason, at every stage of the procedure operate with confidentiality and discretion, maintaining the secrecy of the facts and information they become aware of at every stage of the treatment of the case in compliance with the provisions of Legislative Decree 196/2003 and EU Reg. no. 679/2017 (GDPR).

Obviously, if necessary, the obligation remains to testify in the competent civil and / or criminal courts and to make statements to the Supervisory Body.

In particular, those who receive the report of harassment, the people who manage the disciplinary process, those directly involved in the fact, those who testify and all those involved must adopt an attitude respectful of the privacy of the people involved and more generally of confidentiality of the incident.

TRAINING AND INFORMATION

Exacer undertakes to disseminate this Code as widely as possible, through its display in the workplace, sharing on the company intranet and publication on the company's website.

Specific information will be given to new hires at the time of establishment of the service relationship.

The company is also committed to implementing training courses for workers at all levels of the organization and awareness-raising initiatives on the protection of the freedom and dignity of the person in order to prevent the occurrence of behaviors that can be configured as discrimination and harassment and to develop a safe work environment inspired by the principles of fairness in interpersonal relationships.

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