

POLICY ON UNACCEPTABLE BEHAVIOUR

INTRODUCTION

Ballast Nedam wants to offer its employees a pleasant and safe work environment. This means an environment where unacceptable behaviour is not tolerated.

WHAT IS UNACCEPTABLE BEHAVIOUR?

Unacceptable behaviour is behaviour which makes people feel uncomfortable and/or unsafe. You should think of bullying, sexual harassment, discrimination and aggression. If this occurs, action should be taken in order to stop this and follow up measures will have to be implemented in order to prevent such behaviour.

BULLYING

Bullying is (repeatedly) negative behaviour of a person (colleague) against someone who is not able (anymore) to defend themselves. This can be verbal, non-verbal or physical behaviour.

Bullying can occur directly or indirectly. An example of direct bullying is when someone is belittled, ignored or socially excluded, when a person receives unnecessary criticism, or when uncomfortable comments or jokes are made about a person. Threats or abuse of power are also considered bullying. Bullying can also take place behind someone's back, which is the case with gossiping or spreading false rumours. This is called indirect bullying.

Sometimes it is difficult to objectively determine whether certain behaviour is to be seen as bullying. The person who is joking does not always realise that it can be perceived as bullying.

The bottom line is that action needs to be taken when someone feels that they are being bullied. Everyone should feel safe at work. If unacceptable behaviour is discussed between colleagues, it will create awareness among everyone. In most cases, this will be sufficient to stop the behaviour.

SEXUAL HARASSMENT

Sexual harassment is to be considered each form of sexual advances, requests for sexual favors or other sexually charged verbal, non-verbal or physical behaviour which is perceived as unwanted.

Sexual harassment can manifest itself in (a combination of) three forms:

Verbal behaviour:

Here one can think of sexual oriented comments, jokes, asking intimate questions or making intimate allusions.

Non-verbal behaviour:

By making certain gestures and/or facial expressions. For example staring, sexually charged remarks or showing sexually charged or pornographic images (also by electronic means).

Physical behaviour:

This includes all forms of unwanted physical contact. This can be an arm around the shoulder, grabbing, squeezing, kissing, blocking the road, assaulting or even rape.

Sexual harassment can take place intentionally, but it can also happen unintentionally. This makes it sometimes a difficult problem to recognise. It is not about the intentions of the perpetrator, but about how someone perceives the behaviour. What is innocent for one person can be perceived by another as annoying, hostile, embarrassing or intimidating.

DISCRIMINATION

Discrimination is treating people in a different way without any justification, excluding or putting people at a disadvantage on the basis of the following (personal) traits:

- Race
- Gender
- Age
- Nationality
- Religion/belief
- Sexual orientation
- Handicap or chronic disease
- Marital status

Often discrimination occurs as a joke and people are not aware of the harm that is caused with such behaviour. Unfortunately, it also happens regularly that people discriminate consciously because they are convinced that they are better than others. Both forms of discrimination are unacceptable and must therefore be prevented.

AGRESSION

Aggression is a form of unacceptable behaviour where a person demonstrates violent behaviour against another person. The previously mentioned topics of bullying, sexual harassment and discrimination can also fall under (the scope of) aggression. Often, aggression involves physical violence, but it can also be the use of bad language, blackmailing or threatening.

MEASURES IN CASE OF UNACCEPTABLE BEHAVIOUR

Ballast Nedam does not tolerate unacceptable behaviour and ensures that direct action is taken when this occurs. Ballast Nedam creates awareness within the organisation by training sessions and by making this subcode available on the intranet.

In case of unacceptable behaviour, it will have direct consequences for the person acting in such a manner. Depending on the level of unacceptable behaviour, appropriate measures will be taken, based on reasonableness and fairness. These measures vary from a stern conversation up to termination of the employment agreement. Other measures may be:

- Formal warning
- Suspension
- Transfer

If one experiences unacceptable behaviour, this can be reported to the supervisor/manager. If this is not possible, one can always go to the Confidential Counsellor or the (Chief) Compliance Officer. The role of the Confidential Counsellor is to support, guide, advice and if needed assist with the further handling of the complaint within the organisation or when reporting it to the police. The Confidential Counsellor operates objectively and independently from the organisation and does not take any action without the explicit permission of the employee.

The (Chief) Compliance Officer will start an investigation once a (suspicion of) unacceptable behaviour has been reported. Upon completion of the investigation, measures will be taken if needed.

If an employee does not have (sufficient) confidence in the Confidential Counsellor of Ballast Nedam, it is possible, after consultation with the HR department, to have an external professional counsellor acting as Confidential Counsellor.

WHAT TO DO:

I am confronted with unacceptable behaviour:

- Make the person aware that you do not tolerate the unacceptable behaviour
- Discuss it with your colleagues
- Discuss it with your supervisor/manager and/or Confidential Counsellor
- Discuss it with someone you trust
- Report it to the compliance department

My colleague is confronted with unacceptable behaviour:

- Make the person aware of his/her unacceptable behaviour
- Support the victim of the unacceptable behaviour

- Discuss it with your colleagues
- Find support from your colleagues
- Discuss it with your supervisor/manager and/or Confidential Counsellor
- Report it to the compliance department

I, as manager/supervisor, am confronted with unacceptable behaviour:

- Set the standard and spread this within the department
- Set the right example
- Take action and ask for advice from the Confidential Counsellor/(Chief) Compliance Officer
- Report it to the compliance department
- Support the person who is confronted with the unacceptable behaviour.