

CORPORATE SEXUAL
HARASSMENT POLICY
Intercorp Retail

InRetail Peru adopted Intercorp Retail's Corporate Sexual Harassment Policy.

CORPORATE SEXUAL HARASSMENT POLICY

1. OBJECTIVE

The purpose of this document is to prevent and channel for its sanction the various manifestations of sexual harassment under the guidelines regulated by Law N° 27942, Law on Prevention and Punishment of Sexual Harassment, and its Regulations, approved by Supreme Decree N° 014-2019-MIMP and its amendments. Also in order to promote a work environment characterised by respect for dignity and good interpersonal treatment among employees and third parties who provide services in any of our offices and other domain spaces to eradicate this form of violence.

2. SCOPE

Applies to all employees and third parties who provide services for Intercorp Retail, who perform their work in our offices and other areas of domain without distinction of gender, race, creed, political opinion, age, sexual orientation, marital status, socioeconomic level, disability, among others.

3. DEFINITIONS

- 3.1. **Sexual harassment:** Any conduct of a sexual or sexist nature or connotation unwanted by the person against whom it is directed, which may create an intimidating, hostile or humiliating environment; or that may affect their work activity or situation. In order to constitute a case of sexual harassment, it is not necessary to prove rejection or repetition of the conduct. Any person may be a victim or harasser of sexual harassment, regardless of age, position, sex, gender, sexual orientation, gender identity or any other factor. Sexual harassment is configured regardless of whether there are degrees of hierarchy between the person harassed and the harasser or if the act of sexual harassment occurs during or outside the workday or workplace. It is also configured when the harassed or harasser is a supplier or contractor; as long as the conduct occurs within the company's facilities, between a collaborator and the third party. If the conduct occurs between two employees of a third party and a complaint is filed with Intercorp Retail, the complaint will be referred to the corresponding employer companies.
- 3.2. **Conduct of a sexual nature:** Physical, written, verbal, gestural or other behaviour or acts of a sexual connotation, such as comments and insinuations; lewd remarks or looks; exhibition or exposure of pornographic material; touching, rubbing or bodily approaches; sexual demands or propositions; virtual contact; among others of a similar nature.
- 3.3. **Sexist behaviour:** Behaviour or acts that promote or reinforce stereotypes in which women and men have attributes, roles or spaces of their own, which imply the subordination of one sex or gender with respect to the other.
- 3.4. **Manifestations:** Sexual harassment may manifest itself, among others, through the following behaviour:

- a) Implicit or express promises to the victim of preferential or beneficial treatment with respect to his or her current or future (work or professional) situation in exchange for sexual favours.
- b) Threats implicitly or explicitly demanding unwanted conduct from the victim that violates or offends their dignity.
- c) Use of terms and comments of a sexual or sexist nature or connotation (written or verbal), sexual insinuations, sexual propositions, obscene gestures or exhibition through any means of images of sexual content, which are hostile, humiliating or offensive to the victim.
- d) Bodily approaches, rubbing, touching or other physical conduct of a sexual nature that is offensive and unwanted by the victim.
- e) Offensive or hostile treatment due to the rejection of the behaviour indicated in this section.
- f) Any other conduct that fits the definition regulated in Article 4 of Law N° 27942, "Law for the Prevention and Punishment of Sexual Harassment".

The actions through which sexual harassment materializes may be conducts or behaviours of a nature:

- g) Physical, such as unwanted physical contact, including: patting, pinching, fondling, kissing, hugging, or inappropriate contact (such as cornering); physical violence, including sexual assault; the use of threats or work-related rewards to solicit sexual favours or services.
- h) Verbal, such as comments about the person's physical appearance, age, private life, etc.; sexual or sexist comments, obscene stories and/or jokes; sexual advances; repeated and unwanted social invitations; insults based on the victim's sex or sexual orientation, etc.
- i) Non-verbal, which can occur in both virtual and non-virtual media, and refer to the display of sexually explicit or suggestive material; sexually explicit or suggestive messages (via email, telephone, social networks, whatsapp, etc.); leering with sexual content, etc.

- 3.5. **Complaint:** Is the complaint or claim that an alleged victim of an act of sexual harassment presents verbally or in writing to the administrative authority receiving complaints.
- 3.6. **Person reported, defendant, denounced:** Is the person allegedly responsible for having committed an act of sexual harassment.
- 3.7. **Complainer, plaintiff, complainant:** Is the alleged victim of an act of sexual harassment.
- 3.8. **Harasser:** Any person who directs unwanted behaviour of a sexual nature to other people, whose responsibility has been sanctioned for sexual harassment according to the procedure established in Intercorp Retail's Internal Regulation and the Law.
- 3.9. **False complaint:** A complaint or claim for sexual harassment which, after the corresponding investigation, is found to be unfounded.

- 3.10. **Relationship of authority:** Refers to any link existing between two people through which one of them has power of direction over the activities of the other or has an advantageous situation in relation to the other. This concept includes that of dependency relationship.
- 3.11. **Hierarchical relationship:** Is any relationship that originates in a scale of legitimate power or hierarchical investiture in which one person has power over the other due to the degree he/she occupies within the scale.
- 3.12. **Advantageous situation:** Is that which occurs in a relationship in which there is no position of authority attributed, but there is a power of influence of one person over another even when such persons immersed in an act of sexual harassment are of lesser or equal position, level or hierarchy.
- 3.13. **Committee of management of sexual abuse and harassment in the workplace:** The Committee is the joint participation body for the evaluation, resolution and prevention only in particular cases (which by their nature, are sensitive) and that require a space to be treated. The Committee is composed of 2 representatives delegated by the management in charge of handling cases related to Sexual and Workplace Harassment; Labour Relations, Welfare and Occupational Health and 2 representatives elected by the employees, as regulated by the policy guidelines.

4. POLICIES

General

- 4.1. Intercorp Retail protects its employees against any type of sexual harassment that harms the dignity of the person and, therefore, will take all necessary measures to investigate complaints, determine the degree of responsibility of the defendant, take the necessary measures to prevent the complainant from having contact with the defendant during the investigation and sanction the harasser in accordance with the law, if evidence is found to support the complaint.

Specifics

- 4.2. Any investigation activated by Intercorp Retail in response to a complaint of sexual harassment shall be conducted in a confidential, impartial and effective manner, respecting the right of defence of the parties and ensuring the protection of the victim. All involved will sign a letter of confidentiality before the event, according to the corresponding annex depending on the case.
- 4.3. The protocol for investigating and sanctioning sexual harassment is initiated at the request of the victim, a third party or the company itself, when Intercorp Retail becomes aware by any means of the facts that allegedly constitute sexual harassment.
- 4.4. Both in the offices and other domain spaces, the complaint may be submitted verbally or in writing. If it is verbal, it must be formalised through the form, which records the behaviour that gave rise to sexual harassment. In both cases, the person making the complaint must describe in a precise and detailed manner the facts that gave rise to the sexual harassment,

identifying those who may have witnessed its occurrence and providing any other means of proof or evidence.

Verbal or non-verbal, the reporting channels are:

- Head of Welfare (Miriam Herrera - SPSA-Bienestar@spsa.pe, telephone: 618-800 Annex 25577, cellular; 989074370
- Ethics Line 0800-7823
- www.conetica.pe

- 4.5. In the event that the alleged harasser is the head of the body receiving the complaint, or a member of the investigation committee, the complaint is filed with the immediate superior of the alleged harasser, i.e. Vice President of Management and Human Development: Mariela Prado - mariela.prado@spsa.pe, phone: 618-8000 Annex. 25403. The alleged harasser must refrain from participating in the investigation.
- 4.6. The complainant has a period of 30 calendar days to file his/her complaint, counting from the day after the last act of harassment or indication thereof.
- 4.7. Every employee who participates in a sexual harassment process, whether the complaining party, the complained party or as a witness, has the rights and guarantees of due process, including the right to present his/her arguments, to offer and obtain evidence and to obtain a reasoned decision in accordance with constitutional principles and following due process.
- 4.8. The collaborator indicated as the accused has the right to the presumption of innocence.
- 4.9. The Welfare and Development Management, within a period not exceeding one (1) working day from the filing of the complaint, shall make available to the victim the channels of medical, physical and mental or psychological care available to her/him. If such services are not available, the victim will be referred to those public or private health services to which he/she can resort. The report issued as a result of the medical, physical and mental or psychological care is incorporated into the procedure and considered as evidence only if the victim authorises it.
- 4.10. If warranted, the Welfare and Development Management, in coordination with the Labour and Litigation Affairs Management or the Vice-Presidency of Management and Human Development, during the time of the investigation or at the time of issuing the final resolution (in case the existence of harassment is proven), ex officio or at the request of the complainant, and in order to ensure the effectiveness of the final decision may issue and implement precautionary measures, which must be adjusted to the intensity, proportionality and necessity of each case and may be, among others, the following:
 - Imperfect temporary suspension of the alleged harasser. In this case, the remuneration granted during the suspension period may be deducted if the misconduct has occurred.
 - Request the competent body for the issuance of a restraining order to prevent approach, proximity to the victim, or to establish any type of communication with the victim.
 - Other measures that seek to protect and ensure the welfare of the victim.

- 4.11. The Welfare and Development Management may also issue certain protective measures in favour of witnesses, provided that they are strictly necessary to ensure their cooperation with the investigation.
- 4.12. The Sexual Harassment Intervention Committee (hereinafter, the Committee) is responsible for developing the investigation and proposing sanction measures and complementary measures to prevent new cases of harassment, for this purpose and as a guide for the investigation, it will use the format IR-BST-FR007 Checklist Cases of Sexual Harassment and Workplace Harassment.
- 4.13. The Committee is responsible for issuing a report on the investigation carried out, the results of the investigation and the proposed sanction measures and complementary measures. It shall also inform the Welfare Management of the report issued.
- 4.14. The Welfare and Development Management shall forward the Committee's report to the accused and the alleged harassed employee and grant them a period of time to present their arguments, if they deem it appropriate.
- 4.15. If it is determined that sexual harassment has occurred, the Labour Relations Management will determine the disciplinary measure to be applied to the harasser, which may be a verbal or written warning (severe, suspension without pay or the initiation of the dismissal procedure).
- 4.16. However, if it is determined that the complaint filed was false, the alleged accused may take legal action against the complainant in accordance with the provisions of the regulations in force. Likewise, the Labour Relations Management shall determine the disciplinary measure to be applied to the employee who filed the complaint and in the event that the accused wishes to take legal action against the false accuser, he/she may do so in accordance with the provisions of the regulations in force by submitting his/her defence (attach the corresponding evidence).
- 4.17. Every Committee must have minutes detailing the topics discussed, agreements and those responsible for their execution.
- 4.18. Intercorp Retail notifies the Ministry of Labour and Employment Promotion that it has received a complaint, or has initiated an ex officio investigation for sexual harassment, and informs it about the protection measures granted to the alleged victim, within a period not exceeding six (6) working days of receipt of the complaint. Likewise, once the attention is completed, Intercorp Retail will communicate to the Ministry of Labour and Employment Promotion the final decision adopted within six (6) working days of its issuance.
- 4.19. As part of the prevention plan, training will be provided to reinforce the issues of sexual harassment and bullying.

5. DOCUMENTS TO BE CONSULTED

- Sexual Abuse and Harassment Prevention and Punishment Regulations.
- Formation of the Sexual Harassment Intervention Committee.
- Law N° 27942, Law for the Prevention and Punishment of Sexual Harassment.

- Supreme Decree N° 014-2019-MIMP, Regulation of the Law for the Prevention and Punishment of Sexual Harassment.

6. RECORDS

- 6.1. IR-BST-FR008 Sexual Abuse and Harassment Complaint Form
- 6.2. Confidentiality Letter
- 6.3. Confidentiality Agreement
- 6.4. Abuse and Workplace Harassment Management Committee Minutes
- 6.5. IR-BST-FR007 Checklist Sexual Abuse and Workplace Harassment Cases

7. ANNEXES

Annex A: Confidentiality Letter

Annex B: Confidentiality Agreement

Annex A: Confidentiality Letter

CONFIDENTIAL

Lima, Day of Month of Year

Mr./Ms:

.....

Present. -

Dear Sir or Madam:

We hereby inform you that, in accordance with the provisions of Law No. 27942, Law for the Prevention and Punishment of Sexual Harassment, and its Regulations -approved by Supreme Decree No. 010-2003-MIMDES-, we are sending you Resolution No. 01 issued in Exp., so that you may become aware of it.

Likewise, given the nature of this investigation procedure and the duty of confidentiality that should govern it, we reiterate our request to keep absolute confidentiality regarding everything related to this procedure.

Yours sincerely,

IR MANAGEMENT S.R.L
Investigation Body

Annex B: Confidentiality Agreement

CONFIDENTIALITY AGREEMENT

I _____, identified with DNI N°. _____, in my condition of _____ (Position held), of the VP _____ of the _____ area, understand and accept the following conditions, commitments, rights and duties, related to the following points:

1. OBJECT OF CONFIDENTIALITY: The information provided for the reception, addressing and processing of the complaint filed for alleged act of "Sexual Harassment" will be kept in strict confidentiality according to the protocol for the attention of alleged act of sexual harassment. Therefore, **I agree not to disclose, divulge, show, communicate, use and/or employ the known information** for purposes other than the reception and processing of the complaint filed for alleged sexual harassment.

2. SECURITY OF INFORMATION: The information provided for the reception, addressing and processing of the complaint filed for alleged sexual harassment, **must be kept confidential and private**, protecting such information to prevent disclosure and/or unauthorized circulation, taking all technical measures and care.

3. DURATION: This commitment of confidentiality and non-disclosure of information **will be permanent**.

4. TRUTH OF THE INFORMATION: The information provided for the reception, addressing and processing of the complaint filed for an alleged act of sexual harassment **is real and true**.

5. PENALTIES: Failure to comply with the duty of non-disclosure and false complaint of the information provided for the reception, addressing and processing of the complaint filed for alleged acts of sexual harassment **will result in the respective sanctions or the initiation of disciplinary actions**.

All of the above described is detailed on the basis of **Law Nº 27942, Law for the Prevention and Punishment of Sexual Harassment**; Final and Complementary Provisions, ninth clause (*On the Reservation of the Investigation Process*) and tenth clause (*The False Complaint*).

In consequence of the foregoing, this commitment is signed on the _____ day of the month of _____ of _____.

Name:.....

DNI:.....

Fingerprint: