

# INTERNAL ANTI-MOBGING POLICY

**RE  ALLOYS**  
RENEWABLE ENERGY ALLOYS

## GENERAL PROVISIONS

### Art. 1

#### Definitions and abbreviations

When used in the provisions of the Internal Anti-Mobbing Policy, the following terms and abbreviations shall mean:

1. **Mobbing** – as defined in Art. 94<sup>3</sup> of the Labour Code, it means any action or behaviour relating to an employee or directed against an employee that involves persistent and long-term harassment or intimidation, resulting in lower self-evaluation by the employee of their professional abilities, with the purpose or effect of humiliating or ridiculing, isolating or eliminating that employee from the team;
2. **Employer** – RE ALLOYS Sp. z o.o. with its registered office in Łaziska Górne;
3. **Employee** – a person being in an employment relationship with the Employer;
4. **Anti-Mobbing Committee or Commission** – a collegial body established by the Employer to investigate employee complaints pertaining to mobbing;
5. **Workplace** – the place where an Employee performs work, determined in accordance with Art. 22 of the Labour Code;
6. **Labour Code**, – Act of 26 June 1974 Labour Code (consolidated text of Dz. U. /Journal of Laws/ of 2014, item 1502);
7. **IAP** – Internal Anti-Mobbing Policy;
8. **Human Resources Department** – a department responsible for HR services, separated in the Employer's structure or in the structure of an external entity performing HR services for the Employer.

### Art. 2

#### Purpose of the IAP

1. The IAP is designed to protect Employees against mobbing in the workplace or work-related mobbing.
2. The IAP applies to all Employees, regardless of the type of work performed or the position held.
3. The IAP specifies in particular:
  - a. the procedure for dealing with mobbing as well as the rights and obligations of Employees in such situations;
  - b. the preventive measures undertaken by the Employer to counteract the occurrence of mobbing.

## COUNTERACTING MOBGING

### Art. 3

#### Obligations of the Employee

1. Each Employee is required to read the IAP and submit a written statement to that effect, dated and signed by the Employee, to the Human Resources Department.
2. A statement confirming that the Employee has read the IAP shall be included in the Employee's personnel file. The template of the statement constitutes Appendix No. 1 hereto.

3. Employees are obliged to respect the dignity and personal rights of all participants in the work process.
4. Employees are obliged to apply in their mutual relations the principles of social coexistence as well as kindness and courtesy, guaranteeing order as well as general and mental well-being.
5. It is the responsibility of each Employee to make every effort to prevent mobbing.
6. Employees shall not engage in any mobbing behaviour or create situations that encourage mobbing.
7. Encouraging mobbing or the use of mobbing constitutes a violation of basic employment obligations and may be the basis for the Employer to apply sanctions provided for in the provisions of the Labour Code, in particular the application of penalties or termination of the employment agreement.

#### **Art. 4**

##### **Obligations of the Employer**

1. The priority goal of introducing the IAP is to support activities conducive to building positive relations between Employees at the Employer.
2. The Employer shall take all measures prescribed by law to ensure that the work environment is free from mobbing and other forms of psychological violence.
3. No action or behaviour that constitutes mobbing shall be tolerated by the Employer.
4. The Employer shall take the actions provided for in the IAP whenever an Employee files a complaint.
5. Moreover, the Employer shall take the actions indicated in the IAP in each case of becoming aware of the existence of mobbing from a source other than an Employee's complaint.

#### **Art. 5**

##### **Employee's rights**

1. Any Employee who experiences mobbing shall have the right to demand the Employer to take actions aimed at counteracting and, consequently, eliminating mobbing; in particular, they shall be entitled to submit a complaint to the Employer.
2. The exercise by an Employee of the right set forth in sec. 1 of this paragraph shall not, in any way, preclude the Employee's right to seek legal protection under applicable law. Nor is an Employee's exercise of such remedies in any way contingent upon prior application of the provisions of the IAP.
3. The complaint referred to in sec. 1 shall be made in writing, dated and signed by the Employee.
4. In the complaint, the Employee shall indicate the behaviours of superiors or co-workers that constitute mobbing, identify the name of the person or persons who, in their opinion, are the perpetrators of mobbing, provide justification and cite, to the extent possible, evidence that the actions or behaviours presented by the Employee are/were actually taking place.
5. The complaint must be filed with the Human Resources Department, the person performing labour law activities on behalf of the Employer or a member of the Employer's Management Board.

#### **Art. 6**

##### **Anti-Mobbing Committee**

1. The Anti-Mobbing Committee shall be appointed by the Employer *on an ad hoc* basis in accordance with the procedure described in this paragraph.
2. Upon receipt of a complaint made by an Employee, the Employer shall immediately, but no later than within 5 working days of receipt of the complaint, appoint an Anti-Mobbing Committee.
3. The Committee shall commence its proceedings no later than 10 business days after the filing of the complaint.
4. The Committee is composed of 3 members:
  - a. Human Resources representative,
  - b. a person performing labour law activities on behalf of the Employer in accordance with Art. 3<sup>1</sup> of the Labour Code, or a Member of the Employer's Management Board or a representative of the Management Board and
  - c. an Employee representative or a person designated by the Employee making the complaint.
5. The members of the Committee shall elect a chairman from among themselves.
6. Only a person who is not and has never been subject to any mobbing proceedings may become a member of the Anti-Mobbing Committee.
7. A person who is suspected of mobbing based on a complaint or who files a complaint also cannot become a member of the Committee.
8. A person appointed to serve as a member of the Anti-Mobbing Committee is required to submit a written statement that they are not and have never been the subject of any harassment proceedings. The template of the statement constitutes Appendix No. 2 hereto.
9. In the case when members of the Employer's Management Board are suspected of mobbing, the election of the members of the Anti-Mobbing Committee takes place by the decision of the Employer's proxy indicated by the Employer's Shareholders' Meeting.
10. Members of the Anti-Mobbing Committee shall be entitled to time off with pay for work performed in the course of their duties as members of the Anti-Mobbing Committee.
11. The Employer shall provide the Anti-Mobbing Committee with the resources (including materials and premises) necessary to carry out its tasks.
12. The task of the Anti-Mobbing Committee is to establish the facts and assess whether mobbing occurred, to determine the culprits and victims of the incident, as well as establish the manner of settlement of the conflict.
13. The Anti-Mobbing Committee should listen to all persons concerned and allow all persons concerned full freedom of expression.
14. Having heard the explanations of the aggrieved Employee and the alleged perpetrator(s), and having conducted evidentiary proceedings, the Committee shall decide on the validity of the complaint in question by majority vote.
15. Each member of the Anti-Mobbing Committee is obliged to remain objective and impartial when assessing individual cases.
16. The independence of the judgments of the Committee members shall be ensured by requiring that a record of divergences be attached to the decision.
17. Written minutes of the Committee meeting shall be taken and signed by all Committee members. The template of the minutes constitutes Appendix No. 3 hereto.
18. The minutes referred to in sec. 17 shall be accompanied by the decision of the Committee, along with its justification, which shall be communicated within 14 days from the date of commencement of the proceedings to the Employee lodging the complaint as

well as the Employee(s) accused of mobbing, which shall be confirmed by their signature.

19. If the Anti-Mobbing Committee determines that mobbing has occurred, the Committee shall inform and request the Employer (or a person authorised by the Employer) to punish the person or persons who committed it. The punishment referred to in the preceding sentence may, in particular, consist in imposing a reprimand on the person or persons guilty of mobbing or terminating the employment relationship.
20. If possible, the Employer may also transfer the victim to another job at the Employee's request or with their consent.
21. The victim of mobbing should be advised by the Anti-Mobbing Committee of the common legal remedies available to them, in particular the possibility of taking the matter to court.
22. Such proceedings before the Committee are confidential and any facts determined in their course must not be disclosed to the public. This shall not apply if the facts referred to in the preceding sentence are the subject of judicial or other proceedings under the Act.
23. Members of the Anti-Mobbing Committee shall be obliged to submit a written statement of confidentiality. The template of the statement constitutes Appendix No. 4 hereto.

#### Art. 7

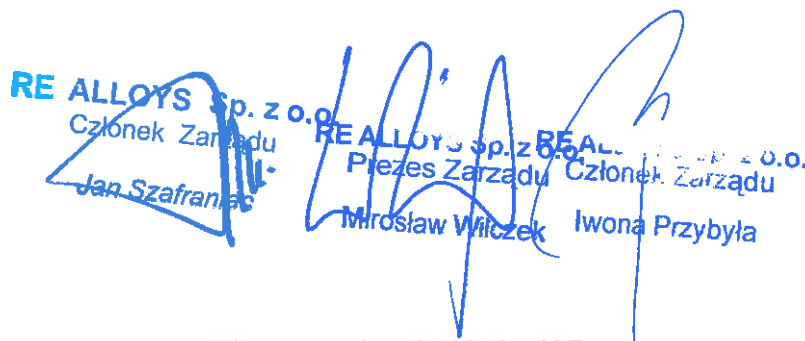
1. In each case of mobbing detected, the Employer shall take measures to prevent similar situations from occurring in the work environment, in particular through actions of informational nature.
2. If necessary, the Employer shall be entitled to conduct internal training for Employees with regard to mobbing and counteracting all forms of mobbing.

### FINAL PROVISIONS

#### Art. 8

1. Each time a new employee is hired, the Human Resources Department acquaints them with the contents of the IAP and collects the appropriate statement from them in accordance with Art. 3, sec. 1 and 2 of the IAP.
2. Amendments to the IAP may be made in the manner appropriate for their establishment.
3. The internal anti-mobbing policy comes into force after two weeks from the date of its disclosure to Employees in a manner customarily accepted by the Employer.

Prepared by: DNK


  
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Appendices:

1. Employee's statement on getting acquainted with the IAP.
2. Statement of a Member of the Anti-Mobbing Committee.
3. Minutes of the Anti-Mobbing Committee.

4. Statement of confidentiality of a Member of the Anti-Mobbing Committee.

Appendix No.1 to the IAP

.....

Full name

.....

Position

**EMPLOYEE'S STATEMENT**

*Template*

I hereby declare that I got acquainted with the Internal Anti-Mobbing Policy in RE ALLOYS Sp. z o.o. with its registered office in Łaziska Górne and that I undertake to comply with its provisions.

.....

Date

.....

Employee's signature

Appendix No. 2 to the IAP

**STATEMENT OF A MEMBER OF THE ANTI-MOBGING COMMITTEE**

*Template*

.....

*(full name of the employee)*

in my capacity as a member of the Anti-Mobbing Committee, I declare that no extra-judicial or judicial proceedings for mobbing have ever been initiated or are pending against me.

.....

Date

.....

Employee's signature



**MINUTES**

**from the meeting of the Anti-Mobbing Committee**

*Template*

prepared on ..... in .....

Minutes prepared by:

Full name .....

Position .....

Place of employment  
.....

Current members of the Committee:

.....  
.....  
.....

*(list full names, positions and place of employment)*

Refers to the case from the following complaint:

.....  
.....

Actions taken by the Committee:

.....  
.....  
.....

Decisions of the Committee:

.....  
.....

It was ordered to call witnesses\*/the person suspected of mobbing/the complainant:

.....  
.....

Other orders of the Committee:

.....  
.....

Citation of the main theses of the Committee's final decision (*The decision with its justification is attached to these minutes*):

.....  
.....

.....  
(signatures of Committee members)

\*) delete as appropriate

Appendix to the Minutes:

1. Decision of the Anti-Mobbing Committee;

**STATEMENT OF A MEMBER OF THE ANTI-MOBING COMMITTEE  
ON CONFIDENTIALITY**

*Template*

.....,

*(full name of the employee)*

acting as a member of the Anti-Mobbing Committee, I undertake to keep confidential all information obtained in connection with the performance of my function, both those concerning the Employee and the Employer, in particular information protected by law within the meaning of the Act:

a) of 29 August 1997 on the protection of personal data (Dz.U./ Journal of Laws/ No. 133, item 883, as amended),

b) of 16 April 1993 on Counteracting Unfair Competition (Journal of Laws No. 153, item 1503 as amended),

.....

Date

.....

Employee's signature

