



Danone anti-harassment & discrimination Policy

A Policy to prevent & fight together harassment & discrimination at work.
For an inclusive workplace

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Table of Contents

01	PURPOSE & SCOPE	4
1.1	Purpose.....	4
1.2	Scope.....	5
1.2.1	<i>People</i>	5
1.2.2	<i>Workplace</i>	5
1.2.3	<i>Behaviors</i>	5
02	WHAT IS HARASSMENT?	6
2.1	Sexual Harassment.....	6
2.2	Physical harassment/violence.....	7
2.3	Discriminatory harassment.....	7
2.4	Psychological harassment.....	8
2.5	Verbal harassment.....	9
2.6	Cyberbullying.....	9
03	WHAT IS DISCRIMINATION?	10
04	FROM REPORTING TO INVESTIGATING & SANCTIONING UNACCEPTABLE BEHAVIORS	11
4.1	How to raise a concern?.....	11
4.2	Investigation & sanction.....	12
4.3	Retaliation.....	12
05	APPLICATION	13
5.1	Implementation of this Policy.....	13
5.2	Adapting the global Policy for local use.....	13

01 PURPOSE & SCOPE

As clearly stated in the **Danone Code of Business Conduct**: *«We will not tolerate violence, bullying, harassment, discrimination [...]»*.

This policy is an extension of the **Danone Inclusive Diversity Policy** which reinforces Danone's commitments as below:

- « [...] • *To create an environment in which each individual's uniqueness is celebrated and the contributions of each team member are recognized and valued.*
- *To ensure that everyone is treated with dignity and respect and not tolerate any forms of intimidation, bullying, harassment including sexual harassment, or any mistreatment of employees in the workplace or in work related situations and to discipline those that breach this policy.*
- *To encourage anyone who feels they have been subject to such intimidation, discrimination, harassment or mistreatment to raise their concerns with protection from retaliation.*
- *To regularly review all our employment practices and procedures [...].*

All decisions regarding recruitment, hiring, promotion, compensation, employee development decisions such as training, and all other terms and conditions of employment, will be made without regard to age, alleged race, color, gender, national origin, religion, disability, sexual orientation, gender identity or expression and veteran status.

[...]. All employees will be given help and encouragement to develop their full potential and contribute with their unique talents. [...]"

This policy is deeply anchored in our distinctive **Danone core values HOPE** (Humanism, Openness, Proximity & Enthusiasm) that require a leadership posture, which combines both business and strong ethical values.

1.1 Purpose

The Danone anti-harassment & discrimination Policy, a policy to prevent & fight together harassment & discrimination at work (hereafter the "Policy"), aims at detailing our commitment to ensure a workplace free of harassment, violence & discrimination and that strives for inclusive diversity.

This is a key part of Danone being a pioneer company in fostering social progress.

This Policy shall increase the awareness and understanding of all line managers/supervisors (N+1) and all employees of workplace harassment, violence & discrimination and provide them with a framework to identify, prevent and manage allegations of harassment, violence and discrimination at work.

Danone counts on the willingness & judgment of each employee at Danone to ensure together the safety and protection of all.

It is everyone's duty/responsibility:

- a) to foster a work environment without harassment or any type of discrimination (section 2) and
- b) to speak up when witnessing any unacceptable behaviors without fear of retaliation (section 3).

Danone wants everyone to be treated with humanism, openness, respect & dignity and condemns illegal harassment/discrimination, whatever the form and whoever the person involved.

1.2 Scope

1.2.1 People

This Policy covers our employees as defined by national law and practice, as well as persons working irrespective of their contractual status, our employees on maternity or paternity leave, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and third-parties whom our employees come into contact with at work e.g. business partners, customers...

1.2.2 Workplace

Workplace must be defined in a large sense in order to encompass all situations.

This Policy applies to harassment, violence and discrimination in the entire universe of work, in the course of, linked with or arising out of work, including but not limited to:

- (a) in the workplace, including public and private spaces where they are used as a place of work;
- (b) at home when the employee works remotely
- (c) in places where the employee is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- (d) during work-related assignments, trips, travel, training, events or social activities;
- (e) through work-related communications, including those enabled by information and communication technologies;
- (f) in employer-provided accommodation; and
- (g) in social media.

1.2.3 Behaviors

This Policy covers 2 types of unacceptable behaviors at work:

- (a) all types and forms of harassment;
- (b) all types and forms of discrimination.

02 WHAT IS HARASSMENT?

The term used to refer to harassment and the definition of harassment may vary from one jurisdiction to another depending on local laws & local culture.

The term harassment in the world of work usually refers to a range of unacceptable behaviors and practices, or threats thereof toward an individual that:

- has the purpose or effect of violating a person's dignity or creating a degrading, humiliating or offensive/hostile work environment,
- has the purpose or effect of unreasonably interfering with an individual's work performance, or
- otherwise adversely affects the individual's employment opportunities.

In most jurisdictions, harassment may take multiple forms, it:

- can range from cases of disrespect to more serious acts, including criminal offences, which require the intervention of public authorities,
- can be a one-off serious incident or a repeated, more systematic pattern of behavior,
- may be amongst colleagues, between superiors and subordinates or involving third parties such as clients, customers, patients, etc.

The harasser's intent (whether s/he meant it or not) does not matter. The harassment just needs to be unwanted and/or objectionable or offensive to the recipient or witness to the conduct.

The most common types of harassment/unacceptable behaviors [the list is not exhaustive and needs to be examined in compliance with local laws] are described here-below with supporting examples: sexual, physical (violence), discriminatory, psychological, verbal harassment and cyberbullying.

The description of the various types or forms of harassment in this Policy shall not be considered as legal definitions. For legal definitions, the victim shall refer to the laws of the country that applies to her/him.

2.1 Sexual Harassment

Danone prohibits any kind of sexual harassment towards any of its employee or from an employee towards a third-party.

Subject to local laws, workplace sexual harassment can be described as:

- engaging in vexatious comment or conduct against a person in a workplace because of sex, sexual orientation, self-identified or perceived sex, gender identity or gender expression, the status of being transgender, where the comment or conduct is known or ought reasonably to be known to be unwelcome and results in unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment or in violating an individual's dignity; or
- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome (so-called "quid-pro-quo sexual harassment" i.e. "this for that"). Quid pro quo sexual harassment can be either explicit or implicit. The harasser may outright ask for the exchange or may hint at it ("Don't you want this job?").

Examples:

Sexual harassment may include, among other things:

- words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex,
- Sharing sexual photos (pornography),
- Posting sexual posters,
- Sexual comments, jokes, questions, or innuendo,
- Inappropriate touching/Inappropriate sexual gesture,
- Invading personal space in an unwanted way, ...

Quid pro quo Sexual harassment: in exchange for romantic or sexual services, the harasser may:

- Offer a job/a promotion/a raise/opportunities,
- Create different working conditions and/or better work locations,
- Threaten a demotion/a termination if advances are denied,
- Making or threatening reprisals after a negative response to sexual advances, ...

2.2 Physical harassment/violence

Harassment and violence are unacceptable behavior(s) by one or more individuals. This behavior can take many different forms, some of which may be more easily identified than others.

Harassment occurs when one or more employee is/are abused, threatened and/or humiliated in circumstances relating to work.

Violence (also called physical harassment) occurs when one or more employee(s) feel(s) physically attacked or threatened or, in extreme circumstances, assaulted in circumstances relating to work.

Examples:

Violent behaviors may include, among other things:

- Direct threats of intent to inflict harm,
- Physical attacks (hitting, throwing objects at a person, shoving, kicking...),
- Threatening behavior (shaking fists angrily),
- Destroying property to intimidate, ...

2.3 Discriminatory harassment

As clearly stated in the Danone Code of Business Conduct & the Inclusive Diversity Policy, Danone is committed to providing equality to all our employees. All decisions regarding recruitment, hiring, promotion, compensation, employee development decisions such as training, and all other terms and conditions of employment, will be made without regard to age, race/ethnicity, color, gender, national origin, religion, disability, sexual orientation, gender identity or expression and veteran status or any other prohibited grounds of discrimination under local laws.

Discriminatory harassment is unwanted and/or objectionable or offensive conduct based on a particular characteristic. The most common & easy to recognize type of discriminatory harassment are gender, racial or religious harassment. But discriminatory harassment is clearly not limited to those characteristics and covers all types of harassment targeting age, race/ethnicity, color, gender, national origin, religion, disability, sexual orientation, gender identity or expression or veteran status or any other prohibited grounds of discrimination under local laws.

Examples:

- Slurs/insults/jokes,
- Threats,
- Symbols or gestures,
- Pictures, cartoons, drawings, photography, stereotyping or degrading comments,
- Expressions of intolerance or disgust,...

Of Gender based harassment¹ :

- A male colleague displays material (comics, posters) that's degrading to women,
- An employee is criticized or accused of not being committed enough due to having children, going on maternity leave,...

Of racial harassment² may come in the form of:

- Racial slurs/insults/jokes,
- Hate symbols associated with a particular race/ethnicity,
- Degrading comments regarding race/ethnicity,
- Expression of disgust of a certain race/ethnicity,
- Expression of intolerance of differences among races, ethnicities or national origins, ...

Of religious Harassment³ or intolerance can take different forms:

- Expression of intolerance toward religious holidays/religious traditions/religious customs,
- Religious jokes,
- Stereotypical religious comments,
- Pressure to change religion, ...

Of age harassment:

- Derogatory ageist remarks about the person,
- Age-based insults or slurs about the person.
- Derogatory age-based jokes about the person,
- Remarks made about the person reflecting negative age stereotypes,
- Remarks reflecting hostility or animosity towards older workers,
- Remarks reflecting a preference for younger workers, ...

2.4 Psychological harassment

Psychological harassment has a negative impact on a person's psychological well-being. The person usually feels put down and belittled on a personal level, a professional level or both. The conduct is offensive enough that there is often a risk that this psychological damage ends up impacting the victim's physical health, mental health, social life and work life.

However, this does not mean that the managers and team leaders cannot have difficult discussions about discipline, behaviors, etc, as long as these conversations are taking place based on well-reasoned assessments that are in alignment with Danone values. It is important to distinguish between personal attacks on an employee's identity versus constructive and objective feedback around performance.

Examples:

Psychological harassment may consist in:

- Isolating or denying the victim's presence,
- Belittling or trivializing the victim's thoughts,
- Discrediting or spreading rumors about the victim,
- Comparing/undermining one employee as compared to a top performer,
- Repeated verbal abuse,
- Verbal or physical conduct that is threatening or humiliating,
- The sabotage of a person's work performance, ...

¹ Gender based harassment very often comes in the form of stereotypes about men & women

² A victim is harassed because of his/her skin color, ancestry, origin country or citizenship. Even perceived attributes of a certain ethnicity (curly hair, accents, customs, beliefs or clothing) may be the cause.

³ Religious Harassment is very often targeting employees/individuals who practice a religion, which is different from the people s/he works with.

2.5 Verbal harassment

Verbal harassment or more generally inappropriate verbal behaviors is not always considered to be illegal. However, Danone does not tolerate this kind of behavior that consists in being mean, unpleasant or verbally abusive.

Examples:

The most common types of verbal harassment are: threatening, yelling, insulting or cursing at a victim in public or in private.

2.6 Cyberbullying

Cyberbullying is harassment that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through SMS, emails, Instant Messaging, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content.

Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else causing embarrassment or humiliation.

Examples:

An on-line harasser can, for example:

- share humiliating things about the victim by mass email or mass chat,
- spread lies or rumors about the victim on social media or with the victim's employer,
- send harassing instant messages or text messages directly to the victim, ...

* *
*

03

WHAT IS DISCRIMINATION?

The definition of discrimination may vary from one jurisdiction to another depending on local laws & local culture.

At Danone, we are opposed to all forms of unfair and unlawful discrimination and in direct application of our Global Inclusive Diversity Policy, our commitment is:

- to provide equality to all our employees as well as our affiliates and business partners whom we interact with every day,
- that all decisions regarding employment practices: recruitment, hiring, promotion, compensation, employee development decisions such as training, and all other terms and conditions of employment, including discipline, will be made without regard to age, race/ethnicity, color, gender, national origin, religion, disability, sexual orientation, gender identity or expression and veteran status or any other prohibited grounds of discrimination under local laws.

It is our policy to select the most qualified person for each position in the organization, whether that is a new hire, a transfer to another position, or a promotion.

Illegal discrimination is defined as treating an employee differently, or less favorably, because of that employee's legally protected characteristic.

Examples:

Of gender-based discrimination:

- A woman with 2 small children was told not to apply to a job with bigger responsibility because she will not have the time and capacity to do it,
- A male employee was told not to apply because it is a woman's job or vice versa a woman employee was told not to apply to certain jobs because it is a 'man' job, ...

Of racial discrimination:

- A candidate was not granted a job because s/he is of a certain race/ethnicity,
- Assigning employees of a certain race/ethnicity different job duties,
- Failure to hire employees of a certain race/ethnicity to maintain a "certain look" in a workplace,
- Unfairly disciplining certain employees on the basis of race/ethnicity, ...

Of religious discrimination or intolerance:

- Dismissing an employee because of his/her religion,
- Deciding not to hire an applicant because of his/her religion,
- Refusing to develop or promote an employee because of his/her religion,
- Workplace or job segregation based on religion, such as assigning an employee to a non-customer contact position because of actual or feared customer preference, ...

Of Age discrimination:

- A candidate is not granted a job because s/he is considered as too old,
- An employee is targeted in a restructuring (dismissal for economic reasons) because of his/her age,
- Treating the person differently or less favorably from younger employees,
- An employee is fired because the manager wanted to keep younger workers who are paid less, ...

04 FROM REPORTING TO INVESTIGATING & SANCTIONING UNACCEPTABLE BEHAVIORS

At Danone we want to know immediately about (potentially) unacceptable behavior(s), or any activity which poses or could pose a real or potential danger to anyone working for our company.

Any person who feels harassed and/or discriminated against or any person who is made aware of a harassment and/or discrimination allegation must report it, so that any violation of this Policy can be corrected promptly.

Harassment as well as discrimination, are prohibited under many local legislations and specific procedures for these cases are included in the local rules & regulations. This Policy does not prejudice these procedures nor the mandatory legislation that may apply.

Whilst the company strongly encourages its employees to share any concerns they may have, doing so is entirely voluntary.

Without prejudice to the procedures provided for in the local rules & regulations, this section explains how to report a concern, (3.1), how the concern is investigated (3.2) and the protection against any kind of retaliation (3.3).

4.1 How to raise a concern?

It should be considered as everyone's responsibility to immediately raise a concern in conformity with this Policy as soon as s/he is aware of an unacceptable behavior (as described under section 2 of this Policy) insofar as no other reporting procedure applies locally.

There are several ways for a person faced with or witnessing any (even potential) unacceptable behavior to raise a concern:

- ✓ speak with **his/her manager** (N+1) or to **Human Resources**. Once informed, Line Managers/Supervisors are required to promptly (ideally, within 24 hours) report any violation or suspected violation of this Policy to the Human Resources Director;
- ✓ If this option seems difficult or not appropriate given the sensitivity of the situation, the employee should contact **his/her** N+2 or the **Human Resources Director** or the **legal/compliance team** or the industrial Doctor (if any) or the local relevant appointed person (if any);
- ✓ via the Danone Ethics Line ('DEL') www.danoneethicsline.com. Anyone (a Danone employee or an external party) may use DEL to inform Danone of suspected wrongdoing. This is a secured way to report an alert in a confidential manner with a possibility to correspond with our compliance team via a secured independent mailbox. The person raising the concern may remain anonymous. However, employees making use of the whistleblowing system are encouraged to identify themselves in order to allow for a more thorough investigation. The DEL is a global tool accessible in every country. It aims at preventing any non-compliant and/or illegal behavior.

Whenever possible, a complaint should include details of the incident or incidents as well as names of individuals involved, and names of any witnesses.

Raising a concern in good faith will not expose the person who raised it to any retaliation. Any concern reported in bad faith may result in disciplinary actions as per the Danone Disciplinary Code for Business Conduct Breach.

4.2 Investigation & sanction

All concerns will be impartially and objectively examined. Internal investigations will be conducted as necessary. Details on internal investigations are provided in the Internal Investigations Policy accessible on: <http://mydanone.danweb.danet/group/mydanone>.

As a reminder, all persons to whom a complaint is made or who learn of a complaint as part of a company investigation must do everything reasonably possible, in accordance with applicable law, to keep the complaint confidential, to preserve the integrity of the investigation while it is ongoing, ensuring fairness to all involved, and to protect the privacy of employees who have raised concerns or are accused of misconduct.

The Investigation Team consists of persons within the HR, Legal, and Compliance teams with potential help from external investigators. The investigators are appointed in order to ensure that the investigation is done in an independent and objective manner.

Further to the investigation, if a Policy violation has occurred, appropriate measures will be taken in relation to the wrongdoing. This may include corrective measures and/or disciplinary actions up to and including dismissal in the conditions described in the Danone Disciplinary Code for Business Conduct Breach.

4.3 Retaliation

Retaliation occurs when any adverse action is taken against an employee as a result of his or her having raised a concern about misconduct. The adverse action is taken to punish the employee for raising a concern or to discourage future attempts to raise concerns.

Adverse actions can include termination, demotion, the withholding of a promotion or other financial incentives. Retaliation may also be less obvious such as a failure to invite an employee to a meeting or refusal to authorize a training or travel.

Danone protects the rights of, and prohibits retaliation against, those who volunteer information or cooperate proactively with an investigation. But for this protection to apply, the person must be acting in good faith.⁴

Example:

- Employee A raised a concern against his manager employee B,
- B hears about the concern raised and B finds out that it was A who launched the alert,
- B starts making A's life miserable excluding A from meetings, taking away valuable work assignments, and referring to A as a troublemaker to make A regret that A raised this alert and to discourage A from raising further complaints.

In this example, B is retaliating against A.

⁴ For more information on retaliation, please refer to the Danone Disciplinary Code for Business Conduct Breach.

05 APPLICATION

5.1 Implementation of this Policy

It is the responsibility of the Human Resources department in each of the countries in which Danone operates to adapt this Policy to the country's legal environment and to ensure that this Policy is rolled out in each legal entity and fully enforced.

5.2 Adapting the global Policy for local use

This Policy shall, if necessary, be adapted and localized at country level in order to be compliant with local legislation and to include, if necessary, culturally relevant examples of prohibited behaviors.

The common foundations described in this Policy are intended to meet or exceed local legislation or local practice, however in instances where the local law is more beneficial to employees, the local laws will prevail.