



IUF-RIU Hotels & Resorts

Agreement to eradicate sexual harassment

Preamble

- "RIU" refers to RIU Hotels & Resorts and its subsidiaries, regardless of the countries in which they operate.

- "IUF" refers to the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations, as well as its affiliated unions in the commercial sectors of RIU.

Convention 190 of the International Labour Organization (ILO) on violence and harassment affirms the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment. This right is linked to the rights to equality and non-discrimination. ILO Convention 190 is in the process of being ratified by ILO member states and its principles provide the framework for this agreement.

According to the ILO, sexual harassment is a form of discrimination under one of the fundamental ILO conventions, Convention 111 on discrimination in employment and occupation.

The ILO Committee of Experts on the Application of Conventions and Recommendations states that the definition of sexual harassment contains "the following key elements: 1) (quid pro quo): any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient; and a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job; or 2) (hostile work environment) Conduct that creates an intimidating, hostile or humiliating working environment for the recipient."¹

By way of example, the following types of conduct are characteristic of sexual harassment, in accordance with this agreement:

- any inappropriate insult, comment or innuendo that carries a sexual connotation;
- a condescending attitude that undermines the dignity of a person;
- any inappropriate sexual invitation or request, whether explicit or implicit, with or without threats;
- any gesture that may contain a sexual connotation;

¹ ILO: *Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1A), ILC, 91st Session, 2003, p. 504.*

- and all unnecessary physical contact, such as touching, stroking or assaulting.

Sexual harassment can occur in the workplace but also outside, for example at places where workers are paid, rest or eat; or at sanitary or toilet facilities and in changing rooms; during work-related commuting, travel, social or training events or activities; or during work-related interactions; or while commuting between the home and the workplace.

It is generally recognized that sexual harassment can cause profound discomfort and have a negative impact on health. It can disrupt the work environment and the working conditions of victims and lead them to leave their jobs, if the harassment takes place at the workplace.

Sexual harassment disproportionately affects women at their workplaces. However, sexual harassment can also affect men or be based on sexual orientation and these cases should be dealt with within the same framework.

Although RIU employees, regardless of their positions within the company, may be perpetrators of sexual harassment, harassment can also come from customers or suppliers that provide goods or services to RIU establishments.

Statement of intentions

The parties express their commitment to ensuring that all persons employed by the Group or operating on behalf of RIU can fully access and effectively exercise their internationally recognized human rights, in particular those specified in the United Nations International Bill of Human Rights² and the fundamental ILO Conventions. RIU and the IUF recognize the indispensable role that unions and social dialogue play³ in the protection and enablement of workers' fundamental rights within the human rights due diligence framework set out in the Organization for Economic Cooperation and Development (OECD) Guidelines for Multinational Companies.

RIU is committed to ending sexual harassment at work. Conduct that fosters a hostile work environment must therefore be prevented and addressed.

RIU and the IUF believe that a zero tolerance policy on sexual harassment is necessary in order to prevent sexual harassment at work and provide solutions. This policy takes into account the importance of health and safety at work and the need to protect the dignity and rights of all persons employed by the Group or who operate on behalf of RIU.

Sexual harassment, which is a crime and as such is considered illegal in many countries, continues to pose a risk in the hotel sector. RIU and the IUF wish to take practical actions to effectively combat sexual harassment at work. To this end, RIU and

² The International Bill of Human Rights is made up of the Universal Declaration of Human Rights (adopted by the United Nations in 1948), the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966).

³ "In order for social dialogue to take place, the following must exist:

- Strong independent workers' and employers' organizations, with the technical capacity and the access to relevant information to participate in social dialogue;
- Political will and commitment on the part of all the parties;
- Respect for the fundamental rights of freedom of association and collective bargaining;
- Appropriate institutional support." [Social dialogue \(GOVERNANCE\) \(ilo.org\)](https://www.ilo.org/governance)

the IUF will jointly identify and communicate measures and best practices, including to IUF-affiliated unions, so that these actions can be implemented.

Principles and procedures to combat sexual harassment at work

Although prevention (1) is a key factor to achieve the goal of zero tolerance, it is also necessary to penalize any conduct contrary to the principles specified in this agreement (2).

1. In order to prevent sexual harassment, RIU and the IUF agree:

- to disseminate detailed information on the zero tolerance policy, as well as on the rights and responsibilities of all people employed by RIU and suppliers of goods or services on behalf of RIU;
- to ensure that this policy is made known, that the people employed by RIU and the providers of goods or services on behalf of RIU fully understand what is expected of them and that they can report cases of sexual harassment in the strictest confidence;
- to organize training and awareness activities;
- to recognize the importance of including sexual harassment, as well as its associated psychosocial risks, in the management of safety and health at work; to identify the dangers and assess the risks of sexual harassment, such as the occupations and forms of work in which workers are most exposed to sexual harassment; and to adopt measures to prevent and control them.

2. Proven cases of sexual harassment will be subject to disciplinary sanctions in accordance with the relevant collective agreements and / or local regulations, including company rules. Anyone employed by RIU who is found guilty of sexual harassment will be subject to sanctions, which may include dismissal, regardless of their position within the company. They may also be referred to therapy services when appropriate. RIU will communicate to the IUF, annually, the number of disciplinary sanctions related to cases of sexual harassment or sexist comments and, in particular, those that have resulted in the termination of an employment contract.

RIU will negotiate the local application of this agreement with the unions, especially the IUF affiliates in each country, when appropriate. At this level, unions will be involved in the design, implementation and monitoring of local application and in the integration of sexual harassment in the management of health and safety at work.

Local application will draw on the principles specified in this international agreement and will involve a procedure designed to take into account gender considerations and that will be known to all employees, and which can be adapted to each country and which facilitates reporting and addressing sexual harassment incidents in accordance with the principles of confidentiality and neutrality. In all cases, the information collected under this procedure will be examined by trusted persons who have received specific training that allows them to carry out a reliable and fair investigation.

RIU will endeavour to work with the companies that manage its establishments in order to ensure that customers are informed, by all necessary means, about the zero tolerance policy on sexual harassment and are aware that measures may be imposed that go beyond those stipulated by law, including ejection, as a consequence of a complaint of sexual harassment made by a worker or customer.

RIU will not tolerate any retaliation or intimidation against employees who perceive and report problems or incidents related to any form of sexual harassment, or who file a complaint or participate in procedures related to allegations of sexual harassment, as long as this is done in good faith and based on evidence. In these situations and in any case of sexual harassment that arises in the context of its relationships with its suppliers of goods or services, RIU will notify the supplier in question and seek a solution in accordance with the obligations contracted under the principle of due diligence, as specified in the OECD Guidelines for Multinational Enterprises.

In countries where RIU operates and where there are no unions affiliated to the IUF and where there are no measures in force to address sexual harassment, this agreement can be used as a reference for establishing the necessary means to combat sexual harassment, in accordance with the Group's general zero tolerance policy.

RIU and the IUF recognize the need for management and IUF-affiliated union representatives to be specifically trained on this issue so that they can provide support to victims of sexual harassment.

Within the framework of this agreement, RIU recognizes its duty to respect the laws and regulations of the countries in which it operates. If provisions contained in this agreement are more favourable than national laws and regulations, RIU will endeavour to promote the most favourable principles recognized in this agreement to combat sexual harassment in the workplace.

Next steps

In order to ensure that the provisions of this agreement are known by local management and union representation in all company operations, and that effective procedures have been implemented to prevent sexual harassment in the workplace, RIU and the IUF agree to evaluate the progress of their actions at annual meetings.

When interpreting this document, the Spanish version shall take precedence over other languages.

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RIU Hotels & Resorts
Carmen Riu
CEO

IUF
Sue Longley
General Secretary