

INTERNAL ANTI-MOBING POLICY OF FABRYKA KART TREFL-KRAKÓW SP. Z O.O. of 31 January 2023

§1.

General provisions

and objectives of the Internal Anti-mobbing Policy

The purpose of introducing of an Internal Anti-mobbing Policy in Fabryka Kart Trefl-Kraków Sp. z o.o. is:

- a) to support actions fostering the building of positive relationships between employees and to counteract any forms of mobbing and unequal treatment in the workplace;
- b) to establish the course of action in case of justified (i.e. confirmed by certain facts/documents) suspicion that any employee is subject to mobbing, unequal treatment or that other undesirable behaviors have been committed against them;
- c) to resolve conflicts arising against the backdrop of the phenomenon of mobbing, unequal treatment or other undesirable behaviors.

§2.

Definitions

Where in this Internal Anti-mobbing Policy reference is made to:

- 1) "Anti-mobbing Commission" – it shall be understood to mean the team appointed by the Employer to investigate Mobbing Reports, referred to in §5,

- 2) "Mobbing" – it shall be understood to mean actions or behaviors concerning an Employee or directed against an Employee, consisting in persistent and long-term harassment or threatening, the effect of which is the lowering of the employee's own assessment of their professional usefulness, causing or aiming at humiliation or ridiculing, isolating the Employee or eliminating them from a team (Art. 943§ 2 of the Labor Code),
- 3) "Employer" – it shall be understood to mean the company operating under the business name of Fabryka Kart Trefl-Kraków sp. z o.o. with its registered office in Podłęże, Podłęże 650 (National Court Register: 0000071800),
- 4) "Employee" – it shall be understood to mean a natural person who is in an employment relationship with the Employer,
- 5) "Labor Code" – it shall be understood to mean the provisions of the Labor Code and other legal acts, setting out the rights and obligations of Employees and Employers.
- 6) "LC" – it shall be understood to mean the Act of 26 June 1974 Labor Code (consolidated text. Dz. U. of 2022, item 1510 as amended),
- 7) "IAP" - it shall be understood to mean this Internal Anti-mobbing Policy together with any amendments or annexes thereto,
- 8) "Persons Implementing the IAP" - persons whose tasks include ensuring that the IAP works as part of the activities of Fabryka Kart Trefl-Kraków towards all Employees,
- 9) "Report" – it shall be understood to mean the report of a Mobbing case made by an Employee, including victim or witness of Mobbing.

§3.

Obligations of Employees related to the IAP

1. Employees shall be obliged to refrain from activities bearing the hallmarks of Mobbing.
2. Every Employee shall be obliged to respect the dignity and personal rights of all other Employees.
3. Employees shall be obliged to apply in their mutual relations the principles of social coexistence and kindness and courtesy that guarantee order and the preservation of well-being as well as mental health of all other Employees.
4. The use of Mobbing constitutes a serious breach of the basic obligations of employees and may give rise to the application by the Employer of sanctions provided for in Labor Law, in particular the application of disciplinary penalties or termination of the employment contract.

5. The liability for Mobbing pursuant to the provisions of the IAP shall not exclude an Employee's liability for crime or offence, as well as liability for damages towards the Employer and other Employees provided for in separate regulations.

6. Every Employee shall be obliged to become acquainted with the IAP and to submit in this respect an appropriate declaration to the HR Department. It is recommended that the declaration be submitted before commencing work. The Employer shall attach a signed declaration to the personal files of the Employee. Template of the declaration constitutes Annex No. 1 to the IAP.

§4.

Procedure in case of Mobbing

1. Every Employee who thinks they have been subjected to Mobbing, or who has observed the phenomenon of Mobbing is entitled to report this fact to the Employer.
2. Reports may be submitted in the box "Voice of the Employee" suspended in the FK1 dining room, directly with the Representative of the staff or in electronic form to the address etyka@trefl.krakow.pl.
3. A report should contain a summary of the facts and possible evidence proving the circumstances, as well as identification of the perpetrator or perpetrators of Mobbing. The reporting person should personally sign the Report and date it. The reporting person may submit a Report, without signing it personally – however, in such a case the reporting person should always put an appropriate date on the Report. which should be submitted in a way that would allow, if necessary, to assign a reporting person to it. Reports submitted in a way that does not allow to assign them to the reporting person at least by data other than handwritten signature (Completely anonymous reports) shall not be considered.
4. Before submitting a Report, the Employee may attempt to independently clarify all circumstances and strive for an amicable settlement of the dispute.
5. Baseless and false accusations of Mobbing are forbidden and constitute a breach of the basic employee obligations, and may consequently give grounds for the Employer to apply sanctions provided for in the provisions of the Labor Code, in particular to apply disciplinary penalties or terminate the employment contract.
6. It is forbidden to draw any consequences, including in particular to apply sanctions provided for in the provisions of the Labor Code against an Employee due to their Report.

§5.

Anti-mobbing Commission

1. The proceedings concerning a Mobbing Report shall be conducted by the Anti-mobbing Commission, which has the task of clarifying whether the allegations resulting from the Report are justified.
2. The Anti-mobbing Commission shall be made up of the following members:
 - 1) The Employer's Managing Director (on the basis of authorization resulting from the Employer's representation rules or on the basis of an appropriate power of attorney) or person appointed by them – as Chairman of the Commission,
 - 2) HR Department Manager or deputy appointed by them,
 - 3) Internal Communication Specialist or deputy appointed by them,
 - 4) Occupational Health and Safety Department Manager,
 - 5) Staff Representative,
 - 6) Employees' Representative.
3. In particularly justified cases the Chairman of the Anti-mobbing Commission may expand its membership by additional person, whose participation may have a significant impact on explanatory proceedings and resolution of the case.
4. Administrative support of the Anti-mobbing Commission's meetings shall be provided by the HR Department.
5. The Anti-mobbing Commission shall operate according to the principles of:
 - 1) confidentiality,
 - 2) impartiality,
 - 3) focus on comprehensive explanation of the facts and resolution of the case.
6. Members' working time spent on the Anti-mobbing Commission shall be included in their working time.
7. A member of the Anti-mobbing Commission shall not be the person who:
 - 1) is concerned by the Report, i.e. the reporting person as immediately affected person and the alleged perpetrator of Mobbing;
 - 2) is spouse of the reporting person or alleged perpetrator of Mobbing or who is in cohabitation with one of these persons (concubinage);
 - 3) is a relative by consanguinity or a relative by direct affinity, and in a lateral line up to the level between the children of siblings of the persons referred to in point 2) or is related to any of these persons by adoption, guardianship or custody;

- 4) has witnessed the action at issue in this case, or in the same case was questioned as a witness;
- 5) is in direct subordinate work relationship towards the reporting person or towards the alleged perpetrator of Mobbing.
8. The grounds for exclusion, referred to in par. 7, persist despite cessation of marriage, cohabitation, adoption, guardianship or custody.
9. Notwithstanding the provisions of par. 7 of the IAP, the Employer shall be obliged to exclude a member of the Commission from participation in the proceedings, if it is deemed probable that there are circumstances that may raise doubts as to their impartiality. In that case, a member of the Anti-mobbing Commission, to replace the excluded member of the Anti-mobbing Commission shall be appointed by the Employer.

§6.

Proceedings before the Anti-mobbing Commission

1. The Anti-mobbing Commission shall commence proceedings immediately, but no later than 14 working days from the date of receipt of the Report.
2. In any case, the Anti-mobbing Commission shall appoint a secretary, who shall minute the meetings and support their organization.
3. Activities during the proceedings before the Anti-mobbing Commission, including the hearing of the parties, witnesses, as well as taking of other evidence and voting, may take place only in the presence of the full composition of the Anti-mobbing Commission..
4. In all matters, the Anti-Mobbing Commission takes decisions by a simple majority of votes. In case of equality of votes, the chairman shall have a casting vote.
5. The reporting person has the right to provide explanations before the Anti-mobbing Commission in the form of a stance presented orally or in writing.
6. Having heard the Reporting person and the Employee identified as alleged perpetrator of Mobbing and following evidentiary proceedings, including the hearing of possible witnesses, the Anti-mobbing Commission shall take a decision as to the Report.
7. If, in the course of proceedings, there is a need to hear witnesses, the Anti-mobbing Commission shall summon them to a meeting. The witness shall sign an obligation to keep secret all facts and circumstances, which they have learnt in the course of the proceedings or in connection with them.
8. After conclusion of evidentiary proceedings, the Anti-mobbing Commission shall hold a vote. The

vote shall be open, unless a secret vote is requested by at least two members of the Anti-mobbing Commission.

9. At the final meeting of the Anti-mobbing Commission, a written decision shall be drawn up together with a justification, which shall be provided within 10 working days from the end of the Employer's proceedings, to the Reporting Employee, as well as to the Employee identified as perpetrator of Mobbing. A written decision shall be signed by all members of the Anti-mobbing Commission. Employees involved in the case shall confirm with their own handwritten signature that they have become acquainted with the written decision.

10. The Anti-mobbing Commission should – as far as possible - strive to consider the case in one meeting. The proceedings should end within 1 month from the Anti-mobbing Commission's first meeting, unless there are circumstances that prevent or hinder their conduct. The proceedings may then be suspended until cessation of the circumstances that caused their suspension.

11. Minutes shall be drawn up from each meeting. Minutes from the Anti-mobbing Commission shall be signed by all its members.

12. A written decision of the Anti-mobbing Commission constitutes an unbinding recommendation for the Employer as to the direction of the proposed resolution of the case, including in particular as to the reasonableness of the imposition and amount of possible sanctions towards the Employee identified as perpetrator of Mobbing.

13. As part of the proceedings, the Anti-mobbing Commission shall strive to ensure safety to Employees, including to take care of their mental well-being, with particular emphasis on the well-being of the Employee allegedly affected by Mobbing.

§7.

The Anti-mobbing Commission's decisions

1. In each case of detected Mobbing the Employer shall take action to prevent similar situations in the work environment in the future, in particular through information and training activities.

2. The Employer may apply disciplinary penalty in the form of warning, reprimand or terminate the employment contract or working and remuneration conditions against the perpetrator or perpetrators..

3. In gross cases of Mobbing, the Employer may terminate the employment relationship with the perpetrator or (perpetrators) (Art. 52 § 1 of the Labor Code).

4. As far as possible, the Employer may transfer the affected employee, at their request or with their consent, to another workplace.

5. Documentation concerning proceedings conducted pursuant to the IAP, shall be kept by the Employer for a period of not less than 3 years from the date of conclusion of the proceedings, in the HR Department (in a safe place, without the possibility of access by unauthorized persons).

§8.

Confidentiality

1. All persons carrying out activities as part of the IAP shall be obliged to maintain confidentiality as to all facts learned in their course. Members of the Anti-mobbing Commission may not copy and distribute documents concerning the considered case of Mobbing.

2. Data contained in materials and documents of the Anti-mobbing Commission are subject to protection provided for personal data.

§9.

Applicability and implementation of the IAP

1. An employee, who, as part of their obligations, is responsible for the implementation, compliance and application of the IAP, including persons responsible for concluding agreements with Employees, shall be obliged to:

- 1) undertake any actions for the purpose of effective application of the IAP towards every Employee,
- 2) know and understand the rules regarding the applicability of the IAP in the light of legal provisions, Labor law regulations,
- 3) participate in trainings organized by the Employer with regard to the issues indicated in points 1 and 2.

2. The IAP applies to Employees as work regulations pursuant to Art. 104-1043 of the Labor Code.

3. Persons implementing the IAP shall be obliged, as part of their obligations, to learn and comply with the rules for the implementation and ensuring the application of the IAP. On its part, the Employer shall provide these persons with adequate training and documents allowing the fulfillment of these obligations.



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§10.

Entry into force and amendment of the IAP

1. The IAP enters into force as of 1 February 2023.
 2. The Employer shall inform Employees of any amendments in the IAP pursuant to the provisions of the Labor Law and the Employer's current work organization, including the informing of Employees.
- Annex No. 1 to the Internal Anti-mobbing Policy

Podłęże, on 31. 01. 2023

CEO
Jan Polak



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Annex No. 1
to the Internal Anti-mobbing Policy

DECLARATION

I, the undersigned (first name and surname)
an employee of Fabryka Kart Trefl- Kraków Sp. z o.o. declare that I have become acquainted with the
content of the Internal Anti-mobbing Policy.

Podłęże, onyear

.....
(employee's signatur