

Conflict and Harassment Protocol

CIC nanoGUNE's actuation protocol for the prevention of and response to conflict and harassment situations

CIC nanoGUNE

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DECLARATION OF PRINCIPLES

NanoGUNE, grounded on the inviolability of Fundamental Rights, including the right to equality, privacy, and the physical and moral integrity of all individuals, as well as Basic Labour Rights, acknowledges that every person is entitled to fair, respectful, and dignified treatment in the workplace.

NanoGUNE rejects all forms of workplace harassment, including moral harassment, sexual harassment, harassment based on sex or gender, and harassment based on sexual orientation, gender identity, or gender expression. The center also disapproves of any form of discrimination, whether based on sex, gender, sexual identity, race, religion, disability, age, or any other personal or social condition. Such behavior is deemed unacceptable, regardless of the role or position of the individuals involved. Furthermore, nanoGUNE firmly opposes any actions that may threaten the physical or moral integrity of any individual associated with the center, including employees, clients, suppliers, and interns.

NanoGUNE acknowledges the importance of taking measures to ensure that all employees enjoy the full exercise of their fundamental rights. To this end, the center is adopting and implementing a policy aimed at fostering a working environment where well-being and dignity are respected and safeguarded. The goal is to promote a diverse, inclusive, and safe workplace. Accordingly, we are introducing the "Protocol for the Prevention of and Response to Harassment in the Workplace," which is based on the following principles:

- **NanoGUNE** adopts the necessary corrective and disciplinary measures to protect individuals affected by any conduct outlined in this protocol, while respecting the right to privacy and confidentiality of all parties involved.
- This Protocol is accompanied by a **Code of Conduct** (Annex 1), which defines **nanoGUNE's** core values and outlines the expected behavior of all individuals to ensure a safe and respectful working environment. The Protocol outlines the procedures to be followed in the event of a violation of the Code of Conduct.
- **NanoGUNE** is committed to fostering a respectful work environment where all employees share responsibility for maintaining a healthy work environment based on training, communication, and monitoring strategies, as well as encouraging collaboration, cooperation, and trust in interpersonal relationships. To this end, the Code of Conduct will be disseminated, and awareness-raising measures will be implemented as needed.
- **NanoGUNE** is also committed to publicize the existence of this protocol.

In Donostia / San Sebastian, 29th November 2025.

Signed:

Jose Maria Pitarke
Director



1. INTRODUCTION

1.1.AIM

This protocol outlines the procedures to be followed at nanoGUNE in the event of situations involving workplace tensions, including:

- Incivility
- Conflict, such as:
 - Relationship conflict
 - Information conflicts
 - Value or cultural conflicts
 - Conflicts of interest
 - Structural or organizational conflicts
- Workplace harassment, such as:
 - Moral harassment
 - Sexual harassment
 - Harassment based on sex or gender
 - Harassment based on sexual identity, sexual orientation or gender expression
- Violence at the workplace

These situations may arise between individuals working on the same project or within the same organization, whether on or off nanoGUNE premises, regardless of the nature of their relationship. If the perpetrator of harassment is a nanoGUNE employee, disciplinary measures will be taken in accordance with this protocol, and the incident will be formally documented. If the perpetrator is a client, guest, or supplier, and the incident occurs on nanoGUNE premises or in the context of nanoGUNE-related activities, such as conferences or social events, the incident will also be documented and addressed appropriately.

NanoGUNE employees who are also affiliated with another institution can choose to follow either nanoGUNE's protocol or that of the other institution. For example, EHU students can follow [EHU's protocol against gender-based violence](#). Regardless of the protocol chosen, actions will be coordinated to ensure the process is smooth and supportive for the person reporting the incident.

In cases of harassment occurring outside the workplace during work-related activities, nanoGUNE will provide guidance on how to proceed and could take formal action where appropriate.

1.2.LEGAL FRAMEWORK

Sexual and gender-based harassment in the workplace has been regulated under several legal frameworks: the human-rights framework, the framework for violence against women, and occupational-risk prevention. The third approach is currently being further developed, as the gender perspective is gradually being incorporated into workplace risk prevention policies. Additionally, recent legislation on LGBTI rights has expanded the framework for addressing gender-based violence in the workplace, creating new avenues for legal protection.



a) International Legal Framework

Workplace harassment and discrimination-based violence have been addressed in numerous international laws and declarations over the years, from a variety of legal and human-rights perspectives. Some of the most significant instruments are the following:

Universal Declaration of Human Rights (1948)

Article 2 guarantees equal rights for all human beings without distinction of any kind, including race, color, sex, language, religion, or any other status. It includes, in particular, the right to non-discrimination based on sex, sexual orientation, and gender identity.

International Labor Organization (ILO) Convention No. 111 (1958)

Article 2 prohibits any distinction, exclusion, or preference that nullifies equal treatment in employment, based on characteristics including race, color, sex, religion, political opinion, or origin.

Declaration on the Elimination of Violence against Women (1993)

Article 2(b) defines violence as encompassing “physical, sexual, and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution”. Article 4(j) calls on states to “adopt all appropriate measures, especially in the field of education, to modify the social and cultural patterns of conduct of men and women and to eliminate prejudices, customary practices, and all other practices based on the idea of the inferiority or superiority of either sex and on stereotyped roles for men and women”.

Fourth World Conference on Women - Beijing Declaration (1995)

Article 180(c) commits governments to: “Enact and enforce laws against sexual and other forms of harassment in all workplaces”.

United Nations Declaration on Sexual Orientation and Gender Identity (2008)

Article 3 reaffirms “The principle of non-discrimination, which calls for the equal application of human rights to all human beings, regardless of their sexual orientation or gender identity”.

United Nations (UN) Human Rights Council resolution 17/19 (2011)

This resolution addresses discriminatory laws, practices, and acts of violence targeting individuals on the basis of their sexual orientation or gender identity. Points 51-53 emphasize discrimination at the workplace, and points 58-61 focus on discrimination in education.

ILO Convention No. 190 (2019)

This Convention recognizes harassment and violence at the workplace as violations of fundamental rights. One of its key implications is the reversal of the burden of proof in harassment proceedings: the employer must demonstrate that appropriate preventive measures were in place, such as an internal protocol. This underscores the need to align organizational protocols with the standards established in this Convention.

b) European Legal Framework

European regulations mainly consist of directives, charters, and agreements that guide member states' legal development rather than directly imposing binding rules.

Charter of Fundamental Rights of the European Union (2000)



Article 21.1 states: "any discrimination based on any ground such as sex, race, color, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited".

Directive 2006/54/EC of the European Parliament and of the Council (2006)

This directive concerns the implementation of the principle of equal treatment between men and women in matters of employment and occupation. Article 2 defines sexual harassment, and article 26 reads as follows: "Member States shall encourage, in accordance with national law, collective agreements or practice, employers, and those responsible for access to vocational training to take effective measures to prevent all forms of discrimination on grounds of sex, in particular harassment and sexual harassment in the workplace, in access to employment, vocational training, and promotion".

European Framework Agreement on Harassment and Violence at Work (2007)

This agreement aims to increase the awareness and understanding of employers, workers, and their representatives regarding workplace harassment and violence. It provides all parties with an action-oriented framework to identify, prevent, and manage such issues at all levels.

Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence - Istanbul Convention (2011)

This binding international treaty establishes comprehensive legal standards to prevent violence against women, protect victims, and prosecute perpetrators. It explicitly addresses harassment and gender-based violence in the workplace as part of broader efforts to eliminate violence against women.

c) Regulation of the Spanish State

Spanish Constitution (1978)

Article 14: All Spaniards are equal before the law and may not in any way be discriminated on the grounds of birth, race, sex, religion, opinion, or any other personal or social condition or circumstance.

Article 35.1: All Spaniards have the duty and the right to work, to freely choose their profession or trade, to advancement through work, and to a sufficient remuneration to meet their own and their family's needs. Under no circumstances may they be discriminated on the basis of sex."

Organic Law 10/1995, of 23 November, Penal Code (1995)

Article 184.1: Any person requesting sexual favors for themselves or another individual in a context of continuous or habitual employment, educational, or service relationships, and through such conduct places the victim in a situation of intimidation, hostility, or humiliation shall be punished by imprisonment of three to five months or a fine equivalent to six to ten months' wages.

Article 184.2: If a perpetrator of sexual harassment abuses a position of power in the workplace, educational setting, or any other hierarchical context, or threatens the victim –explicitly or implicitly– in a way that undermines the victim's legitimate expectations, the penalty increases to five to seven months imprisonment or a fine equivalent to ten to fourteen months' wages.

Law 31/1995, of 8 November, on Occupational Risk Prevention (1995)

Article 14 establishes the employer's obligation to protect the safety and health of workers in all aspects related to their work. It underlines the responsibility of the employer to adopt measures and mechanisms to avoid occupational hazards, including psychosocial risks.



Royal Legislative Decree 5/2000, of 4 August (2000)

This decree approves the revised text of the Labor Offenses and Sanctions.

Article 13a: Harassment at the workplace based on race, ethnicity, religion, belief, disability, age, sexual orientation, or sex is the employer's responsibility, provided the employer is aware and fails to act.

Organic Law 3/2007, of 22 March, for the Effective Equality of Women and Men (2007)

Article 7.3: Sexual and sex-based harassment are recognized as forms of discrimination.

Article 48.1: Companies are required to promote working conditions that prevent sexual and gender-based harassment and to establish specific procedures to manage complaints.

Technical Criterion 68/2009 of the Labour and Social Security Inspectorate (2009)

This document recognizes all forms of harassment and workplace violence as violations subject to inspection and enforcement.

Royal Legislative Decree 2/2015, of 23 October, Workers' Statute Law (2015)

Article 4.2(c): Workers have the right not to be discriminated –before, during, or after employment– on grounds including sex, marital status, age, race, social status, religion, political ideas, sexual orientation, language, or union affiliation.

Organic Law 10/2022, of 6 September, on the Comprehensive Guarantee of Sexual Freedom (2022)

This law (i) reinforces the obligation of companies to review and strengthen their protocols on sexual and gender-based harassment, (ii) recognizes victims of sexual violence as entitled to workplace protections equivalent to those for victims of gender violence, (iii) provides a 100% reduction in social security contributions for companies that hire unemployed individuals under temporary contracts to replace victims of sexual violence, and (iv) obliges companies to report immediately to authorities in cases of criminal indications.

Law 15/2022, of 12 July, on Equal Treatment and Non-Discrimination (2022)

This law expands protection to include health-related discrimination and introduces concepts such as indirect, structural, and intersectional discrimination.

Law 2/2023, on the Protection of Whistleblowers and Anti-Corruption (2023)

This law requires companies with 50+ employees to implement anonymous reporting channels. Although primarily aimed at reporting legal violations and corruption, this law also supports the protection of individuals who report workplace harassment, including confidentiality safeguards.

Law 4/2023, of 28 February, for the Effective Equality of Trans and LGBTI People (2023)

Article 15 mandates that organizations implement specific protocols to prevent and response to harassment and violence based on sexual orientation, gender identity, and expression.

d) Regulations of the Basque Country

The key legislation in the Basque Country is the **consolidated text of the Law for the Equality of Women and Men and for a Life Free from Sexist Violence Against Women**, approved by **Legislative Decree 1/2023** of March 16, which updates and replaces the Equality Law originally established in 2005. The revised law adopts a more comprehensive approach, including provisions to address sexist violence and expand the scope of protections. The law includes, among its general principles, the commitment to equal treatment and the integration of an intersectional approach. It states that all forms of discrimination based on a person's sex are prohibited.



Article 43 defines gender-based harassment as: “Any unwanted conduct –whether verbal, non-verbal, or physical– occurring in the workplace and directed at a person due to their gender”, as this behavior aims to undermine that person's dignity or create an environment in which they feel intimidated, hostile, humiliated, or insulted. If the behavior is specifically related to sexual matters, it is categorized as sexual harassment.

Article 40 addresses Equality Plans and Policies, stating the following: “The Administration of the Autonomous Community, within its area of competence and in collaboration with the Labor and Social-Security Inspectorate and other relevant entities, shall promote the development of Equality Plans, awareness campaigns, and other measures to prevent discrimination based on sex at the workplace, including sexual and gender-based harassment, and to advance equality between women and men, especially in sectors that are particularly vulnerable.”

1.3.GUARANTEES OF THE PROTOCOL

NanoGUNE's protocol is developed based on the following guarantees:

- **Good faith of the individuals involved**

All individuals involved in this procedure are expected to act in good faith and with understanding. NanoGUNE guarantees a process grounded in honesty and integrity.

- **Confidentiality and privacy**

All parties involved must maintain strict confidentiality and discretion. It is not allowed to share or disclose any information regarding the content of complaints –whether during the investigation or after its resolution–. All information and documentation generated during the process will be handled in strict compliance with the General Data Protection Regulation (GDPR). Therefore, no documents related to the protocol will be released. The resolution will be communicated only to the affected individuals and the Confidential Advisors.

- **Impartiality and the right to defend**

Cases will be handled fairly and promptly, ensuring a confidential process that builds trust among all parties. The right of every individual to defend themselves will be fully respected.

- **Agility, diligence, and prompt resolution**

Investigations and resolutions will be conducted promptly and diligently, adhering to the deadlines established in the procedural framework.

- **Respect for all individuals**

All actions and procedures will be conducted with the highest respect for dignity, ensuring equality and non-discrimination. The agency of victims will be respected, and no action will be taken against their will.

- **No retaliation**



Retaliation of any kind against the victim or, when applicable, witnesses should never occur. Their safety and well-being will be prioritized, with attention to any physical and psychological effects they may suffer, especially in relation to their working conditions.

- If the facts in a conflict situation cannot be verified, no reprisals will be taken against the reporter. The situation will be monitored to ensure that the concerns raised do not recur.

- **Protection of all individuals involved**

Following the needs and stage of the protocol, appropriate measures will be taken to preserve the overall health and well-being of all individuals involved. This includes immediate safety measures, emergency accommodation, and access to safe spaces for victims or survivors.

- **Restoration of working conditions (if desired by the victim)**

If harassment has altered the victim's working conditions, the previous conditions will be restored upon request.



2. SCOPE

This protocol applies to all individuals at nanoGUNE, regardless of their hierarchical position or the nature of their legal relationship with the organization. The protocol will be activated whenever a report of harassment, conflict, or violence involves (as harasser or harassed):

- a) NanoGUNE employees.
- b) Individuals not directly employed at nanoGUNE who conduct research or part of their studies at the center, including undergraduate and master's students, as well as guest researchers.
- c) Anyone providing temporary services (e.g., individuals from supplier entities, subcontractors, temporary employment agencies, service providers, or self-employed individuals associated with the Center) or visiting nanoGUNE's facilities for professional purposes (e.g., workshops, visits, job interviews) who may be affected by any of the situations addressed in this protocol.

The protocol covers all interactions occurring during work or work-related activities, whether on or off the center's premises. This includes misconduct during field trips, events, and similar situations, as well as online misconduct (e.g., virtual harassment or cyberbullying).

Specifically, the protocol applies to conduct occurring:

- a) At the workplace, whether in public or private spaces.
- b) In rest areas, dining spaces, or washroom facilities.
- c) During work-related travel, events, social activities, and training sessions.
- d) In work-related communications, including digital and virtual interactions.
- e) At the accommodation provided by nanoGUNE.
- f) During commutes between home and work.

Individual identities will be anonymized, and retaliation against anyone reporting harassment is not allowed. Any retaliatory actions –whether against the complainant or witnesses– will result in disciplinary measures.

If nanoGUNE is unable to gather sufficient evidence to substantiate the complaint, the victim will not be required to work with the active subject against their will.

If the reported action is determined to constitute a crime, and the victim requests assistance to initiate the corresponding legal process, nanoGUNE will provide the necessary support when filing the complaint and throughout the entire judicial process.

This procedure does not prevent the victim from seeking judicial protection whenever deemed necessary, thereby upholding their right to effective judicial protection.



3. DEFINITIONS

- **INCIVILITY**

Negative, low-intensity behavior whose intention to cause harm is not clearly evident, but which violates the norms of good conduct that should govern organizational relationships. Such behavior falls short of how people expect to be treated.

Zauderer (2002) describes incivility as "disrespectful behavior that undermines the dignity and self-esteem of employees, creates unnecessary suffering, and reflects a lack of concern for the well-being of others, contrary to how individuals expect to be treated."

- **CONFLICT**

Temporary and/or localized problems that arise at specific times, inevitable in human relationships and, therefore, in the workplace. Conflict refers to situations –often repeated– of opposition or perceived disagreement between two or more parties, which may generate inefficiency in the organization and harm the health of the people involved.

- **Relationship conflicts:** Arise from negative emotions, sometimes intense. When a person feels irritated, offended, frustrated, or fearful, they may be unable to engage in calm discussion. These conflicts occur when people have negative perceptions or stereotypes about others, when there is little or no interpersonal communication, or when repetitive negative behaviors are present.
- **Information conflicts:** Occur when people lack the information necessary to make correct decisions, are misinformed, or differ in their interpretation of data.
- **Value or cultural conflicts:** Caused by systems of beliefs that are incompatible or perceived as incompatible. Values guide how people interpret what is good or bad, true or false, just or unjust. Value disputes arise when one party attempts to impose their values on others and does not tolerate divergent beliefs.
- **Conflicts of interest:** Arise when one person desires something –tangible or intangible– that another also wants or possesses, creating competition between incompatible or perceived-as-incompatible needs. These can be resolved through collaboration. Key elements are:
 - Substantial: tangible, material, measurable issues (e.g. time, money).
 - Procedural: how to achieve the objective.
 - Psychological: related to individual needs, such as recognition, belonging, or self-esteem.
- **Structural or organizational conflicts:** Result from the organization's structure, design, or external constraints (e.g. resource shortages, laws, or regulations. Examples include:
 - Role or function conflicts.
 - Work overload or poor distribution of tasks.
 - Lack of autonomy in assigned work.
 - Lack of support for employees.





- **WORKPLACE HARASSMENT**

Regulated under Article 173 of the Spanish Penal Code and described in NTP-476, updated by NTP-854 of the National Institute for Safety and Health at Work.

- **Moral harassment** (also known as psychological harassment) occurs when an individual or group consistently inflicts psychological harm on another person in the workplace over an extended period. It includes any conduct, practice, or behavior –systematic or repeated during the employment relationship– that undermines or attacks the worker's dignity. Such behavior seeks to emotionally and psychologically weaken the worker in a violent or hostile manner, affecting professional capacity, promotion prospects, or job security, and creating a hostile work environment. It can occur between individuals at any level of the organization.

The mechanisms of pressure used in psychological harassment vary, but share common characteristics, in line with current legislation and the Guide supplementing Technical Criterion 69/2009 on the Labour and Social Security Inspectorate's actions in cases of workplace harassment and violence.

Criteria for classification as workplace harassment (moral harassment or mobbing) are the following:

- Harassment or pressure: Any action objectively perceived as an attack, carried out by a superior, colleague, or group (horizontal or vertical harassment).
- Intentionality: A deliberate purpose to influence the moral integrity of others within the organization, through actions taken in the workplace.
- Repetition: The ongoing recurrence of behavior that develops systematically over a sustained period of time.
- Isolation: Efforts to socially or professionally isolate the targeted person.
- Planned conduct: Systematic behavior with at least weekly incidents.

- **SEXUAL HARASSMENT**

Any verbal, non-verbal, or physical behavior of a sexual nature, with the purpose or effect of violating a person's dignity and creating an intimidating, degrading, or offensive environment (Article 7 of Organic Law 3/2007).

Sexual harassment is distinguished from freely accepted and reciprocal interactions, as it involves conduct that is unwanted by the recipient. A single episode of unwanted behavior may constitute sexual harassment.

According to the European Institute for Gender Equality (EIGE), sexual harassment is "any form of unwanted verbal, non-verbal, or physical conduct of a sexual nature that occurs with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating, or offensive environment".



While sexual harassment often seeks sexual gratification, its underlying objective may be to assert dominance, often reflecting the power of men over women. It reinforces existing gender-based power structures in society.

There are two types of sexual harassment:

- **Quid pro quo sexual harassment (sexual blackmail):**

Occurs when acceptance or rejection of unsolicited sexual advances affects a person's employment conditions, including salary, promotions, or training opportunities. Perpetrators often hold positions of authority and misuse their power to grant or withhold work-related benefits. Sexual blackmail can manifest in two ways:

Explicit sexual blackmail involves a direct request for sexual favors or physical coercion to obtain them.

Implicit sexual blackmail involves indirect pressure, such as when colleagues of the same gender receive preferential treatment for complying with sexual demands, creating pressure on others to conform.

- **Hostile working environment (environmental harassment):**

Creates a humiliating, threatening, or offensive workplace. Even without direct changes to working conditions, the hostile environment poses risks to the victim's health and indirectly affects their work. Examples include offensive jokes, comments, or remarks that perpetuate sexist attitudes. Perpetrators can be colleagues, superiors, subordinates, or third parties linked to the organization.

Both forms of sexual harassment are considered acts of discrimination. Conditioning any right or benefit on the acceptance of sexual harassment also constitutes discrimination based on sex.

- **GENDER-BASED HARASSMENT**

Any conduct directed at a person because of their gender, gender identity, or gender expression, with the purpose or effect of violating their dignity and creating an intimidating, degrading, or offensive environment (Organic Law 4/2007, art. 7.2).

This type of harassment can be perpetrated by both co-workers, subordinates, or others, and is often rooted in gender stereotypes. It seeks to undermine a person's abilities, technical skills, or competence based on gender, gender identity, or gender expression, including LGBTI-phobia.

Law 4/2023, on the real and effective equality of trans people and the protection of LGBTI rights, defines related concepts:

- **Sexual orientation:** Physical, sexual, or emotional attraction to others, which may be heterosexual, homosexual, or bisexual.
- **Sexual identity:** An individual's internal experience and self-definition of sex, which may or may not correspond to the sex assigned at birth.
- **Gender expression:** The outward manifestation of a person's gender identity.



- **Sexual orientation harassment:** Any conduct targeting a person because of their sexual orientation that is offensive, humiliating, violent, or intimidating, and which harms their dignity or creates a discriminatory or degrading environment.
- **Harassment based on gender expression or identity:** Any conduct directed at a person because of their gender expression or identity, with the aim or effect of violating their dignity and creating an intimidating, hostile, degrading, or offensive environment.

- **WORKPLACE VIOLENCE**

Workplace violence occurs when employees experience abuse, threats, or assaults related to their work activity, placing their safety, well-being, or health (physical and/or mental) at risk. It includes physical violence (physical assaults or damage to the organization's or staff's property) and psychological violence (intimidation, threats, or other behaviors likely to cause psychological or moral harm).

Violence at work may occur internally (between employees within the same company, or across companies sharing a workplace) or externally (between employees and clients, users, or unrelated third parties).

- **GENDER-BASED VIOLENCE**

To better contextualize the above concepts, it is important to define gender-based violence.

Gender-based violence is a serious human-rights violation that primarily affects women and LGBTI people. It is rooted in power imbalances aimed at reinforcing and maintaining the binary, traditional gender system.

It encompasses all acts that cause systematic harm to the dignity, self-esteem, and physical or mental integrity of women, girls, and people with non-normative gender identities or sexual orientations.

Such violence is typically a tool used to preserve male dominance over women and non-normative individuals, perpetuating existing power relations. It can take various forms and intensities, and although each requires a specific response within this protocol, they are all considered gender-based violence.



4. OFFENSE CLASSIFICATION

Acts and behaviors that constitute moral harassment, sexual harassment, and/or gender-based harassment should always be taken very seriously. They are considered breaches of labor obligations and are subject to disciplinary sanctions. For the purposes of this protocol, offenses are classified into the following categories: conflict, slight offense, offense, and serious offense. This classification is based on the behaviors described in Section 3 (Definitions), although not all possible forms of harassment are included there. Additionally, aggravating circumstances may increase the severity of certain behaviors.

Examples of aggravating circumstances include:

- Abuse of a hierarchical position, particularly where the harasser has decision-making power over the victim's working conditions or employment status.
- Repeated offensive behavior over time.
- Continuing offensive behavior after the victim has followed established resolution procedures.
- Serial harassment involving more than one victim.
- Using specific physical settings, circumstances, or rare opportunities to conceal premeditated sexual behavior.
- The victim has a pre-existing, medically certified health condition (physical, mental, or sensory disability) that increases vulnerability.
- Abusive, intimidating, discriminatory, or retaliatory behavior towards the victim, witnesses, Confidential or Trusted Advisors, or individuals in their professional or personal environment, in order to obstruct the investigation.
- Misconduct occurring during selection or promotion processes.
- The victim is in a vulnerable employment situation (temporary contract, interim contract, probationary period, internship).

Categories of Offense

The list of behaviors included in the table below is illustrative, not exhaustive. Other actions of a similar nature or severity may also fall under these categories.

Classification	Examples
Conflict	<ul style="list-style-type: none"> - Behaviors that do not comply with the Code of Conduct (see Annex I)
Slight offense	<ul style="list-style-type: none"> - Unwanted love notes, messages, or phone calls. - Staring at a person's body obsessively or in a lustful manner. - Offensive flirtations. - Comments or compliments about physical appearance, especially when accompanied by lascivious gestures, laughter, or habitual and unnatural repetition. - Comments or actions implying negative distinctions based on gender, gender identity, sexual orientation, race, ethnic origin, or personal sympathy. - Making sexist and/or sexual innuendo jokes or comments. - Using derogatory comments about a gender, gender identity, sexual orientation, race, or ethnic origin, e.g., "all women are..." or "all men are...", ridiculing those who take on roles traditionally associated with the other gender, or suggesting that family responsibilities hinder women's professional performance.
Offense	<ul style="list-style-type: none"> - Talking to others about one's own sexual skills, fantasies, or abilities. - Unfavourable treatment due to pregnancy or maternity. - Refusing to follow orders from superiors or other department heads because of the recipient's age, gender, gender identity, sexual orientation, race, or ethnic origin. - Assigning tasks based on gender or sexual orientation. - Cornering or unnecessarily isolating a person. - Persistently inviting a person on dates despite clear disinterest. - Suggesting that a woman use her sexuality to advance professionally. - Rude jokes that demean based on gender, gender identity, sexual orientation, race, or ethnic origin. - Explicit conduct aimed at restricting access to employment, training, pay, or other working conditions based on gender, gender identity, sexual orientation, or personal sympathy. - Excluding or questioning a person with non-normative gender expression or identity from certain facilities. - Paternalistic, derogatory, or exclusionary behavior based on age, gender, gender identity, sexual orientation, race, or ethnic origin. - Discrediting, unfairly evaluating, or ignoring a person's work, skills, or competencies because of gender, gender-identity, sexual orientation, age, race, or ethnic origin. - Denying a trans person's right to choose their name or using pronouns inconsistent with their gender identity.

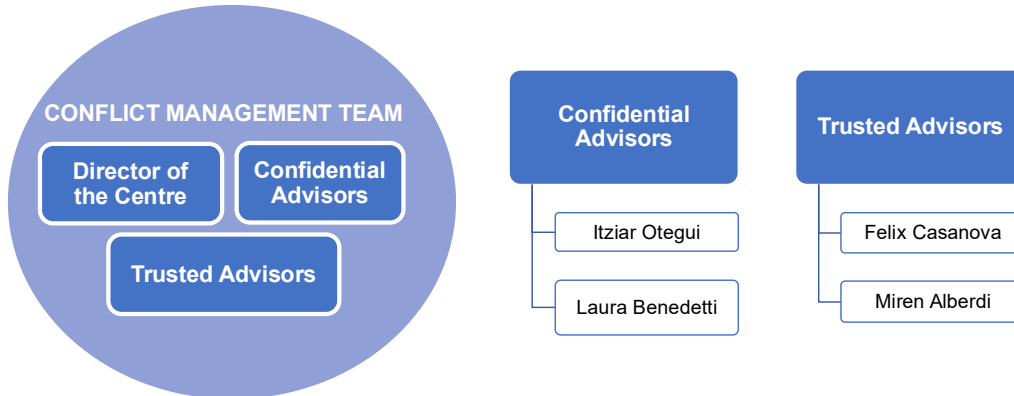


Classification	Examples
Serious offense	<ul style="list-style-type: none">- Unwanted sexual or physical contact, including deliberate and unsolicited interactions (hugs, kisses, unnecessary touching, patting, pinching, brushing against someone).- Inappropriate sexual gestures or sounds.- Spreading sexual rumors or gossip, in any format (spoken, online, written).- Requesting sexual favors or dates in exchange for benefits or favors, with explicit or implicit threats to professional status if refused.- Pressure or coercion for sexual intercourse; sexual assault or rape.- Sharing, displaying, or distributing pornographic or sexually explicit images or videos at the workplace.- Secretly recording or observing individuals in private areas such as bathrooms or changing rooms.- Indecent exposure or exhibitionism.



5. ROLES AND RESPONSIBILITIES

This protocol establishes three main roles for case management: Confidential Advisors, Trusted Advisors, and the Conflict Management Team (CMT).



Confidential Advisors provide advice and assistance to anyone who may have experienced or witnessed harassment or violence. They can be approached without formally initiating a procedure, and confidentiality will always be prioritized.

Confidential Advisors:

Name and Surname	Position	Email Address	Phone Number	Location
Laura Benedetti	Admin&HR Assistant	l.benedetti@nanogune.eu	943 574 049	nanoGUNE ground floor
Itziar Otegui	Outreach Manager	i.otegui@nanogune.eu	943 574 024	nanoGUNE ground floor

Confidential Advisors may also be contacted via the Whistleblower Channel url: <https://whistleblowersoftware.com/secure/CIC-nanoGUNE>

Trusted Advisors provide support to individuals accused under this protocol, ensuring they have someone to talk to and helping maintain a constructive approach throughout the process.

Trusted Advisors:

Name and Surname	Position	Email Address	Phone Number	Location
Miren Alberdi	Finance&HR Director	m.alberdi@nanogune.eu	943 574 004	nanoGUNE ground floor
Felix Casanova	Senior Scientist	f.casanova@nanogune.eu	943 574 012	nanoGUNE ground floor



The **Conflict Management Team (CMT)** is composed of the Director, the Confidential Advisors, and the Trusted Advisors.

CONFLICT MANAGEMENT TEAM
Director: Jose Maria Pitarke
Confidential Advisors: Laura Benedetti and Itziar Otegui
Trusted Advisors: Miren Alberdi and Felix Casanova

The Conflict Management Team is activated upon receipt of a request to initiate the protocol. It decides whether to proceed, assesses the source, nature, and seriousness of the case, and undertakes the following functions:

- a) Conduct the investigation in cases where the informal procedure is activated. For formal procedures, nanoGUNE will engage an external advisor (see Section 7: Investigation Procedures).
- b) Identify applicable sanctions for each instance of harassment and prepare a report.
- c) Request specialized external assistance when necessary, particularly in formal procedures.
- d) Define precautionary measures if necessary.
- e) Interview relevant parties, including those involved, witnesses, managers, and others as appropriate.
- f) Implement prevention and/or corrective actions.
- g) Follow up on the implementation and effectiveness of corrective measures.

All CMT members have received training in equality, harassment prevention, workplace violence, and conflict management, and will be supported by external consultants when required.

If there is a change in the CMT's composition, at least one member will remain to ensure continuity and coordination.

To ensure rapidity and agility, the CMT will apply a quorum system: at least the Director, one Confidential Advisor, and one Trusted Advisor must be present for a meeting to be valid. When the absence of the Director could cause a delay in the implementation of the procedure, the participation of the Finance&HR Director will be sufficient. However, the final meeting that concludes the process must always include the Director.

If any CMT member is personally involved in a reported harassment case, they will be recused from the Committee for that case, and a replacement will be appointed. If the Director is implicated, nanoGUNE will engage an external company to manage the process.



6. PREVENTIVE MEASURES

It is essential to implement a process that includes designing, planning, executing, and monitoring a set of measures to address identified risks that should be avoided, reduced, or controlled to prevent conflicts, harassment, and violence at the workplace.

In this regard, the following measures are being implemented to promote a preventive culture within the center:

1. Promoting a preventive culture that fosters well-being, rejects discrimination, and discourages negative behaviors, including actions such as creating the Code of Conduct (Annex 1 of this protocol).
2. Incorporating the gender perspective into the organizational structure by implementing the 2nd Gender Equality Plan.
3. Encouraging active participation from employees of all backgrounds in equality-related matters, including workplace harassment prevention. The working group created to design this protocol includes members of the Health and Safety Commission and the GEC from various areas and levels (administration, pre-docs, post-docs, senior scientists,...).
4. Evaluating organizational characteristics and working conditions to detect and eliminate potential inequalities that could lead to workplace, sexual, or gender-based harassment. Tools such as a psychosocial risk analysis and a job satisfaction survey will be used.
5. Fostering psychological safety within research groups and areas by analyzing leadership-models and identifying ways to improve.
6. Ensuring proactive health monitoring, including the identification of early signs of stress potentially linked to workplace harassment during regular medical examinations.
7. Training and informing all employees (both internal and external) on this protocol and the Code of Conduct. The Code of Conduct will also be shared with contracting companies as part of the document exchange process.
8. Coordinating with partner institutions in consortia to establish agreed procedures for handling incidents, and ensuring all participants are informed of them, as a preventive measure and to promote equality.
9. Promoting effective and assertive communication through targeted training.
10. Providing time-management training, including the use of tools such as the AGILE methodology to break-down long-term projects into manageable tasks, thereby reducing mental load.

6.1. TRAINING

Training aims to provide the community with information on institutional policies, procedures, reporting options, available services, and resources. By educating the community on the signs of violence and creating a shared understanding of unacceptable behaviour, we seek to prevent violence and respond effectively when it occurs. Training also serves as a forum for questions, clarifications, and open discussion, building trust and confidence in the reporting process.



Four main types of training are foreseen:

- **Training for the CMT**, focused on the types of situations that may occur at the workplace. Guidance will be provided on the objectives, functions, and limitations of this protocol, and clear criteria for action in cases of conflict or harassment will be addressed. Sessions delivered by the Basque Institute for Women (Emakunde) might be included.

- **Training for all personnel**, focused on the awareness of the protocol and its procedures. The following aspects should be addressed:

- Raising awareness about respect, non-discrimination, physical and moral integrity, privacy, sexual freedom, anti-racism, and other core principles.
- Identifying discriminatory behaviors.
- Publicizing the Code of Conduct and this protocol.
- Understanding power imbalances and their link to violence
- Recognizing warning signs and behaviors that may indicate risk.

- **Bystander intervention training**, focused on the delivery of practical tools for individuals who witness potentially harmful situations. The purpose is to provide participants with strategies to prevent escalation and empower observers with tools or strategies to act.

- **Specific training for pre-docs and post-docs undertaking fieldwork or working abroad**, targeted to those attending conferences, field trips, internships, work placements, or study placements abroad, where the risk of conflict or violence may be higher. When needed, the following pre-departure information will be provided in advance: host organization's relevant policy, contact details for supervisors, relevant embassy/consulate, local emergency services, and agreed reporting mechanisms and institutional support services, both from the home institution and the hosting organization.



7. REPORTING PROCESS

In this section, the reporting process is described.

7.1. ADVICE CHANNEL

Any employee –or any person aware of a situation of conflict, harassment, discrimination, or workplace violence– may contact a Confidential Advisor or Trusted Advisor (see Section 5: Roles and Responsibilities). This can involve speaking with a Confidential or Trusted, or someone in a supportive role within the institution, without necessarily revealing details to higher authorities.

This channel allows individuals to share their experiences or seek advice without the need to initiate an investigation. Permission to record or take notes should be sought at the outset to avoid revictimization by requiring the person to repeat their account multiple times.

All cases received through the advice channel will be documented to monitor trends and implement preventive measures. In some cases, this dialogue may lead to activation of the reporting procedure.

7.2. REPORTING PROCEDURES

The Whistleblower Channel is available through the following url:

<https://whistleblowersoftware.com/secure/CIC-nanoGUNE>

Reports may be made: (i) verbally to a Confidential or Trusted Advisor or (ii) by email to at least one Confidential Advisor or directly to the above address. Reports can be submitted by the victim or by any person aware of a case. The CMT will guarantee confidentiality. When possible, the report should include:

- Anonymized personal data of the complainant.
- Description of the facts.
- Identification of the accused (active subject).
- Other relevant information (e.g. witnesses).

7.2.1. CONFLICT RESOLUTION DIALOGUE

The conflict resolution procedure is designed specifically for conflict situations. It is important to note that this procedure is not suitable for harassment cases.

If a worker is aware of or goes through a conflict situation, this can be reported through the Advice Channel or directly to HR.

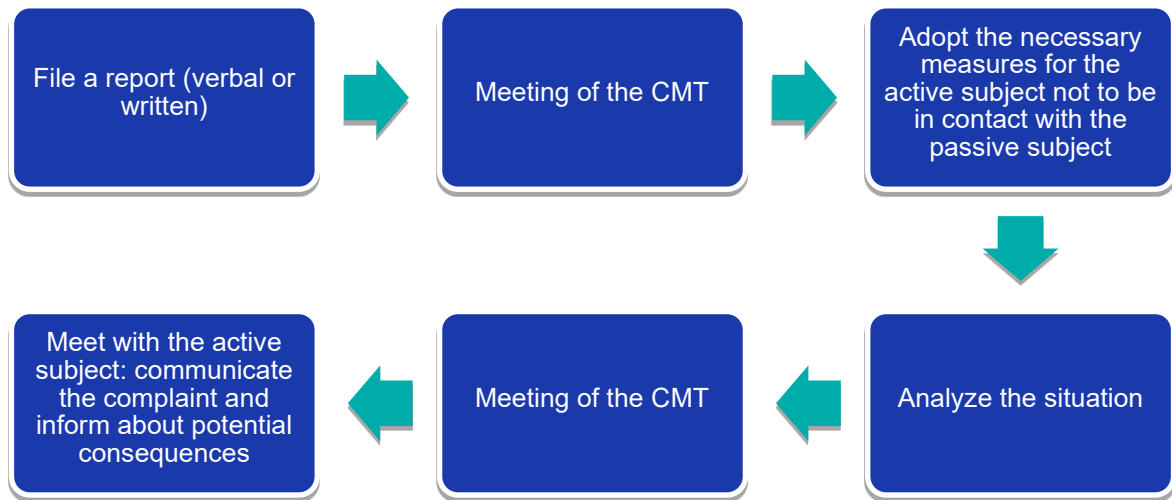
7.2.2. INFORMAL PROCEDURE

The informal procedure provides a flexible approach, without strict procedural requirements or an immediate investigation. It offers a safe space to discuss experiences, explore options, and access support without the pressure of formal action.

Making an informal report does not prevent the complainant from filing a formal complaint later. However, this route may not be suitable for serious misconduct or situations with a significant power imbalance.



a) Both active and passive subjects are nanoGUNE employees



- The case is documented using numerical codes for the parties.
- The CMT meets to initiate the process.
- Measures are taken to prevent contact between the parties, in consultation with the victim.
- Confidential Advisors talk to the complainant, the victim (if different), and potential witnesses.
- After analysis, the CMT meets again to decide whether a formal procedure needs to be initiated.
- If formal action is required, the victim is invited to file a written complaint.
- If the CMT decides to continue through an informal procedure, the accused is informed of the allegations and given an opportunity to respond.
- The outcome of the informal process is documented, and the active and passive subject will eventually be separately informed of the outcome.
- The process should be completed within 10 working days (extensions possible with justification to the victim).
- Follow-up is conducted by the CMT. Persistent behavior may trigger the formal procedure.

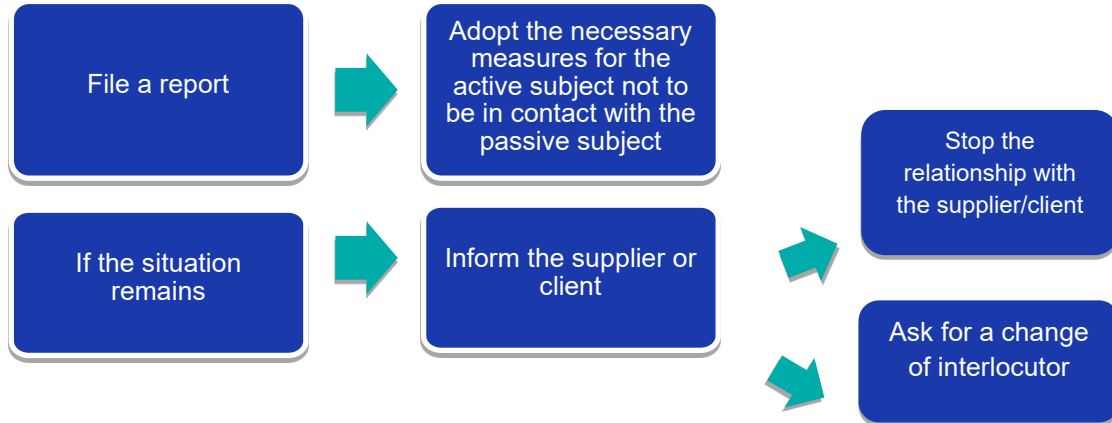
b) The active subject is a nanoGUNE employee, and the passive subject is a supplier, client, or collaborator

Same as above, but the victim may not be aware of the Confidential Advisors. In this case, the complaint should be submitted to the Director or the person's nanoGUNE contact. Coordination with the supplier/client is required, and the procedure should be adapted accordingly.



- c) The active subject is a supplier, client, or collaborator, and the passive subject is a nanoGUNE employee

The following steps should be taken:



7.2.3. FORMAL PROCEDURE

The formal procedure is the structured process of filing an official complaint, which triggers an investigation and, if applicable, disciplinary action. Complaints may be made in person or online.

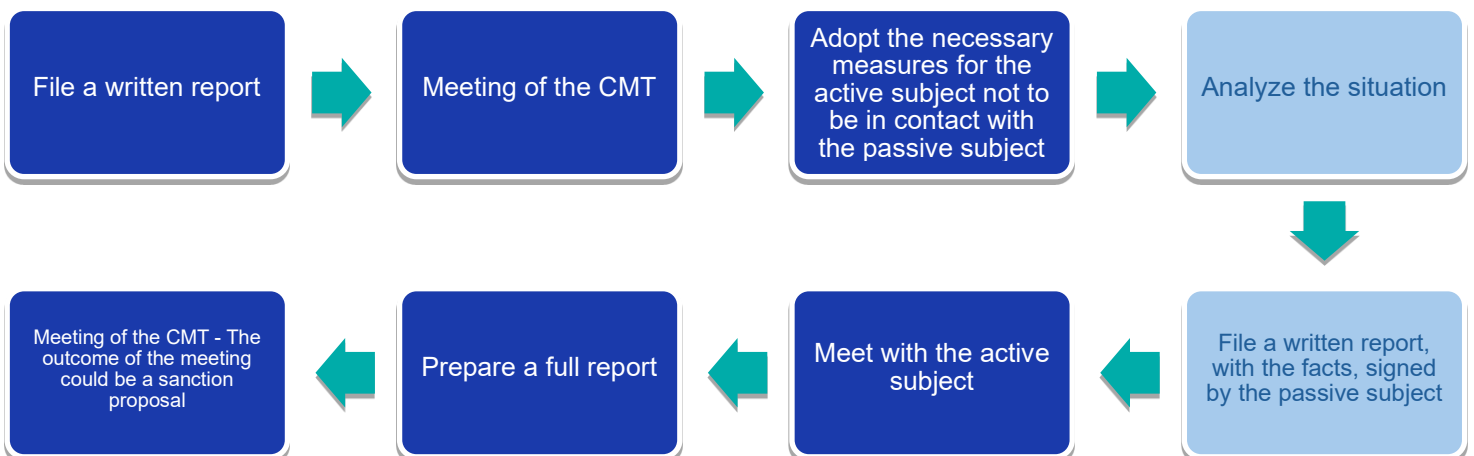
A formal complaint may also be filed with law enforcement. This option can be offered to the victim but it must not be imposed to discourage institutional reporting.

Serious cases or unsuccessful informal resolutions should be referred to this procedure.

An external advisor will be appointed to assist the CMT during formal investigations.

- a) Both active and passive subjects are nanoGUNE employees

The following steps should be taken:



- The process begins upon receipt of a written complaint, prepared by the victim or a third party (with support from the Confidential Advisors if needed).
- The CMT meets to set out the procedure.



- The victim's expectations and concerns are considered in all steps.
- Protective measures are agreed in consultation with the victim.
- The investigation is conducted by the external advisor, interviewing all relevant parties (including the accused) and gathering evidence.
- Measures are taken to avoid contact between the parties.
- Both parties may be accompanied by a person of their choice (Confidential or Trusted Advisor) for moral support.
- Investigation starts within 5 working days of the complaint and should conclude within 10 days of receiving the external advisor's report (extensions allowed with victim notification).
- The CMT issues a written report with findings and, if applicable, proposed sanctions.
- If harassment is confirmed, corrective measures are applied immediately. If not, the case is closed.
- Follow-up is conducted at 1 month, 3 months, and 6 months to ensure resolution.

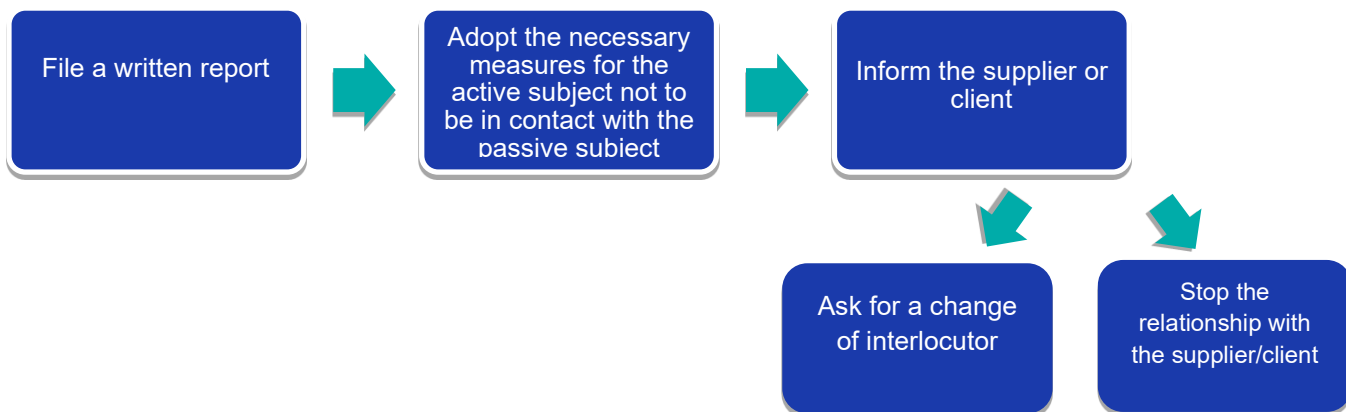
If the active subject is contracted by another organization, the Director will coordinate with that institution. In cases where third-party hiring is recurrent (e.g, Ikerbasque), a copy of the third party's harassment protocol will be requested in advance, and communication mechanisms will be established to be used should those protocols need to be activated.

b) The active subject is a nanoGUNE employee, and the passive subject is a supplier, client, or collaborator

Same procedure as above but coordinated with the external organization.

c) The active subject is a supplier, client, or collaborator, and the passive subject is a nanoGUNE employee

The following steps will be taken:





Same structure, coordinated with the external organization. If nanoGUNE cannot fully apply the protocol because the accused is outside its management scope, the case will be referred to the appropriate institution. Failure to act may result in termination of the collaboration.

This table establishes the correlation between types of offences and reporting procedures:

TYPE OF OFFENSE	ANYTIME	CONFLICT	SLIGHT OFFENSE	OFFENSE	SERIOUS OFFENSE
	7.1. ADVICE CHANNEL Anyone can anytime discuss experiences or seek advice about any concerns, without the need to initiate an investigation.				
7.2. REPORTING PROCEDURES		7.2.1. CONFLICT RESOLUTION DIALOG All individuals involved will participate in a Conflict Resolution Dialog.	INFORMAL PROCEDURE (7.2.2.) OR FORMAL PROCEDURE (7.2.3.) The person who has suffered the offense can decide whether to open a procedure or not. It can be a formal or informal procedure.		7.2.3. FORMAL PROCEDURE The person who has suffered the offense can decide whether to open a procedure or not.



8. CORRECTIVE MEASURES

Corrective measures will be applied depending on the severity and recurrence of the behaviour, especially in cases where misconduct persists despite prior warnings. The four offense categories are: conflict, slight offense, serious offense, and very serious offense (see table below):

Classification	Sanctions
Conflict	<ul style="list-style-type: none">- Verbal reprimand (if necessary)
Slight offense	<ul style="list-style-type: none">- Verbal reprimand- Written reprimand with warning- Specific training course to improve behaviour
Serious offense	<ul style="list-style-type: none">- Verbal and written reprimand with warning- Suspension from employment and salary for up to two months- Specific training course to improve behaviour- Tight supervision by the immediate superior- Limitations on contracting or applying for certain funding
Very serious offense	<ul style="list-style-type: none">- Suspension from employment and salary for up to two months- Disciplinary termination of contract- Legal action- Specific training course to improve behaviour- Tight supervision by the immediate superior- Limitations on contracting or applying for certain funding

Sanctions not involving disciplinary dismissal will be supplemented with the attendance of a training course as specified in the *Prevention and Training* section of this protocol.



9. DISSEMINATION

NanoGUNE will ensure that all employees are aware of this protocol. The following means of dissemination will be implemented:

- Training for all staff on the protocol and on the definitions of conflict, workplace harassment, sexual harassment, harassment based on sex, harassment based on sexual orientation and gender identity/expression, and workplace violence, with the aim of enabling all employees to identify and prevent such situations.
- Inclusion of harassment risk assessment in job evaluations.
- Provision of information about the protocol through:
 - The welcome process for all newly arrived individuals.
 - A circular sent to all employees.
 - Publication on the intranet.
 - Display on noticeboards, to also inform external users.

Dissemination documents will include the names and contact details of the members of the CMT, as well as the procedures for reporting an incident. These details must be kept up to date.

All nanoGUNE employees will be informed of this protocol, the names and emails of all members of the CMT, and the Whistleblower Channel url:

<https://whistleblowersoftware.com/secure/CIC-nanoGUNE>



10. EVALUATION AND FOLLOW-UP

The CMT will monitor all complaints and their resolution and will prepare an annual report for the Director. This report will detail the protocol implementation and case statistics.

All cases will be monitored closely with the victim for at least one month after the conclusion of the process. Additional follow-ups will be conducted at three months and six months, with separate interviews with both the accused (active subject) and the victim (passive subject) to ensure the situation is resolved. Further monitoring will be carried out if needed.

Specific monitoring will also be undertaken in cases where a person, within the framework of this protocol, has been on long-term sick leave (temporary disability) related to the incident, following Annex VI: Reception Plan after Long-Term Leave.



11. EXTERNAL SUPPORT SERVICES

Below are some public services that may be helpful in situations involving harassment, discrimination, or violence:

- [HARIBERRIA](#) - Gipuzkoa's Foral Service for Comprehensive Attention to Victims of Sexual Violence
Phone: 900 840 188
Address: Kale Berria 10, Gros, 20001 Donostia / San Sebastian
Whatspapp: <https://api.whatsapp.com/send?phone=34747444389>
Chat:
<https://pegaso.gipuzkoa.eus/live/islpronto/start.html?c=izfe&email=&lang=es&nick=Hariberria&template=dn%3aHariberria>
E-mail: hariberria@gipuzkoa.eus
- [Emakunde's Defentsoria Service](#) - Basque Institute for Women
This service focuses on defending citizens against sex-based discrimination and safeguarding the right to equal treatment for women and men in the Basque Autonomous Community.
Email: emakunde.defentsoria@euskadi.eus
Phone: 945 01 67 00
Website:
<https://www.emakunde.euskadi.eus/defentsa/webema01-contentservi/eu/>
- [24-Hour Helpline for Victims of Gender-Based Violence](#) - EKIM Service
Phone: 900 840 111 (available 24/7)
Website: <https://ekim.euskadi.eus/hasiera/>
- [UPV/EHU Psychological Support Service](#)
Free for all UPV/EHU students (including PhD students)
Adress: Ignacio M^a Barriola Building, 1st Floor
Phone: 943 018 375
Email: sap@ehu.eus
- [OSALAN](#) - Basque Institute for Occupational Safety and Health
Provides advice and technical assistance to companies, employees, occupational safety and health professionals, and public organizations.
Phone: 944 032 190
- [Donostiako Emakumeen Etxea](#) - Donostia Women's House
A safe meeting place for promoting equality, reflection, exchange of experiences, empowerment, and recovery for women who have suffered violence.
Address: Okendo kalea 9, Donostia / San Sebastian
Phone: 943 48 34 70
Email: info@donostiakoemakumeenetxea.com / berdintasuna@donostia.eus

CODE OF CONDUCT

CIC nanoGUNE

Edition: I

Date: 01/10/2025



José M. Pitarke

Director, CIC nanoGUNE

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CODE OF CONDUCT

INTRODUCTION

This Code of Conduct (hereinafter, “the Code”) establishes the fundamental values and rules that guide the behavior of all members of the Cooperative Research Center in Nanoscience - CIC nanoGUNE (hereinafter, “nanoGUNE”).

While the Code does not attempt to cover every possible situation that may arise within the center, its purpose is to (i) promote a professional, respectful, ethical, and safe working environment, fostering scientific excellence, integrity, and regulatory compliance, and (ii) reflect nanoGUNE’s core values.

Any questions regarding its interpretation may be directed to the immediate supervisor or, where appropriate, the Conflict-Management Team.

CORE VALUES AND PRINCIPLES

At nanoGUNE, we are committed to the following values:

- **Respect for individuals:** equal, dignified, and respectful treatment of all persons, without discrimination based on gender, culture, nationality, religion, sexual orientation, disability, or any other personal condition.
- **Inclusive and collaborative environment:** we value diversity and promote teamwork in a constructive and safe setting. Commitment, reliability, and accountability are fundamental to maintaining a collaborative environment where trust and cooperation should thrive.
- **Scientific and professional integrity:** we act with responsibility, honesty, and transparency throughout all scientific and administrative processes.
- **Social responsibility:** we strive to ensure that our research has a positive impact on society and upholds fundamental ethical principles.
- **Excellence:** we work rigorously to achieve the highest scientific and technological standards.
- **Regulatory compliance:** we adhere to all applicable laws, regulations, and internal policies.

We are part of a multicultural and diverse environment. We expect everyone to show consideration and respect for different perspectives. Before jumping to conclusions or raising complaints, take the time to listen, ask questions, and discuss constructively. Dialogue often leads to understanding and strengthens our shared workplace culture.

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GOOD PRACTICES AT WORK

All nanoGUNE members are expected to follow these principles of good practice:

1. Greet and express thanks

Respect starts with everyday gestures. Start any interaction with a polite greeting and conclude, when appropriate, with a thank you. Adapt your tone to the context, the person's role, and your relationship, always treating everyone with courtesy. These simple habits reflect respect, attention, and appreciation for others' time and work, regardless of their role, nationality, gender, or background.

2. Listen

While listening, give others your full attention and let them express themselves without interruptions. Value diverse opinions, experiences, and culture.

3. Communicate

Express yourself honestly and respectfully. Be transparent and direct to avoid ambiguity and misunderstandings.

4. Practice self-control

Take a moment to pause and reflect before reacting. Avoid impulsive behavior. Aggressive or disrespectful behavior, including shouting, should always be avoided. Self-control also applies to work habits: when at work, focus on work. Avoid constant distractions, such as checking your phone or interrupting your tasks for non-work-related activities. Maintaining attention and discipline is key to personal performance and excellence.

5. Promote teamwork

Encourage a cooperative work environment. Be willing to offer and receive help, share knowledge, celebrate others' achievements, and support them in their challenges to create a cooperative and motivating work environment where everyone feels valued.

6. Meet commitments and follow rules

Punctuality and responsibility show respect for your own work and that of others. Everybody at nanoGUNE is expected to work actively and professionally during working hours. Schedule meetings during core hours (9:00 a.m. - 5:00 p.m.), unless otherwise agreed upon by all participants. Be on time, meet deadlines, and follow internal procedures.

7. Respect shared spaces

Keep labs, offices, and communal areas clean, organized, and accessible. If attending a social event, assist in both preparation and cleanup.

8. Give and receive feedback constructively

Maintain a positive attitude towards feedback as a tool for personal and professional growth. When giving feedback, be honest yet respectful, considerate, and empathetic. Choose the right time and tone. Thoughtful feedback builds trust, improves teamwork, and promotes a continuous learning.



9. Practice empathy

Try to understand other's emotions and perspectives, especially in stressful situations or when disagreements arise, showing particular care towards marginalized individuals. Empathy builds trust and makes our workplace more human and inclusive.

10. Reject harmful or discriminatory behavior

Actively support inclusion, diversity, and mutual respect. Rumors, harassment, malicious comments, or discriminatory behavior should never occur in the workplace.

SCOPE

The Code applies to all nanoGUNE members, regardless of their contractual relationship, seniority, or functional role. Directors and supervisors have a special responsibility to lead by example and promote the principles outlined in the Code.

The Code also applies to subcontracted companies and professionals providing services or activities on behalf of nanoGUNE, as well as to students, visitors, and external users.

ENTRY INTO FORCE

This Code must be followed by all nanoGUNE personnel. It must be read, accepted, and signed by all new members upon joining and by all current staff upon the Code's entry into force.

Training and communication initiatives, including publication on the Intranet, will be conducted to ensure awareness and understanding of the Code.

The Code will be reviewed periodically to ensure it remains up to date and aligned with internal principles and applicable regulations. Any updates will be communicated to all personnel.

BREACH OF THE CODE

The workplace must remain free from harassment, discrimination, and all forms of inappropriate behavior. The Code is therefore complemented by the Protocol for the Prevention and Response to Harassment, which outlines specific procedures to prevent, identify, report, and manage any breach of the Code.

Any violation of the values or good practices outlined in the Code must be reported through the designated channels or to the appropriate personnel. Each situation will be evaluated, and the necessary corrective measures will be taken.

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WHISTLEBLOWER CHANNEL

An anonymous reporting channel, accessible via the Intranet, is available for reporting any violation of the Code.

All individuals subject to the Code are expected to report serious breaches of its principles. A defined procedure –outlined at the Protocol for the Prevention and Response to Harassment– will be followed to ensure that all reports are handled fairly. This includes safeguards to protect the rights of both the person reporting and the person accused.

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Annexes:

Annex II. HOW TO FILE A HARASSMENT REPORT: INFORMATION FOR THE REPORTING PARTY

This guide outlines the steps to take if you experience or witness a situation of conflict, harassment, or violence at nanoGUNE.

1. Initial Assessment and Decision

- **Identify the situation:** Is it a conflict, incivility, or a form of harassment (moral, sexual, gender-based, or based on sexual orientation/identity)?
- **You are encouraged to seek support from friends or colleagues;** you have the right to be accompanied by a person of your choice throughout the process.
- **Self-Reflection:** Consider what happened, the frequency of the actions, and the power balance involved. Note any fears of retaliation, as nanoGUNE guarantees a "No Retaliation" policy for those acting in good faith

2. Contacting Advice and Reporting Channels

- **Advice Channel (Informal):** You can contact a **Confidential Advisor** (Laura Benedetti or Itziar Otegui) or a **Trusted Advisor** (Miren Alberdi or Felix Casanova) for guidance without initiating a formal investigation .
- **Reporting Channel (Formal/Informal Procedure):** To trigger the protocol, you can:
 - Use the **Whistleblower Channel:** <https://whistleblowersoftware.com/secure/CIC-nanoGUNE>.
 - Report verbally or via email to a Confidential Advisor.
- Note: You are not required to inform the accused person before filing a report.

3. The Interview and Written Report

- A confidential meeting will be organized (in person, video call, or phone).
- **Written Report:** To start a formal procedure, a written report is required (see Annex V). You can prepare this yourself or with the support of a Confidential Advisor.
- **Evidence:** It is recommended to document and save all relevant communications (emails, messages, etc.) that may serve as evidence.

4. Internal Procedure and Timelines

- **The Conflict Management Team (CMT):** Composed of the Director, Confidential Advisors, and Trusted Advisors, they will manage the case

Annexes:

- **Deadlines:**
 - **Informal Procedure:** Should be completed within **10 working days**.
 - **Formal Procedure:** The investigation starts within **5 working days** of the complaint and concludes within **10 working days** after the external advisor's report is received.
- **Protective Measures:** During the process, the CMT may implement measures to avoid contact between the parties to ensure safety and well-being.

5. Outcome and Follow-up

- If harassment is confirmed, corrective measures (ranging from warnings to contract termination) will be applied.
- **Follow-up:** Check-ups with the victim will be conducted after 1 month, 3 months, and 6 months to ensure the situation is resolved and no retaliation has occurred.

Annexes:

Annex III. CONFIDENTIALITY COMMITMENT

Mr/Mrs _____ with ID/Passport n° _____, having been designated by CIC nanoGUNE (hereinafter nanoGUNE) to intervene in the procedure for receiving, processing, investigating, and resolving situations of conflict or harassment, hereby undertakes to respect the **strict confidentiality, privacy, and impartiality** of all parties involved

Specifically, I commit to:

- **Guarantee the dignity and privacy** of all individuals throughout the entire procedure.
- **Ensure equal treatment** regardless of gender, sexual orientation, or identity.
- **Maintain absolute discretion** regarding any information or documentation (physical or digital) handled during the process, in compliance with GDPR .
- **Refrain from disclosing** the content of complaints or the identity of the parties to anyone outside the Conflict Management Team, even after the case is resolved .

Date: ____ / ____ / 20____

Signature:

Annexes:

Annex IV. INCIDENT REGISTER

This register is maintained by the Conflict Management Team to monitor trends and prepare annual statistics for the Director. **All identities are anonymized using numerical codes.**

Case ID	Date Received	Offense Classification +1	Type of Incident	Status (Open/Closed)	Resolution Date
Ref 01	DD/MM/YY	e.g., Serious Offense	e.g., Sexual Harassment	Closed	DD/MM/YY

Classification Categories (Offense Severity):

1. **Conflict:** Relationship, information, value/cultural, interest, or structural .
2. **Slight Offense:** Incivility or minor misconduct.
3. **Serious Offense:** Unwanted physical contact, inappropriate gestures, rumors, etc..
4. **Very Serious Offense:** Pressure for sexual favors, sexual assault, recurrent harassment, etc. .

Annexes:

Annex V. REPORT MODEL

1. APPLICANT

- Relationship to the case:** Harassed person Witness / Third party
- Full Name:** _____
- ID Number:** _____
- Gender:** Woman Man Non-binary Other
- Position/Department:** _____
- Contact (Email/Phone):** _____

2. HARASSED PERSON

(Leave blank if same as applicant)

Full Name: _____

Position/Department: _____

3. PERSON REPORTED

Full Name: _____

Position/Category: _____

Relationship to nanoGUNE: Employee Supplier/Contractor Guest/Student

4. TYPE OF INCIDENT

- Sexual Harassment Gender-based Harassment Moral Harassment (Mobbing)
- Harassment based on Sexual Orientation/Identity Workplace Conflict

Annexes:

5. DESCRIPTION OF THE FACTS.

Please describe the incidents, including dates, locations, and any specific behaviours or comments. Attach additional sheets if necessary.

6. WITNESSES AND EVIDENCE (if any):

Witness names: _____

Accompanying documents: [] Emails [] Messages [] Other: _____

7. APPLICATION

I hereby request the activation of the **Conflict and Harassment Protocol** of CIC nanoGUNE.

Date: ___ / ___ / 20___

Applicant Signature: _____

Received by (CMT Member): _____

