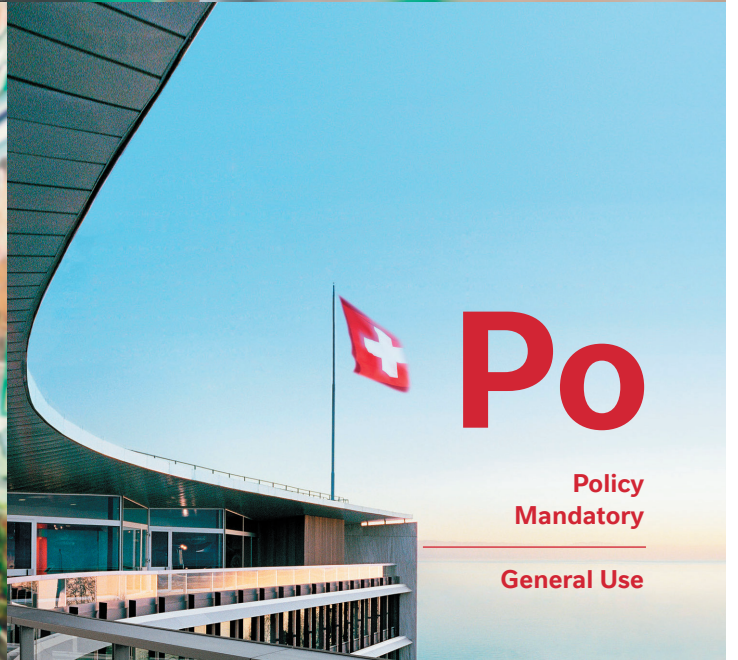




Good food, Good life

# Nestlé Policy against discrimination, violence and harassment at work



**Po**

Policy  
Mandatory

General Use

**Issuing department**

Human Resources

**Target audience**

All Employees

**Approver**

Executive Board

**Date of approval**

October 2020

**Repository**

All Nestlé *Principles and Policies, Standards and Guidelines* can be found in [NestleDocs](#)

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Photos of individuals not wearing face masks or not respecting physical distance are taken outside the context of the COVID-19 pandemics.

**Design**

Société des Produits Nestlé S.A., Corporate Identity & Design,  
Vevey, Switzerland

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# Purpose

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Nestlé's values are rooted in respect – for ourselves, for each other, for diversity and for the future. Thus, we are committed to providing our employees with an inclusive, safe and healthy work environment.

Nestlé respects the personal dignity, privacy and personal rights of every employee, as set out in the United Nations Global Compact's (UNGC) guiding principles on human rights and labor.

At Nestlé, we foster an inspiring, diverse, inclusive, innovative, transparent and open work environment, where employees are respected and they feel engaged and empowered. We have zero tolerance for any kind of discrimination, violence and harassment at work.

Recognizing that discrimination, violence and harassment at work are incompatible with the Nestlé purpose and values, *Corporate*

*Business Principles*, as well as with the *Nestlé Leadership Framework* behaviors, this Policy sets out the core principles of a respectful work environment and standards to prevent any form of discrimination, violence and harassment at work.

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# Scope

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This Policy applies to:

- Nestlé employees, regardless of their contractual status, but also their job position or other status, and to any other person working for or at Nestlé's sites and facilities (such as interns, contractors and consultants) and/or interacting with a Nestlé employee and/or under a business relationship with Nestlé<sup>1</sup>;
- In situations occurring in their employment environment or related to business activities and in the business context only, including but not limited to (i) in the workplace, comprising public and private spaces which are a place of work, (ii) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities, (iii) during work-related trips, travel, training, events or social activities, (iv) through work-related communications, including those enabled by information and communication technologies, (v) in employer-provided accommodation, such as company dormitories and transportation, and (vi) when commuting to and from work.

These two conditions shall be considered as cumulative.

<sup>1</sup> In the case of third parties, any situation that may occur will be managed by, and be the responsibility of, the relevant employer

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# Core principles

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- **Respectful behavior:** All Nestlé employees are required to display common courtesy and engage in safe, respectful and appropriate behavior at all times.
- **Equality:** At Nestlé, everyone must be treated with dignity and respect at work, regardless of their contractual status, but also their job position or other status.
- **Zero tolerance:** Nestlé is committed to maintaining a work environment free from discrimination, violence and harassment. Any form of discrimination, violence and harassment at work is therefore prohibited and is not tolerated. The Company will take any necessary action to address situations of discrimination, violence and harassment in a timely and adequate manner and in accordance with local laws and regulations.
- **Proportionality and fairness:** While we recognize the principle of zero tolerance, Nestlé will react to substantiated cases of discrimination, violence and harassment in a proportionate and adequate manner, taking into account all circumstances and the seriousness of the case, in accordance with local laws and regulations.
- **Privacy and confidentiality:** Privacy and confidentiality of all persons involved must be protected and preserved as applicable, taking into consideration the necessary actions and remedies to be taken by the Company in accordance with local laws and regulations.
- **Non-retaliation:** Retaliation for reporting situations of discrimination, violence and harassment in good faith will not be tolerated and will be subject to sanction. Conversely, any allegation made in bad faith will also be sanctioned accordingly.

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# Definitions

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For the purposes of this Policy:

- **«Violence and harassment»** refers to a range of unacceptable or unwanted behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm.

Violence and harassment can take any form whether:

- verbal (derogatory comments, demeaning jokes, slurs, threats, graphic verbal commentaries, etc.),
- physical (assault, unnecessary or unwelcome touching, impeding or blocking movement, physical interference, stalking, etc.),
- written (any kind of communication that is or may be seen by another, whether or not sent directly to them and includes electronic communications, social media and inappropriate access to internet sites),

- visual (derogatory posters, cards, cartoons, graffiti, gestures, graphics, or other display in the workplace, etc.),
- sexual (repeated sexual comments or behavior, or any form of serious pressure, even if not repeated, exerted with the real or apparent aim of obtaining an act of a sexual nature),
- psychological (deliberately preventing communication, refusing contact, ignoring a person with the aim to isolate or impair their quality of life and work situation, isolating, humiliating, ridiculing, undermining someone's reputation, etc.).

It covers, without limitation, moral harassment, sexual harassment, mobbing, bullying, insulting, as defined under local laws and regulations.

Violence and harassment can be related or not to discrimination, as defined below.



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- **«Discrimination»** is the act of making unacceptable distinctions between individuals based on race, ethnicity, gender (including non-binary), sexual orientation, health, long-term physical, mental/intellectual or sensory impairments, language, age, religion, political opinion, national or social origin, as protected by applicable laws and regulations.

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## Standards

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In addition to local provisions on the prevention and the elimination of discrimination, violence and harassment at work, this Policy sets out the standards to be applied across our Company on discrimination, violence and harassment at work. Where the below standards are stricter than local legislation, the higher standards will apply.

### Prevention, Awareness and Training

The Company must continue putting in place any reasonable preventive measures to ensure a safe and healthy workplace, protecting employees from discrimination, violence and harassment at work, such as:

- **Risk assessment:** Markets shall evaluate if a risk assessment is needed in functions, units or positions and work arrangements in which employees are more likely to be exposed to discrimination, violence and harassment, and associated psychosocial hazards to enable the Company to take measures to effectively protect such persons;
- **Awareness and training:** Employees must be provided information and training in accessible formats, as appropriate, on the risks of discrimination, violence and harassment at work and the associated prevention and protection measures, including the rights and responsibilities of the Company, employees and other persons concerned. Awareness and training may take the form of team and individual coaching, mentoring, mediation and information sessions to ensure a respectful working environment and encourage ethical leadership behaviors.
- **Communication:** Appropriate and regular communication of Group and Market policies against discrimination, violence and harassment must be made as well as on available reporting channels and procedures.

- **Monitoring:** Appropriate tools and processes, including the CARE Audit Program, must be employed to monitor actions and procedures to ensure a safe and healthy workplace and protect employees from discrimination, violence and harassment at work.

In accordance with local laws and regulations, workers and their representatives may participate, when appropriate, in prevention, awareness and training actions on discrimination, violence and harassment at work.

### Responsibilities

- **Our Company:** Each Market must have programs and procedures in place, following the principles and the standards of this Policy, with the aim to prevent any form of discrimination, violence and harassment at work.
- **Our Line Managers:** Line Managers must act in line with Nestlé's Leadership Framework and ensure that employees under their supervision are not subject to or participate in any form of discrimination, violence and harassment at work. If and when a situation occurs, they must ensure that it is promptly and effectively dealt with. Likewise, discrimination, violence and harassment by Line Managers is not tolerated.
- **Our People:** Any employee or any other person working for or at Nestlé's sites and facilities (such as interns and contractors) and/or interacting with a Nestlé employee and/or under a business relationship with Nestlé, must refrain from causing or participating in any form of discrimination, violence and harassment, for their own safety, integrity and dignity and that of others.

## Reporting and Investigation

- **Reporting:** Employees or any other person working for or at Nestlé's sites and facilities (such as interns and contractors) and/or interacting with a Nestlé employee and/or under a business relationship with Nestlé, who witness or are subject to discrimination, violence and harassment or threats thereof, must immediately raise their concerns to their Line Manager, HR, or Compliance and, in case of injury or immediate threat of physical harm, call medical / first aid, security or the police.
- In addition, effective complaint and reporting channels must be kept available locally to ensure that employees can report situations of discrimination, violence and harassment, in accordance with the Nestlé Speak Up System.
- **Information:** Employees must be informed of available reporting channels on a regular basis and if they are subject to, or become aware of situations involving discrimination, violence and harassment.
- **Investigation procedures:** In case a situation of discrimination, violence or harassment is reported, the Company will make the necessary verifications and/or investigations in an objective and timely manner. Markets must ensure that investigation procedures are implemented locally, providing appropriate training and tools to conduct the investigations in accordance with local laws and regulations and following, as needed, the Nestlé Group practices. Where relevant, investigations must be conducted and/or monitored in line with the principles of this Policy, generally by an investigation body and/or compliance body at local level, as defined locally.
- **Cooperation:** Whenever required, employees concerned must cooperate in any investigation of complaints or incidents.
- **Confidentiality:** Investigation procedures will be kept confidential, and the employees and persons involved will be duly protected, as necessary, except if disclosure is required for the purposes of carrying out the investigation, resolving the incident or complaint, taking corrective actions, protecting employees and/or as otherwise required or permitted by applicable law.

## Remedial actions, Sanctions and Improvement action plans

- **Precautionary measures:** Where appropriate, precautionary measures shall be taken to deal with alleged cases of discrimination, violence and harassment, pending the results of the investigation, to fairly balance the rights and interests of the persons involved, while keeping in mind the Company's need to continue to operate its business efficiently. This includes, amongst other, appropriate support and assistance for persons involved.
- **Remedial actions and sanctions:** For substantiated cases of discrimination, violence and harassment, the Company must take prompt remedial actions and sanctions.
- Remedial actions include, among others, dispute resolution mechanisms such as mediation and facilitation, training and coaching, and/or providing appropriate support and assistance for persons involved. Such measures and actions may be supported by a Line Manager, HR professional or an internal or external mediator.
- Any substantiated act or behavior that is unacceptable and incompatible with this Policy will trigger appropriate sanctions, including, without limitation, disciplinary measures up to and including immediate dismissal and/or contract termination, or removal from boards or committees. Criminal offences or threats shall be reported to local authorities as per applicable laws.
- Remedial actions and sanctions must comply with the principle of proportionality and take into account, as required, local laws and regulations.
- **Improvement action plans:** Markets should evaluate the need for root cause analysis for substantiated cases of discrimination, violence and harassment and establish any appropriate improvement action plan to close identified gaps.

In addition to the standards set forth by this Policy for work-related situations, Nestlé denounces domestic discrimination, violence and harassment and strives to support locally employees who are victims, for example, through employee assistance programs, referral to specialized support organizations, medical advice and awareness campaigns.

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# Implementation and Monitoring

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Markets are expected to adopt locally this Policy or integrate it in the existing policies, programs and procedures, in consultation with workers and their representatives as required locally, at the latest by end of year 2022. The Market Heads are responsible for the implementation of this Policy.

Local programs and procedures against discrimination, violence and harassment must be reviewed with the NiM Compliance Committee annually, to assess whether changes or adaptations need to be made.