

DISCIPLINARY CODE

ENERSIDE ENERGY GROUP

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DISCIPLINARY REGIME

Article 1.- General criteria

- (1) ENERSIDE and other group companies may punish professional misconduct, actions or omissions involving labor violations or violations of workers.
- (2) This Disciplinary premium on the disciplinary system provided for in the collective agreement applicable to ENERSIDE. Notwithstanding the foregoing, the aspects that this regime does not regulate shall be governed by the applicable collective agreement ENERSIDE.
- (3) Offenses are classified in view of their importance or intent mild, severe or very severe.
- (4) The punishment of offenses require written notice to the employee, stating the date and the facts that motivated it.
- (5) Temporary compliance with the sanction may only delay up to 60 calendar days after the firmness of the sanction. If no objection, the deadline is 90 calendar days from the date of imposition of the sanction.
- (6) The sanctions can always be challenged by the employee before the competent court, within 20 working days of its imposition, as provided for in the legislation.
- (7) The company will realize the legal representatives of workers and, where appropriate, to union representation, of any sanction for serious and very serious misconduct to be imposed.

Article 2.- Slight faults

- (8) minor offenses the following definitions shall apply:
 - a. Lateness not justified, at the entrance or exit of work, up to three times in a period of one month.
 - b. The unjustified absence from one day to work in the period of one month.
 - c. Failure to notify in advance, or, if applicable, within 24 hours, the absence from work, unless the impossibility of having been able to be proved.
 - d. Abandonment of service or job without good cause for short periods of time.
 - e. Minor damage to the conservation or maintenance of equipment and material work which it was responsible.
 - f. Neglect or lack of correctness in dealing with customers or suppliers of the company.
 - g. Discuss inappropriately with the rest of the staff, customers or suppliers within the workday.
 - h. The company unable to communicate changes of residence or domicile, where these can cause some conflict or injury to fellow workers or the company.
 - i. Not communicate in due course changes on family or personal data that have an impact on social security or tax authorities, provided no harm to the company occurs.
 - j. All those offenses involving breach of regulations, orders or commands who depend, organic or hierarchically in the regular course of their duties, which do not involve

- damage or risks to people or things.
- k. Failure to attend theoretical training courses or practice within the normal working hours without proper justification.
 - l. Drunkenness or drug use at work.
 - m. Breaching the express ban on smoking in the workplace.
 - n. Failure to comply with the obligations under Article 29 of the Law on Prevention of Occupational Hazards, can whenever certain risks, however slight, to himself, to other staff or third parties.

Article 3.- Serious misconduct

(9) The following are considered serious offenses:

- a. Lateness not justified at the entrance or exit of work on more than three occasions in the period of one month.
- b. The unexcused absence to work two consecutive days or four alternates, during the period of one month. Suffice one misses work when it affected the relay of a partner / herself or if as a result of absence, subject to some consideration to the company occasionase.
- c. Malicious misrepresentation, or omission of the data that had tax incidence or Social Security.
- d. The use of information technology owned enterprise (email, internet, intranet, etc.) for purposes other than those related to the content of the work done when the time spent on this use may be implied an abdication or abandonment of functions inherent in the work.
- e. Abandonment of service or job without just cause and even briefly, if as a result thereof injury to the company and / or ocasionase template.
- f. Lack of personal attire and grooming to produce justified complaints from coworkers, provided that previously had mediated the timely warning from the company.
- g. Impersonate or allow themselves to be supplanted in official documents of the company or the company referred to its suppliers.
- h. Disobedience to the instructions of people who depend on organic and / or hierarchically in the exercise of their functions in labor matters. those cases involving, for the recipient, a risk to life or health, or, whether due to abuse of authority are excepted.
- i. Negligence, or recklessness, at work affecting the smooth running of it, provided that it is not serious harm to the company arising out of or behave accident risk for people.
- j. Performing without the prior consent of the company, individual work during working hours and employment for their own or other uses of equipment, tools, machinery or vehicles of the company, even outside working hours.
- k. Recidivism in committing minor offenses, except tardiness, albeit differently, whatever its nature, within a quarter and having mediated penalty.
- l. Verbal or physical specific offenses, as well as the lack of respect for privacy or dignity of persons on grounds of sex, sexual orientation or gender identity, birth, racial or ethnic origin, religion, belief or opinion, age, disability, illness , language or any other condition or personal or social circumstance.
- m. Drunkenness or the state derived from drug use, if a negative impact on their work or poses a risk to the level of protection of safety and health own and other people.

- n. Failure to comply with the obligations under Article 29 of the Law on Prevention of Occupational Hazards, when such failure origine risks and serious damage to the health and safety of workers.

Article 4.- very serious offenses

(10) very serious offenses the following will be considered:

- a. Lateness not justified at the entrance or exit of work in more than ten times during the six-month period.
- b. The unexcused absence to work for three or more consecutive days or five alternate in a period of one month.
- c. Fraud, disloyalty or breach of trust in the mandated negotiations and theft or robbery, both peers / as working as the company or any other person within the company premises or during work elsewhere .
- d. Simulation of illness or accident when being in low worker / a by any mandatory causes, perform work of any kind for themselves or for others. Also it will be considered a very serious offense any manipulation made to extend downward by accident or illness.
- e. Abandonment of service or workplace, as well as the command post and / or responsibility on individuals or teams without cause, if as a result thereof serious harm to the company, the template ocasionase, stand in grave danger safety or cause of accident was.
- f. Conducting activities involving unfair competition to the company.
- g. Voluntary and continuous decline in performance of normal or agreed working.
- h. Quarrels, maltreatment of word or deed, lack of respect and consideration for anyone associated with the company, in the workplace.
- i. Violation of secrets confidentiality must duly warned, revealing to persons or organizations outside the same, when it could cause serious harm to the company.
- j. Negligence, or recklessness at work that cause serious accident, if it serious harm to the company arising out of or accident for people behave.
- k. Recidivism serious offenses, provided that the offenses committed in the period of two months and has mediated penalty.
- l. Disobedience to the instructions of people who depend on organic and / or hierarchically in the performance of their duties if it involved a very serious problem for the company or for the rest of the squad prejudice.
- m. sexual, identifiable by the situation in which any behavior occurs, verbal, non-verbal or physical harassment of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when an intimidating environment is created, hostile, degrading, humiliating or offensive.
- n. mobbing understood as any abusive or psychological violence behavior that make prolonged over time on a person in the workplace, manifested through repeated behavior, facts, orders or words which are designed to discredit, disregard or isolate that person, ring their ability, career advancement or remaining in the workplace, producing a progressive and ongoing damage to his dignity, or psychological, directly or indirectly integrity.
- o. Harassment on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation.
- p. Failure to comply with the obligations under Article 29 of the Law on Prevention of

Occupational Hazards, provided that such breach of a serious accident for himself, for his companions or third parties arising.

Article 5.- sanctions

(11) The maximum penalties that may be imposed by the Commission of the faults identified are:

- a. For minor offenses
 - i. Written warning.
- b. For serious offenses
 - i. Written warning; or
 - ii. Suspension without pay from two to twenty days; or
- c. For very serious offenses
 - i. Written warning; or
 - ii. Suspension without pay twenty-sixty days; or
 - iii. Dismissal.

Article 6.- Prescription

(12) Depending on your graduation, faults prescribe the following days:

- a. Minor offenses: ten days
- b. Major faults: twenty days
- c. very serious offenses: sixty days

(13) The prescription of the faults identified will start counting from the date the company was aware of his commission and in any case within six months of having committed.