



# **CEMEX GLOBAL WORKPLACE NON-DISCRIMINATION, NON-HARASSMENT, NON-BULLYING & NON-RETALIATION POLICY**

Global Policy, effective as of June 1<sup>st</sup>, 2023.



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## 1. POLICY STATEMENT

The purpose of this Policy is to ensure that the Cemex Group, Employees of the Cemex Group, as well as any applicable Cemex Group Third Party, conduct themselves, and are treated with dignity and respect, free from discrimination, harassment, retaliation, and bullying in the workplace and in any work-related circumstance outside the workplace, during or after work hours.

The Cemex Group will seek for Third Parties with whom the Cemex Group has a commercial relationship to also comply with this Policy and/or the principles and standards reflected in this Policy. This Policy is mandatory and applies to all Employees, regardless of where they reside or conduct business.

## 2. POLICY INTERPRETATION, ENFORCEMENT AND ADMINISTRATION

This Policy is approved by the Cemex Organization & Human Resources Department and the Cemex Corporate Legal Compliance Department. Additionally, this Policy replaces Cemex Global Workplace Discrimination, Harassment, Bullying and Retaliation Policy dated May 3, 2020.

The Cemex Organization & Human Resources Department has the discretion to decide if this Policy should be physically and/or digitally signed by Employees of the Cemex Group. The Cemex Organization & Human Resources Department is responsible for the interpretation, administration, and enforcement of this Policy. The Cemex Organization & Human Resources Department may request any necessary support from other areas of the Cemex Group in order to implement and oversee this Policy.

When in doubt as to the content or application of this Policy, Employees have an obligation to contact the Cemex Human Resources Department for guidance.

This Policy should be observed in strict compliance with any applicable General Framework.

## 3. GENERAL PROVISIONS

### 3.1. DEFINITIONS

- “Affiliate” means, with respect to any corporation, limited liability company, trust, joint venture, association, company, partnership, or other entity, another corporation, limited liability company, trust, joint venture, association, company, partnership, or other entity that directly, or indirectly through one or more intermediaries, controls or is controlled by or is under common control with the corporation, limited liability company, trust, joint venture, association, company, partnership, or other entity specified.
- “Board of Directors” means the Board of Directors of Cemex.
- “Business Unit” means any area within the Cemex Group, with personnel, resources or assets. The term “Business Unit” also includes countries, regions, departments, divisions, functional areas (including global initiatives within the Cemex Group), companies or specific facilities (ready-mix plants, quarries, etc.) and their Presidents, Executive Vice- presidents, Vice-presidents, Directors or Business Unit Leaders (or equivalent positions).
- “Business Unit Leader” means the head of any Business Unit.
- “Cemex” means CEMEX, S.A.B. de C.V.



- “Cemex Corporate Legal Compliance Department” means the Cemex Corporate Legal Compliance Department of Cemex’s Global Legal Department or any other department which may in the future exercise similar functions in relation to the matters covered herein.
- “Cemex Group” means Cemex and its Affiliates.
- “Cemex Internal Audit Department” means the Cemex Corporate Process Assessment Department or any other department which may in the future exercise similar functions in relation to the matters covered herein.
- “Cemex Local ETHOS Committee” means the Cemex Local ETHOS Committee or any other local committee that supervises a specific country, region, or Business Unit which may in the future exercise similar functions in relation to the matters covered herein.
- “Cemex Local Legal Department” means any Cemex Local Legal Department that supervises a specific country, region or Business Unit, or any other local department which may in the future exercise similar functions in relation to the matters covered herein.
- “Cemex Organization & Human Resources Department” means any Cemex Organization & Human Resources Department or any other department which may in the future exercise similar functions in relations to the matters covered herein.
- “Cemex Regional Legal Department” means any Cemex Regional Legal Department that supervises a specific region or any other regional department which may in the future exercise similar functions in relation to the matters covered herein.
- “Employees” means the individuals who occupy a position in or are directly or indirectly employed by any company of the Cemex Group.
- “ETHOSline” refers to one of Cemex’s official reporting channels, managed by an independent third-party supplier. Employees, Third Parties and any person with a claim may communicate their concerns or report any suspected or actual instances of misconduct without fear of retaliation or reprisal.
- “General Framework” means (i) the terms and conditions set forth in this Policy, (ii) applicable local laws and regulations to which each Employee is subject to, (iii) charter documents (i.e., by-laws, articles of incorporation, etc.) of the pertinent entity of the Cemex Group; and (iv) other applicable Cemex Group internal policies.
- “Mobbing” means a type of bullying behavior carried out by a group rather than by an individual.
- “Policy” means this Cemex Global Workplace Non-Discrimination, Non-Harassment, Non-Bullying and Non-Retaliation Policy as may from time to time be changed, amended, restated, supplemented and/or replaced.
- “Third Party(ies)” means, but is not limited to, any third parties that will be acting as customers, vendors, contractors, subcontractors, agents, subagents, custom brokers, freight forwarders, logistics providers, distributors, representatives, intermediaries, business partners, joint ventures, or any other person transacting with or acting on the Cemex Group’s behalf (such as representatives, agents or intermediaries), as well as their employees or other persons working on their behalf.



### 3.2. GLOBAL WORKPLACE PROVISIONS

One of Cemex's core principles is that Employees must treat others with dignity and respect and should, themselves, be treated with dignity and respect. Employees should always consider whether their words and/or conduct could be considered offensive. Violation of this Policy can occur regardless of the intention of the perpetrator; what matters is how the conduct is perceived and whether the person finds the conduct offensive or compromising of their dignity.

#### EMPLOYEES' RIGHTS



Recruitment and selection decisions based on merit and not affected by irrelevant personal characteristics.



Working free from discrimination, harassment, retaliation and bullying.



The right to report, raise concerns or make an inquiry or complaint in a reasonable and respectful manner without retaliation or revictimization.



Reasonable consideration for flexibility or adjustments in working arrangements, especially where needed to accommodate their family and career responsibilities, disability (physical or mental), religion, and culture, in accordance with the Dynamic Work Schemes Policy (or any other policy or guideline which replaces such document).

#### EMPLOYEES RESPONSIBILITIES



All Employees must review and comply with this Policy at all times while at work, outside of the workplace, and during and after work hours.



Any Employee who believes they have experienced or witnessed any conduct that is in violation of this Policy, should report that concern to their supervisors immediately or through any other official reporting channel.



Treat everyone they interact with dignity, courtesy, and respect.



Offer support to victims of any discrimination, harassment, or bullying.



Avoid gossip.



Avoid bullying and Mobbing.



## BUSINESS UNIT LEADERS' RESPONSIBILITIES

- ✓ Cemex's Business Unit Leaders should be role models for appropriate standards of behavior.
- ✓ Ensure employment and volunteer recruitment decisions are based on merit, and that no discriminatory requests for information are made.
- ✓ Intervene promptly, fairly, and properly when becoming aware of any inappropriate behavior.
- ✓ Take action to ensure their team members are educated and aware of their obligations under this Policy and the General Framework.
- ✓ Refer formal complaints about breaches to this Policy through any of Cemex's official reporting channels, and document complaints and actions taken to resolve the complaint.
- ✓ Wherever possible, assist individuals in the informal resolution of problems and complaints.
- ✓ Act impartially in resolving issues and enforcing workplace behavioral standards and ensure everyone has an opportunity to be heard.
- ✓ Act to ensure individuals who raise an issue or make a complaint are not revictimized or subject to retaliation for doing so.



## NON-DISCRIMINATION

Discrimination occurs when an individual or a group is treated unfavorably because of a personal attribute protected by the General Framework. Therefore, the Cemex Group prohibits discrimination in employment opportunities or practices based on race, color, religion, disability (physical or mental), national origin, genetic information, family responsibilities, pregnancy, breastfeeding, age, sexual orientation, gender (including gender identity and expression), marital status, protected veterans' status, citizenship status, or any other legally protected traits.

- This applies to processes that include, but are not limited to, recruitment, hiring, compensation, promotions, transfers, disciplinary action, demotions, terminations, layoffs, access to benefits, and training.
- It could also be unlawful to treat someone less favorably because of any assumptions you may have about them.



## NON-HARASSMENT

Harassment is a type of discrimination involving unwelcome language or behavior that, regardless of the intention of the perpetrator, could be reasonably anticipated to offend, embarrass, intimidate, or threaten another person because of a protected attribute covered under the General Framework.

- Harassment can take many forms, including but not limited to, jokes, teasing (i.e., based on weight, race, sexual orientation, or physical appearance), nicknames, emails, pictures, text messages, social isolation, ignoring people, or unfair work practices.



- The Cemex Group is strongly committed to fostering psychological safety in our workplace, which means making Employees of the Cemex Group and any Cemex Group Third Party feel that they will not be punished or humiliated for speaking up about their ideas, questions, concerns, or mistakes.



## NON-SEXUAL HARASSMENT

Sexual harassment is a specific and serious form of harassment that may occur when a person makes an unwelcome sexual advance or an unwelcome request for sexual favors to another person, engages in any other verbal, nonverbal, graphic, psychological, or physical conduct of a sexual or intimate nature in relation to another person, or engages in physical acts of sexual assault (which refers to sexual contact or behavior that occurs without the consent of the victim).

- This concept covers sexual harassment by Employees and Third Parties and is not limited to a subordination relationship. It also encompasses any misconduct outside your workplace and working hours (including technological media).

- Some examples of sexual harassment include, but are not limited to:

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| <p>✖ Making sexually suggestive comments or jokes;</p> <p>✖ Suggestive touching, patting, hugging, or physical contact;</p> <p>✖ Suggestive statements about a person's body, clothes, or sexual history;</p> <p>✖ Making unwanted advances or propositions, including pressuring others inappropriately, to have sexual intercourses or sexual relations (which involves any unwelcome physical sexual behavior of anyone in or outside the workplace regardless of sexual orientation and/or gender) without their consent;</p> | <p>✖ Making remarks, statements, or telling stories of an explicit or sexual nature;</p> <p>✖ Persistent unwanted invitations to go out on dates; or</p> <p>✖ Displaying or communicating sexually suggestive materials (such as, but not limited to, photos, videos, audios, and objects) through any type of medium (email, instant messages, video calls, chatting platforms, or similar).</p> |
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## NON-BULLYING

Bullying is a repeated, unreasonable behavior directed towards an individual, or group of individuals, that intends to cause physical, social and/or psychological harm. Bullying may be direct or indirect, including oral, written language or non-verbal. Bullying may occur during or after work hours, in or outside your workplace, and in technological media (cyberbullying).

- Behaviors that may constitute bullying include, but are not limited to:

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| <p>✖ Sarcasm and other forms of demeaning language;</p> | <p>✖ Insulting or humiliating;</p> |
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- ✖ Threats, abuse, or shouting;
- ✖ Use of offensive nicknames;
- ✖ Coercing, isolating, blaming, or Mobbing;
- ✖ Deliberately withholding information; or
- ✖ The repeated refusal of requests for leave or training without adequate explanation or suggestion of alternatives;
- ✖ Constant unconstructive criticism.



## NON-RETALIATION

The Cemex Group strictly prohibits retaliation or any form of discrimination against any individual who reports in good faith any possible non-compliance with this Policy or any applicable laws. Such retaliation would be grounds for discipline, including potential termination of employment. No Employee shall be directly or indirectly terminated, demoted, suspended, threatened, blacklisted, harassed, or any other manner discriminated in the terms and conditions of employment or post-employment solely because they reported in good faith an actual or suspected violation of this Policy or applicable laws.

Additionally, the Cemex Group shall not undertake adverse action against any Third Party that could be viewed as retaliatory, including but not limited to, the non-renewal or early termination of a contract, placing said Third Party in blacklists or damaging their reputation.

### 3.3. AMENDMENTS AND WAIVERS

The Cemex Organization & Human Resources Department (or any other business area or unit that assumes or may assume similar functions) reserves the right to change and/or amend this Policy at any time without prior notice. Changes or amendments to this Policy shall be notified through Cemex's internal communications channels.

This Policy must be analyzed and reviewed at least every two years, or before in accordance with any applicable General Framework, to determine if any updates or amendments are necessary, with the ultimate decision of the Cemex Organization & Human Resources Department.

All changes or amendments to any Cemex policy must be informed to the Cemex Internal Control Department.

All waivers and exceptions to this Policy, the processes contained herein, and any rules and/or guidelines set forth in this document, must be expressly approved in writing by the Cemex Organization & Human Resources Department.

### 3.4. NON-COMPLIANCE PROCESS AND REPORTING



**The Cemex Group takes all allegations of discrimination, harassment, retaliation, and bullying seriously and addresses them promptly. Any investigation will be conducted with the greatest degree of confidentiality consistent with our ETHOS process, completing a fair and thorough investigation.**

Strict compliance with this Policy is expected and required from all Employees and Business Units. Any violation of this Policy may result in disciplinary action including but not limited to, employment suspension or termination, as well as any other sanctions set forth and applicable pursuant to any General Framework.

The Cemex Group encourages all Employees and Third Parties to report, in good faith, any potential violation regarding this Policy or applicable laws through any internal or external channels (i.e., corresponding



authorities). The official internal channels for reporting any actual or suspected breaches to this Policy are the following:

- ETHOSline, [via online](#), phone, or e-mail;
- Any Cemex Local ETHOS Committee, via phone, e-mail or in person;
- Any Cemex Local Human Resources Department;
- Cemex Internal Audit Department;
- The corresponding Cemex Regional Legal Department or Cemex Local Legal Department; or
- Cemex Corporate Legal Compliance Department.

Subject to the applicable General Framework, complaints should be kept strictly confidential.

### **3.5. TRAININGS AND AUDITS**

If and when required by the Cemex Organization & Human Resources Department, Employees could be required to attend necessary trainings. Employees that receive training on this Policy can be asked to provide written confirmation that they have received the corresponding training. The Employees that require any training shall be identified by the Cemex Organization & Human Resources Department, at its discretion.

Additionally, the Cemex Corporate Legal Compliance Department or the Cemex Process Assessment Department have the authority to carry out audits to evaluate Employee's compliance with this Policy. These audits may be delegated to and assisted by the corresponding Cemex Regional Legal Department or Cemex Local Legal Department.