

Policy regarding the discrimination ban

notably in accordance with the German General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz – AGG)

In the European Union, various EU Directives have been issued with regard to the protection against unequal treatment and discrimination, including unequal treatment and discrimination at the workplace. These Directives have been incorporated into national law by the German legislative by way of the German General Act on Equal Treatment (“AGG”).

Grand City Properties S.A. and companies controlled by it (hereinafter referred to as “Employer” or “Grand City”) acknowledge their legal duty to ensure compliance with AGG as well as further applicable national regulations regarding discrimination bans, as the case may be. In addition, Grand City is committed to ensuring full compliance with further international regulations, notably the corresponding International Labour Organisation’s (ILO) Core Labour Standards set out i.a. in Convention 111 concerning Discrimination in Respect of Employment and Occupation.

Where the term “Employee/s” is referred to below, such term shall encompass all employees of Grand City, including – for the sake of simplicity – the management. The term Employee shall cover both sexes; where the male form is used, this is only for the sake of simplicity and legibility.

Aim and scope of the AGG

The AGG is aimed at preventing or eliminating Employees being placed at a disadvantage on the grounds of:

- race or ethnic origin,
- gender,
- religion or ideology,
- disability,
- age or
- sexual identity.

The AGG’s scope of application covers all aspects and the entire duration of the employment relationship from the appointment, including employment and working conditions, career development, i.e. higher classification or promotion measures up to the end of the employment relationship.

However, in its call for the equal treatment of all Employees, the AGG is not conclusive and does not render void further-reaching protection against placing people at a disadvantage or calls for equal treatment, such as the protection of people who are severely disabled that extends beyond the protection of disabled persons provided for in the AGG.

Ban on (even indirect) placing at a disadvantage or harassment

In addition to direct discrimination of Employees, the so-called indirect placing at a disadvantage is also banned; this is the case if measures that appear neutral are nevertheless aimed at or even just capable of discriminating against an Employee on the grounds stated above.

In addition to placing Employees at a disadvantage, harassment – in particular, sexual harassment – is banned. In that respect, harassment shall be deemed to be discrimination when an unwanted conduct in connection with any of the grounds referred above takes place with the purpose or effect of violating the dignity of the person concerned and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual harassment shall be deemed to be discrimination, when an unwanted conduct of a sexual nature, including unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images, takes place with the purpose or effect of violating the dignity of the person concerned, in particular where it creates an intimidating, hostile, degrading, humiliating or offensive environment.

Unequal treatment shall only be permissible where suitable and appropriate measures are adopted to prevent or compensate for disadvantages arising on any of the grounds referred above.

Instruction vis a vis and discrimination among Employees

The instruction to discriminate against another person, for example by superiors when dealing with subordinate Employees, is also considered to be discriminatory and, where applicable, leads as such to claims for damages on the part of the affected Employee.

In addition to the Employer, Employees are also prohibited from placing other Employees at a disadvantage due to one of the grounds stated above or (sexually) harassing them. The same applies to outside third parties, for example customers of Grand City in dealings with Grand City Employees. Obligation to act If the Employer gains knowledge of discriminatory conduct on the part of Employees against another Employee, the Employer is required to adopt suitable, necessary and appropriate measures to protect the affected Employee against such discriminatory acts. Each Employee must

therefore be aware that if they act in a manner that is discriminatory against another Employee, such conduct may result in a warning, relocation or also termination of employment contract.

Any Employee who is placed at a disadvantage based on a ground stated above by their Employer, colleagues or third parties without the Employer adopting suitable measures against such conduct, shall be entitled to compensatory damages for which a claim must be asserted in writing within two months after knowledge of the discrimination. In the event that the Employer rejects such claim or fails to react to it, a claim regarding the damage can be lodged in court within three months following the claim asserted in writing.

Where the employer takes no or takes obviously unsuitable measures to stop the harassment or sexual harassment in the workplace, the affected employee shall have the right to refuse performance without loss of pay insofar as this is necessary for their protection. If an Employer fails to protect its Employees against discrimination or (sexual) harassment by Employees or external third parties, the Employer renders itself, where applicable, liable because of failure to act and potentially liable to pay damage to the affected Employee.

Contact details

In the event that an Employee is of the opinion that he has been or is placed at a disadvantage or (sexually) harassed, he is encouraged to lodge a complaint along the general reporting channels laid out in the Code of Conduct. Alternatively, the Employee may also lodge a complaint at the HR department:

The contact details are:

Human Resources Management

Ms Friderike Pabst

Wittestraße 30, Building F

D-13509 Berlin

Germany

friderike.pabst@grandcityproperty.de

The respective complaint shall be reviewed by Grand City. Grand City shall adopt the necessary measures, as the case may be, and notify the affected Employee of the outcome of the review and the adopted measures. Every employee has to confirm receipt of this Policy and the fact that they have taken notice of it.