



Policy and implementation guidelines against bullying, gender-based and sexual harassment

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1. Introduction

The purpose of this plan is to prevent bullying and sexual harassment at Ölgerðin and to create an action plan. Here you can find the policy statement, definitions of bullying, gender-based harassment and sexual harassment. Furthermore, a description of possible consequences is included along with resources for employees, a response plan for superiors and a description of preventive measures.

2. Policy

This policy applies to all employees of Ölgerðin and others that may be involved in line with Icelandic State Regulation no. 1009/2015 on Measures against Bullying, Sexual Harassment, Gender-based Harassment and Violence in Workplaces, Article 3. point g. It also applies to all work-related affairs, e.g., at conferences, courses, trips, and other social events related to the workplace.

An employee who by words, gestures or behaviour threatens, disturbs, or challenges others in the workplace or bullies or sexually harasses an employee is considered to have violated the basic rules of communication in the workplace. Such behaviour can lead to a reprimand and/or termination of employment.

All employees have the right to be treated with respect and to have the opportunity to work without the risk of bullying or sexual harassment. Emphasis is placed on employees being satisfied with their workplace, both the working environment and employee morale and that mutual understanding, cooperation and respect prevail between colleagues. A workplace where sexual harassment, gender-based harassment and/or bullying does occur cannot be considered to have an appropriate working environment and conditions. Therefore, it is beneficial for everyone to ensure with the utmost determination the creation of good working conditions and to prevent any kind of harassment.

If there is a case of sexual harassment or bullying, employees who suffer are encouraged to seek help. If a superior or any representative of the Human Resources Department (HR) is alerted to such a behaviour, the superior or HR representative must, in consultation with Senior Management, put

an end to the said behaviour. The victim shall bear no harm from the measures taken for that purpose.

3. Definitions

What constitutes bullying, gender-based harassment, sexual harassment, and other harassment?

According to Icelandic State Regulation no. 1009/2015, the definitions are the following:

3.1. Bullying

Repeated conduct that is generally of such a nature as to cause discomfort for the person at whom it is directed, such as degrading, insulting, offending, or threatening the person in question or causing him or her to be afraid. Differences of opinion or disputes arising from differences of interest do not come under this definition.

3.2. Gender-based harassment

Conduct connected with the gender of the person who experiences it and against that person's will that has the purpose, or the effect, to offend the person's dignity and creating situations that are threatening, hostile, degrading, humiliating, or insulting to the person.

3.3. Sexual harassment

Sexual conduct of any kind that has the purpose, or the effect, to offend the dignity of the person affected by it, particularly when the conduct leads to threatening, hostile, degrading, humiliating, or insulting situations. The conduct may be verbal, symbolic and/or physical.

3.4. Violence

Conduct of any kind that leads to, or could lead to, physical or psychological injury or suffering on the part of the person who experiences it as well as the threat of such conduct, coercion, or random deprivation of freedom.

3.5. Other types of harassment

Conduct of any kind that involves aggression in communication, disrespectful reprimands, humiliating or provocative comments, insults, taunts, contempt etc. Threats are classified as harassment regardless of how serious they are or not. Included are forms of harassment to which an employee is subjected such as repeated taunts and discomfort that may result from being watched continually, called, or messaged repeatedly and having one's family disturbed.

3.6. Employee Experience

Employees can experience harassment, disruptive behaviour, and aggression in various forms from both colleagues and customers. The assessment of harassment depends on various factors such as the relevant employee experience of the incident, its gravity and whether it is repeated behaviour. The background of the harassment and its circumstances also must be considered.

3.7. Distinguishing bullying and harassment from disagreements and conflicts of interest

Deep-seated disputes and conflicts of interest can arise in a workplace and can cause considerable discomfort even if it is not considered as bullying or harassment. It is important that solutions are sought without delay no matter whether dealing with disagreements and conflicts of interest on the one hand or bullying and harassment on the other.

4. Consequences

The consequences of bullying and harassment can vary. They can be grave for both the individual affected by it and the workplace as a whole. For example, the victim can experience anxiety, depression, insecurity, inferiority complex and despair. Bullying and harassment can affect an employee's performance and prevent a positive work experience. Productivity may decrease and absenteeism due to illness may increase. An employee may also isolate himself from his colleagues both professionally and socially.

Unfortunately, it is common for people who are bullied not to do anything about it. It is likely that it leads to a situation where bullying thrives and even gets worse as time passes. In the worst-case scenario, the employee may have to resign from the job. Where bullying and harassment occurs, it is likely that many employees feel insecure and distress due to poor morale and lack of trust and respect.

5. How can employees react?

According to Icelandic State Regulation 1009/2015: "An employee who considers that he, she or they has experienced victimisation, sexual harassment, gender-based harassment or violence in the workplace, or that he, she or they has a reasonable suspicion, or knowledge, of such conduct in the workplace, shall inform the employer or the workplace's safety representatives of this, providing no arrangement is made by which the employee in question is to inform some other person of it under the written schedule on safety and health in the workplace (cf. Section II). The employee shall also be prepared to give a fuller account of the matter."

An employee who is subjected to bullying, sexual harassment or other forms of harassment must turn first to the next superior and report the incident. The same applies to those who have knowledge of such behaviour. Usually, the longer time passes since the harassment began it is more difficult to solve problems. An employee can also contact their manager, HR Department representative or managing director of the company.

5.1. Advice for victims of harassment/bullying

What can you do if you are bullied, harassed based on gender or sexually harassed? It may be that the alleged perpetrator may not be aware that you do not appreciate the behaviour he/she/they has towards you. Therefore, make the person aware that you do not like the behaviour and that you will not tolerate it.

If you do not have the courage to talk to the person alone, you can have someone with you or send a letter or e-mail but then remember to keep a copy. Remember not to blame yourself for the situation. If the person does respond adequately, proceed to seek help from those you trust. HR Department can provide assistance on matters related to bullying, gender-based and/or sexual harassment. It is important to emphasise that complete confidentiality is observed in all communication.

You can also:

- Alert your manager, HR Department, managing director or other employees responsible for ensuring employee safety.
- Keep a record with a detailed description of each instance.
- Monitor whether there are any changes to your projects (if the perpetrator is for example your manager or another member of your team involved in your work assignments).
- Check if your colleagues have been subjected to the same type of harassment and seek the support of that colleague.
- Contact your labour union.

Be careful not to try to wage a war alone against a colleague or your manager. Do not take too long to do something about it as it will not get better by itself! In the case of a serious offense, e.g.,

attempted rape, oppression, or other threats, immediately contact the police, superior, representative of the HR Department or managing director of the company.

6. Manager response and contingency plan

Icelandic State Regulation 1009/2015 states:

"Employers shall respond as quickly as possible on receiving a complaint or tip-off regarding victimisation, sexual harassment, gender-based harassment or violence in the workplace, and also when they become aware of such conduct or of situations in the workplace that are likely to result in the possibility of such conduct if no measures are taken. In such cases, the employer shall assess the situation in collaboration with the workplace's safety representatives, as appropriate, and external persons where necessary. The employer shall also ensure that, when the assessment is made, the employees involved are given the opportunity to express their points of view and that, generally, the parties to the case are interviewed one at a time."

In Article 22 of the Icelandic State Equality Act no. 10/2008, it says:

"Employers and the directors of institutions and non-governmental organisations shall take special measures to protect employees, students and clients from gender-based or sexual harassment in the workplace, in institutions, their societies, or in schools." - "If a superior is charged with alleged gender-based or sexual harassment, he, she or they shall be non-competent to take decisions regarding the working conditions of the plaintiff during the examination of the case, and the next superior shall take such decisions."

When a superior or confidential safety representative of a company become aware of bullying, their response shall be according to the following contingency plan.

The victim's need for immediate support is assessed and provided. The focus shall be on solving the issue first and preventing further bullying. In addition to the company management, the following confidential representatives are available to talk to the employees about alleged workplace bullying.

1. Safety Representative

2. Human Resources Department

The party who was contacted determines the next steps in the process in consultation with the victim.

The possibility should be given to make a choice between informal or formal procedure.

6.1. Informal procedure

Such a procedure involves seeking information from the victim and providing support through a confidential conversation or counselling. Others within the workplace are not informed about the matter.

6.2. Formal procedure

An impartial examination of the facts of the case is carried out and supervised by the manager, safety representative - and/or the HR Department. They evaluate whether their examination leads to a satisfactory result or whether to consult an external third party to carry out an assessment. Assessment of case facts may include interviews with the victim, the perpetrator and others who can provide information. It is important to gather information about specific timings of incidents and obtain documents if available such as e.g., emails, text messages or other. During this process, it is important to ensure circumstances where the victim and the alleged perpetrator do not communicate about workplace activities. All information on the issue shall be treated as confidential and written records to be kept in a place that is secured responsibly by the employer.

The resulting solution can include, among other things, changes in the workplace, work practices or work planning. If it turns out that there was an incident which falls under the definitions of bullying, sexual or gender-based harassment or violence, the seriousness of the case will be assessed to decide whether the perpetrator shall receive guidance; an opportunity to improve their own behaviour; a formal reprimand; a transfer within the workplace; or dismissal. After a certain amount of time has

passed, the matter shall be discussed between its relevant parties in a follow up meeting. This shall take place as a monitored communication between the parties. All communication between parties to the process shall be carefully monitored. If the perpetrator refuses to acknowledge the issue and continues with the behaviour that led to the process initially, the perpetrating employee shall be immediately dismissed.

All reports of bullying, gender-based and sexual harassment must be taken seriously and acted upon immediately. It is important to listen to the views of all involved parties and confidentiality and consideration must be maintained at all times. If necessary, information shall be communicated with other employees. Any conclusion about the incident or any reactionary measures to the incident shall only be taken after a period of good consideration. Pre-existing instructions and implementation guidelines of Ölgerðin shall be followed and outside experts consulted if necessary.

6.3. False accusations

Should a case arise where an employee is falsely accused of sexual or gender-based harassment or bullying, the employee making the allegation can be issued a formal reprimand or be dismissed.

6.4. Further advice for superiors

Superior's duties are to create working conditions that do not invite sexual or gender-based harassment and/or bullying. Superiors also have a duty to make a correct approach and take matters into their own hands when incidents arise and seek help from e.g., the HR Department. All complaints of sexual and gender-based harassment and bullying must be investigated, and employees shall receive the best available support. The procedure shall be as expedited as possible. The incident shall be dealt with in an immediate and determined manner and discussed with the parties of the case in order to become informed about both sides of the story. The perpetrator shall be informed of the consequences of their own actions and given the chance to take responsibility for them. Furthermore, the perpetrator shall be encouraged to seek assistance to address the problem. If measures need to be taken such as the transfer of employees who are involved in the matter, then the perpetrator shall be transferred and not the victim.

7. Risk assessment

When making a risk assessment, in consideration of Article 65 a. of the Icelandic State Act on Working Environment, Health and Safety in Workplaces, with subsequent changes, and in consideration of Article 27 of Icelandic State Regulation no. 920/2006, the employer shall among other things, identify risk factors for bullying, sexual and gender-based harassment and violence in the workplace. Included are, risks related to behaviour at the relevant workplace no matter whether the employer, management and/or other employees may be involved. It also means risk factors that may arise out of relationships between employees of the relevant workplace and individuals who are not considered employees of the workplace, but whose communication takes place in connection to the activities of the workplace.

Risk assessment according to Paragraph 1 shall be based on all available information including, among other, mental, and social factors in relation to work conditions at the workplace such as:

- a. Number of employees
- b. Age of employees
- c. Gender ratio among employees
- d. Different cultural backgrounds of employees
- e. Potential hardship among employees in relation to spoken and/or written language.
- f. Organization of working hours
- g. Workload
- h. The nature of the job(s) in the workplace
- i. Where/how the work is done.

8. Preventive measures and shared responsibility

The Icelandic State Act on Working Environment, Health and Safety in Workplaces includes provisions which are intended to ensure a good and safe working environment and the obligations of managers to ensure that. It is important that communication is characterized by mutual respect, consideration, kindness, and good flow of information. Likewise, job descriptions must be clear and areas of responsibility well defined. A Risk Assessment and an Occupational Health and Safety Plan also have an important role to play.

All employees have a role to play in preventing harassment and bullying in the workplace. Their behaviour and reactions greatly influence the behaviour of colleagues and clients. A professional demeanour can be instrumental in shaping if and how conflicts develop.

It is the responsibility of all employees in the workplace to develop a positive work ethic and good work environment. There are provisions in official regulations that employees are obliged to report harassment, bullying, gender-based and sexual harassment or other inappropriate behaviour in the workplace if they witness such an incident. Bullying or workplace harassment can be difficult to identify, especially if it has been going on for some time. Over time, "complicity" of colleagues may cause them to stop noticing indecent behaviour. Therefore, it is important to be alert for signs of bullying and harassment in the workplace and do not look the other way when it occurs but to take a stand, respond and offer help. In this way, employees support each other and transmit a message of solidarity.