



Grupo
fedola

DIGITAL DISCONNECTION POLICY

GRUPO FEDOLA

GF-JURIDICO

VERSION CONTROL

VERSION	DATE	RESPONSIBLE	COMMENTS
1.0	24/05/2022	Legal Department	Drafting
2.0	107/10/2022	Board of Directors	Approval
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1. - PURPOSE

In compliance with the **General Data Protection Regulation (GDPR)** and **Organic Law 3/2018, of 5 December, on Personal Data Protection and Guarantee of Digital Rights (LOPDGDD)**, **GRUPO FEDOLA**, made up of: **GRUPO FEDOLA, S.L.**; **PREFABRICADOS TEIDE, S.L.**; **FERRETERIA HERMANOS LÓPEZ ARVELO, S.L.U.**; **OFISABEL, S.L.U.**; **MASQUECARPAS, S.L.U.**; **FEDOLA, S.L.U.**; **BROKER FEDOLA CORREDURÍA DE SEGUROS, S.L.U.**; **PRICEMESA, S.L.U.**; **GF-TIC, S.L.U.**; **CAMULSE, S.L.U.**; **EXPLOTACIONES SANTONEL, S.L.**; **FELAHOTEL, S.L.**; **COSTA ADEJE GRAN HOTEL, S.L.**; **ISABEL FAMILY HOTEL, S.L.U.**; **NOELIA PLAYA, S.L.U.** (hereinafter, **GRUPO FEDOLA**) establishes this **DIGITAL DISCONNECTION POLICY AND RULES FOR THE USE OF DIGITAL DEVICES BY ITS EMPLOYEES** in order to guarantee labour rights and the security of operations, processing centres, premises, equipment, systems, software, and persons involved in the processing of personal data.

The **Workers' Statute** recognises, in a very broad and general way, the **right to privacy in the use of employees' digital devices**, the **right to digital disconnection**, and the **right to privacy regarding the use of video surveillance and geolocation devices**, leaving a wide margin of freedom to the parties to regulate these matters.

The **right to digital disconnection** means that every employee has the right to:

- **NOT answer company calls outside working hours.**
- **NOT connect to company email.**
- **NOT use company digital devices or other digital platforms that are work tools of the company and, ultimately, NOT work outside working hours unless otherwise agreed.**

2. - SCOPE OF APPLICATION

This policy applies to all companies and entities (**existing or which may exist in the future**) forming part of **Grupo Fedola** and to all persons working in them, with the exception of employees who have reached a different agreement with the company.

3. - PRINCIPLES GOVERNING THE POLICY

This policy is governed by the following principles:

- A. Digital disconnection as a right:** Digital disconnection is a right and, consequently, does not constitute an obligation. On the other hand, the voluntary connection of employees does not entail any liability on the part of the company.
- B. Respect for rest and personal privacy:** **Grupo Fedola** recognises in all cases the right of employees to digital disconnection, in order to guarantee, outside

working time, respect for rest periods, leave, and holidays, as well as for their personal and family privacy, except in situations of urgency, extreme necessity, or force majeure.

C. Distinction between working time and rest time: In particular, **Grupo Fedola** shall guarantee that employees can exercise their right to digital disconnection. This right shall take into account the nature and purpose of the employment relationship and, through the distinction between effective working time and personal and rest time, shall contribute to the reconciliation of professional and family life.

D. The right to digital disconnection shall not entail disciplinary measures: While always ensuring productivity and the proper provision of the service, the exercise of the right to digital disconnection shall not imply the application of disciplinary measures or have any impact on performance evaluations, unless the employee's conduct has caused harm to **Grupo Fedola**, its clients, and/or the rest of the employees.

The right to digital disconnection shall be specified in this internal policy drawn up in accordance with the provisions of the Law and shall, in general terms, be governed according to the following rules:

- A.** As a general rule, employees of **Grupo Fedola** shall not answer or use company digital devices outside their working hours.
- B.** Employees of **Grupo Fedola** shall not send email messages outside their working hours, and sending them on weekends, public holidays, and during holidays is also prohibited, except in situations of urgency, extreme necessity, or force majeure. Accordingly, it is established as a good practice to programme automatic replies during periods of absence and/or use “**delayed send.**”
- C.** No employee may demand a response to an email message sent outside the recipient's working hours, except in situations of urgency, extreme necessity, or force majeure. Likewise, they shall avoid marking an email as urgent unless it is strictly necessary.

4. MEASURES TO GUARANTEE THE RIGHT TO DIGITAL DISCONNECTION AT GRUPO FEDOLA

4.1. USE OF IT AND TECHNOLOGICAL MEANS

Employees undertake to make proper use of the IT and technological means made available by **Grupo Fedola**, avoiding, as far as possible, their use outside the established working day.

Those who are responsible for a team of people must comply especially with the digital disconnection policies, since they are in a position of reference with respect to the teams they coordinate.

Therefore, hierarchical superiors shall refrain from requiring a response to communications sent to employees outside working hours or close to the end of such hours, except in urgent situations or situations of force majeure.

Where it is absolutely necessary to contact the employee once their working day has ended, an attempt shall preferably be made to contact them by telephone in order to inform them of the urgent situation giving rise to such contact and to discuss the possibility of attending to the urgency, always subject to prior agreement between the parties.

4.2. COMMUNICATIONS

As a general rule, work-related communications through digital means may not be issued between the end of the working day and the beginning of the next one. Even if they are sent during that period, they shall not imply any obligation on the part of the recipient to deal with them, unless otherwise agreed.

In the event that this type of communication is sent and/or received outside that time period, the sender must bear in mind that the recipient may exercise their right to digital disconnection and reply only during their working hours.

The foregoing shall not apply in:

A. Situations of urgency or extreme necessity that may involve a serious risk to persons or potential business harm to the company, whose urgency requires the adoption of special measures or immediate responses.

B. Situations of force majeure.

4.3. MEETINGS AND SIMILAR

As a general rule, and unless otherwise agreed, meetings may not begin before the established start time of the working day, and their ending may not extend beyond the end of the ordinary working day.

5. INFORMATION AND AWARENESS ACTIONS

Grupo Fedola shall promote respect for employees' rest time after the end of their working day.

Grupo Fedola shall disseminate this policy internally through:

- **Periodic internal communications for all employees.**
- **The placement of this policy on the corporate intranet.**