

AGREEMENT BETWEEN THE COMPANY AND THE LEGAL REPRESENTATION OF THE EMPLOYEES

On one side: D. JIN YONG, NIE No. ...Y3599557W..., adult, on behalf of HUAWEI TECHNOLOGIES ESPAÑA S.L. domiciled in C/Isabel de Colbrand, 22 Centro Empresarial Castellana Norte, 28050 Madrid.

From now on, THE COMPANY.

Moreover, the unitary worker's representation in HUAWEI TECHNOLOGIES ESPAÑA S.L:

WORKERS ON TIME REGISTRATION

In Madrid, July 16, 2020

D. RUBEN ERRASTI MENDIGUREN (UGT)
D. AYHAN BILSEL PARREÑO (UGT)
D. ALBERTO PANIAGUA RODRIGUEZ (UGT)
D. PAUL VISSER (UGT)
D. EMILIO CONSTANTINO HERREZ PEREZ (STC)
D. JORDI BOSCH PORTA (STC)
D. FRANCISCO MIGUEL SUKU DUQUE (STC)
D. FRANCISCO JAVIER DIAZ AGUILAR (STC)
D. GABRIEL DIAZ SANTOS (CCOO)
D. LUIS FERNANDO RAMOS GARCIA (CCOO)
D. MARKS OCTAVIO GAMIZ (CCOO)
D. JOAQUIN CATALA DIAZ (SIO)

Manifest

FIRST.- That on the 12th of March 2019 was published in the BOE the Royal Decree-Law 8/2019, of the 8th of March, urgent social protection measures and measures to combat working time insecurity, which introduced, among other issues, the obligation for companies to establish an hourly register with effect from 12/05/2019.

SECOND.- During the months of negotiation on the time registration system to be implemented, both parties have tried to find common points to apply the appropriate methodology to reconcile the obligation to establish a time registration with the principles and the case law existing in the company in which the hours of entry and departure are flexible, retaining confidence in the workers.

THIRD.- That after this time of negotiation and consultation, both parties have reached an agreement on the appropriate time registration system that reconciles compliance with the labor regulations in force, the needs of the company's employees and the principles and culture of the company, as mentioned above, and therefore,

ACUERDAN

FIRST.- The company will make available to the workers the following methods for recording the hours:

- The access gates of the main building
- A mobile APP
- The web tool where you can manually record the start and end time of the day.

SECOND.- By default, employees will have the possibility to register their schedule in the web tool and will be able to activate and deactivate any of the additional systems offered no approval by its managers is required. Several systems may be selected at the same time at the choice of the employees.

THIRD.- Employees shall use any of the activated time recording methods without distinction. All data shall be recorded in a database which may be consulted to obtain the required information on workers' time control.

FOUR.- The company commits to ensure compliance with the regulations for the protection of personal data and respect the privacy of the workers, Therefore, the implementation of geolocation systems to perform time registration is excluded.

FIVE.- In relation to the time registration systems, Huawei Technologies España guarantees the security, technical and organizational measures that ensure the reliability and invariability of the stored data and the impossibility of manipulation and /or subsequent alteration of the data contained in the above-mentioned records.

In accordance with RD Law 8/2019, Huawei shall keep daily records of working days for four years, and shall be available to workers, their representatives and the Labour and Social Security Inspectorate.

The company shall make available to employee representatives, within the scope of their competence, the complete data of each employee who requests it, including the complete records of each of the systems activated by the employee in the main database. The information will be delivered in standard digital format (e.g. .xls) within a maximum period of two working days.

SEXT.- The parties commit to hold regular meetings, at least every 6 months, in order to review any conflicts, improvements and clarifications that may have been detected during the analysis of the time records.

SEVENTH.- Overtime shall be considered, in accordance with the legislation in force, as hours worked on top of the maximum duration of the ordinary working day, inspired by the following principles:

- It is the company's policy not to work overtime, except in very exceptional cases.
- The time used by the workers outside the agreed upon and established as actual working hours will not be considered as actual working hours if not authorized by Huawei Technologies

Spain and therefore will not be counted as overtime.

- Not all the time the worker stays at the workplace is necessarily actual working time for the purpose of calculating the working time, excluding the time devoted to rest, to stays in leisure areas for non-working purposes and in general all the time when the worker does not perform tasks related to the provision of his services and which is not necessarily recorded in any of the means of recording made available to workers at the workplace.
- In this sense, also, all the time the person is away from the workplace is not necessarily non-effective working time or leisure time or rest, for the purposes of computing the time.
- In the event that it is exceptionally necessary to work outside the normal working hours, the following procedure must be followed:
 - o In any case, it's necessary the approval of the superior and the agreement of the Area Director beforehand.
 - o The worker shall register in Attendance the hours worked off-hours, such request must be approved by his superior.
 - o The Attendance system will be used for overtime compensation purposes.

EIGHT.- After the signing of the agreement, the company commits to make available to the workers the methods indicated to record the hours within the minimum time necessary for the development of the appropriate computer systems.

This Agreement shall enter into force when it is shown that all three systems are available and comply with the following specifications:

- That the records of the gates and the application are automatically transferred to the main database for anyone who has them activated.
- The app should be accessible from the mobile phone and easy to use, enabling a button that automatically records the start/end time when you press it.

The period of application of this Agreement shall be one calendar year from the date of its entry into force. The final date of entry into force will be informed to the signatories and incorporated as an annex to the agreement in order to record it.

The agreement shall be deemed to be extended from year to year, on its own terms, if there is no request for review by either signatory, it must be issued at least one month in advance of the expiration date of its validity or any of its extensions. It shall be made in writing with a reasoned statement of the determinants of the review and transferred to the other party.

And, for the record, this agreement is signed.