

## **ANTI-HARASSMENT/DISCRIMINATION/RETALIATION**

James Hardie Building Products Inc. (the “Company”) does not tolerate and prohibits discrimination, harassment or retaliation of or against our job applicants, contractors, unpaid interns, volunteers, or employees by another employee, supervisor, vendor, customer, or any third party on the basis of race, religion, color, age (40 and over), sex, sexual orientation, gender, gender identity, gender expression, national origin, ancestry, marital status, medical condition, genetic characteristics, disability, military and veteran status, pregnancy, childbirth and related medical conditions, or any other classification protected by applicable federal, state, or local laws and ordinances (“protected categories”). The Company also prohibits discrimination based on any protected act, such as taking a leave of absence mandated by law. The Company is committed to a workplace free of discrimination, harassment, and retaliation. Individuals who are employed or engaged by the Company and who violate this policy will be subject to disciplinary action, up to and including termination of his/her employment or engagement. To the extent a customer, vendor or other person with whom the Company does business engages in unlawful harassment, discrimination, or retaliation, the Company will take appropriate corrective action.

## **PROHIBITED CONDUCT**

**Discrimination Defined.** Discrimination under this policy means treating differently or denying or granting a benefit to an individual because of the individual’s protected category or protected act.

**Harassment Defined.** Harassment is defined in this policy as unwelcome verbal, visual or physical conduct creating an intimidating, offensive, or hostile work environment that interferes with work performance. Harassment can be verbal (including slurs, jokes, insults, epithets, gestures or teasing), graphic (including offensive posters, symbols, cartoons, drawings, computer displays, or e-mails) or physical conduct (including physically threatening another, blocking someone’s way, etc.) that denigrates or shows hostility or aversion towards an individual because of any protected characteristic. Such conduct violates this policy, even if it is not unlawful. Because it is difficult to define unlawful harassment, employees are expected to behave at all times in a professional and respectful manner.

Unlawful harassment or discrimination also includes any verbal, physical or visual conduct based on protected categories if:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or engagement;
- submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual’s employment or engagement; or
- if such conduct creates a hostile or offensive work environment.

Sexual harassment could include unwelcome sexual advances, requests for sexual favors, making or threatening reprisals after a negative response to sexual advances, showing widespread favoritism for those who engage in consensual sexual relationships, displaying or the distribution of sexually suggestive objects or pictures, lewd, vulgar or obscene remarks, jokes, posters or cartoons, and any type of unwelcome touching, sending or allowing inappropriate email, or other physical contact.

**Retaliation Defined.** Retaliation means adverse conduct taken because an individual reported in good faith an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to: shunning and avoiding an individual who reports harassment, discrimination or retaliation; express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; and denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process described below.

**ALL DISCRIMINATION, HARASSMENT AND RETALIATION IS UNACCEPTABLE IN THE WORKPLACE AND IN ANY WORK-RELATED SETTINGS SUCH AS BUSINESS TRIPS AND BUSINESS-RELATED SOCIAL FUNCTIONS, REGARDLESS OF WHETHER THE CONDUCT IS ENGAGED IN BY A SUPERVISOR, CO-WORKER, CLIENT, CUSTOMER, VENDOR, OR OTHER THIRD PARTY.**

## **COMPLAINT PROCEDURE**

The following steps have been put into place to ensure the work environment at the Company is respectful, professional, and free of discrimination, harassment and retaliation. Individuals who feel that they have been harassed, discriminated, or retaliated against, or who witness any harassment, discrimination, or retaliation by an employee, contract worker, customer, vendor or anyone else who does business with the Company, should immediately report such conduct to their supervisor, any other member of management, Human Resources, the Legal Department, or to the Company through its Ethics Hotline by calling the following toll free number: (800) 472-0519. To report suspected misconduct through the Ethics Hotline via the internet, please use the following URL: <https://iwf.tnwgrc.com/jameshardie>. The Ethics Hotline is operated by an outside independent provider to confidentially receive reports and is available 24 hours a day/365 days per year. Supervisors who receive complaints of harassment or discrimination should direct those complaints to Sandra Lamartine, Global Vice President of Human Resources.

If an employee makes a complaint under this policy and has not received a response within five (5) business days, he or she should immediately contact Joe Blasko, General Counsel and Chief Compliance Officer, 231 S. LaSalle Street, Suite 2000, Chicago, Illinois 60604, (312) 705-6164, [joe.blasko@jameshardie.com](mailto:joe.blasko@jameshardie.com).

Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, customer, vendor, intern, volunteer, or other person who does business with this organization is exempt from the prohibitions in this policy. In response to every complaint, the Company will conduct a timely investigation and, if improper conduct is found, take appropriate corrective action.

## **INVESTIGATION PROCEDURES**

Upon receiving a complaint, the Company will promptly conduct a fair and thorough investigation into the facts and circumstances of any claim of a violation of this policy. To the extent possible, the Company will endeavor to keep the reporting employee's concerns confidential. However, complete confidentiality may not be possible in all circumstances.

During the investigation, the Company generally will interview the complainant and the accused, conduct further interviews as necessary and review any relevant documents or other information. Upon completion of the investigation, the Company shall determine whether this policy has been violated based upon its reasonable evaluation of the information gathered during the investigation. The Company will inform the Complainant about the outcome of the investigation.

The Company will take corrective measures against any person who it finds to have engaged in conduct in violation of this policy, if the Company determines such measures are necessary. These measures may include, but are not limited to, counseling, suspension, or immediate termination. Anyone, regardless of position or title, whom the Company determines has engaged in conduct that violates this policy will be subject to discipline, up to and including termination.

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Remember, the Company cannot remedy claimed discrimination, harassment or retaliation unless you bring these claims to the attention of management. Please report any conduct which you believe violates this policy.

Please contact a member of the Human Resources or Legal Departments if you have any questions about this policy or require further information on the subject of discrimination, harassment or retaliation.