

**CORNERSTONE BUILDING BRANDS
CORPORATE POLICY**

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REVISION DATE	09/01/2020
POLICY OWNER	HR Operations

Prohibition Against Discrimination, Harassment, and Retaliation

P-HR-200

POLICY STATEMENT

It is the policy of Cornerstone Building Brands (“Company”) that all applicants, employees and other covered persons shall have the opportunity to apply for employment and to work in an atmosphere and environment free from any form of discrimination or harassment on the basis of race, color, religion, sex (including pregnancy or related medical conditions, gender identity, and sexual orientation), national origin, ethnicity, disability, age (age 40 or older), veteran status, military service or affiliation, genetic information or any other characteristic protected under applicable local, state or federal law. In keeping with that policy, the Company will not tolerate any action or conduct which harasses, interferes, or disrupts any person’s ability to apply for employment or any employee’s work performance, or which creates a hostile, offensive, or intimidating work environment for any applicant, employee, or other covered person on the basis of any protected characteristic. The Company strives to create a work environment where everyone feels respected and valued.

SCOPE AND APPLICABILITY

This policy is applicable in the US and applies to all applicants, employees, personnel working on Company premises, regardless of whether they are employed by the Company or a third party, and visitors. The foregoing are referred to as “covered persons” in this policy.

COMPLIANCE WITH GOVERNING AUTHORITIES

This policy is provided in accordance with State and Federal laws, Company policy and Collective Bargaining Agreements (CBA). In the event of any conflict between this policy and applicable State and/or Federal law, Company Policy or Collective Bargaining Agreement, the policy or law that is most generous to the employee will take precedence.

POLICY DETAILS

Every employee has a right to a work environment that is free from discrimination, harassment or any other disruptive activity based on their race, color, religion, sex (including pregnancy or related medical conditions, gender identity, and sexual orientation), national origin, ethnicity, disability, age (age 40 or older), veteran status, military service or affiliation, genetic information or any other characteristic protected under applicable local, state or federal law.

To meet the goal of a harassment-free, discrimination-free work environment, every employee has a responsibility to conduct themselves in accordance with this policy AND hold others accountable for the same.

Behaviors that constitute harassment and/or discrimination and/or are prohibited by this policy:

- “Harassment” is defined as unwelcome verbal or physical conduct, wherever it occurs, that denigrates or shows hostility or aversion toward an individual based on any of the aforementioned protected characteristics of an individual, where:
 - Enduring the offensive conduct becomes a condition of continued employment; or
 - The conduct is severe or pervasive enough to create a work environment that a reasonable person would find intimidating, hostile, or abusive; or
 - The conduct has the purpose or effect of unreasonably interfering with an individual’s work performance; or
 - The conduct otherwise adversely affects an individual’s employment opportunities or forms the basis for an adverse employment decision.
- Examples of harassing conduct can include, but are not limited to, the use of epithets, slurs, racial slurs, negative stereotyping, abusive language, jokes, or other written, oral, or physical conduct relating to an individual’s race, color, religion, sex (including pregnancy or related medical conditions, gender identity, and sexual orientation), national origin, ethnicity, disability, age (age 40 or older), veteran status, military service or affiliation, genetic information or any other characteristic protected under applicable local, state or federal

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law.

- Sexual harassment is a type of harassment prohibited by this policy. Sexual harassment involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:
 - Submission to such conduct is made either explicitly or implicitly a term or condition of employment; or
 - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions that adversely affect the individual; or
 - The conduct has the purpose or effect of creating an intimidating, hostile, or abusive work environment; or
 - The conduct has the purposes or effect of unreasonably interfering with an individual’s work performance; or
 - The conduct otherwise adversely affects an individual’s employment opportunities or forms the basis for an adverse employment decision.
- Further, sexual harassment prohibited by this policy is not limited to express demands for sexual favors. Prohibited conduct may also include, but is not limited to, the following:
 - Verbal or Visual—sexual innuendo; suggestive comments about an individual’s body or clothing; sexually demeaning, insulting, or suggestive comments about an individual’s body or clothing; making or threatening reprisal after a negative response to sexual advances; jokes about gender-specific traits; using sexually degrading words to describe an individual; suggestive or obscene letters, notes, or invitations; displaying inappropriate and sexually suggestive, foul, or obscene objects, pictures, writing, language, or drawings; sending inappropriate gifts; making repeated sexual flirtations, advances, or propositions; and written, recorded or electronically transmitted messages which are sexually suggestive, or in any manner demeaning intimidating, or insulting.
 - Nonverbal—making suggestive or insulting noises, leering, whistling, or making obscene gestures.
 - Physical—unwelcome touching, pinching, brushing the body, coercing sexual intercourse, or assault.
 - Sexual harassment may include conduct directed at the same or opposite sex.

No covered person is exempt from this policy. It is against the requirements of this policy for any individual to discriminate against, harass, or sexually harass, anyone on the basis of any protected characteristic whether it involves conduct by or directed toward an applicant, a co-worker or colleague, a manager, or a third-party who is doing business with the Company or is on Company property.

Bullying

Consistent with the spirit of this policy, the Company does not tolerate abusive conduct, bullying or other intimidating or aggressive behavior among employees or others covered by this policy, whether or not it is based on a protected category. If an employee is found to be mistreating his or her colleagues or third parties who do business with the Company or an employee believes that they are the victim of bullying by a colleague or a third party, we will take appropriate action to stop the behavior. If you would like to report behavior that you believe is bullying, you may use the same reporting procedures outlined below to report discrimination, harassment, and retaliation.

Reporting

Any applicant, employee, or other covered person who believes that the actions or words of a manager, supervisor, non-supervisory employee, or non-employee constitute discrimination or harassment of any nature,

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whether directed at them or another person, has a responsibility to report the situation (See “Who to Contact”). Complaints may be oral or in writing.

Any manager/supervisor, leader, or other designated contact receiving such a complaint must report the situation immediately to their Corporate and local Human Resources representative, which will assist in coordinating an appropriate response. Complaints should be reported to Human Resources irrespective of how the person who received the complaint or the reporting party views the seriousness of the complaint or how any party wants it resolved.

If any employee (or other covered person) makes a report under this policy and the person to whom they made the report does not respond or does not respond in a manner the employee (or other covered person) deems satisfactory or consistent with this policy, the employee (or other covered person) is required to report the situation directly to Local or Corporate Human Resources or other listed person(s). (See “Who to Contact”)

Any perceived violation of this policy should be reported immediately regardless of the position of the individual subject to the complaint. Likewise, employees witnessing discrimination, harassment or other inappropriate behavior targeted at or committed by other employees should immediately report such incidents.

Prompt reports are important as they facilitate prompt and thorough investigations. For this reason, an employee should always make a report as soon as possible.

Nothing in this policy requires any employee complaining of harassment to present the matter to the individual who is the subject of the complaint.

<p>WHO TO CONTACT</p> <p>Your direct Manager/Supervisor</p> <p>Any Leader in your reporting structure</p> <p>Local Human Resources</p> <p>Corp. Human Resources</p> <p>Legal or Compliance Dept.</p> <p>Integrity Helpline</p> <p>http://cornerstonebuildingbrands.ethicspoint.com/</p>

Investigating a Complaint and Disciplinary Action

All complaints of discrimination or harassment will be appropriately investigated and handled promptly. The scope of an investigation will vary depending on the circumstances of the incident reported. In some cases, the Company may utilize internal resources to investigate. In other cases, the Company may retain an outside investigator. In all cases, however, the investigation will be conducted by unbiased persons who will determine the facts in an objective manner.

Complaints will be handled impartially and discreetly, with privacy protected except to the extent necessary to conduct a proper investigation. Employees are required to cooperate in any investigation. A timely resolution will be reached and communicated to the affected parties, although some aspect of the investigation, such as the nature of disciplinary action imposed may remain confidential at the discretion of the Company.

When the Company becomes aware that conduct in violation of this policy might exist, the Company will take prompt and appropriate action, up to and including immediate suspension or discharge. The goal of corrective action is to immediately stop any improper conduct and to take steps that are reasonably necessary to deter any such future conduct. The precise corrective action in each case will depend on the particular facts of the situation. An individual who violates this policy may also be personally liable for such actions, and the corresponding consequences. Please note that a violation of this policy may occur whether or not the conduct rises to a level that might legally constitute unlawful harassment on the basis of any protected characteristic.

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Retaliation is Strictly Prohibited

Retaliation against any employee for filing a complaint, participating in an investigation, or otherwise engaging in activity protected by this policy, is strictly prohibited. Under no circumstances will any employee or other person who in good faith reports alleged incidents of discrimination, harassment, retaliation, or other inappropriate behavior prohibited under this policy, or who cooperates in an investigation of any such report be subjected to any form of reprisal or retaliation on account of their report or cooperation in such an investigation.

Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions, or otherwise denying any employment benefit.

Managers are expected to do their part to make sure no one experiences retaliation for speaking up or cooperating in an investigation.

Any employee who feels that they have been threatened with, or subjected to, such reprisal or retaliation should immediately report the reprisal or retaliation as provided in this policy. Any employee who is found to have engaged in retaliatory conduct will be subject to immediate disciplinary action, up to and including termination of employment.

Good Faith Reporting

We trust that all employees (and other covered persons) will continue to act responsibly and in good faith in both reporting conduct that may be in violation of this policy and in participating in any investigation. Any employee who knowingly makes a false report of harassment or discrimination or retaliation will be subject to disciplinary action, up to and including termination.

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REVIEW/REVISION BLOCK

Rev #	Review/ Revision Date	Reason for Review or Revision
001	01/20/2020	New policy

APPROVALS

Approval Date	Name	Title
11/23/2020	Michelle Mahony	Partner, Muskat, Mahony & Devine, LLP
	Kim Moore	VP, HR Operations