



SECTION:	Human Resources CP-02.016.007	EFFECTIVE DATE	07/01/2023
SUBJECT:	Prohibition of Discrimination and Harassment	SUPERSEDES:	03/01/2018
SCOPE:	United States		

PURPOSE

The purpose of this policy is to ensure strict compliance with all applicable laws and regulations regarding discrimination, harassment, and retaliation.

SCOPE/APPLICABILITY

This policy applies to Ball Corporation, its divisions, operations, subsidiaries, or greater than 50 percent owned joint ventures (“Ball”) in the United States.

POLICY

Ball will not tolerate harassment, discrimination or retaliation in the workplace based on factors such as race, ethnicity, ancestry, color, creed, religion, sex, gender, age, national origin, marital status, sexual orientation, gender identity or expression, disability (physical/mental), medical condition, genetic information, veteran status, military status, or any other characteristic protected by applicable federal, state, or local law. Ball will not tolerate sexual harassment in the workplace.

PROCEDURE

Harassment refers to behavior towards another person based on a legally protected characteristic, such as that person’s race, ethnicity, color, creed, religion, gender, age, national origin, marital status, sexual orientation, gender identity or expression, disability, genetic information, or veteran status, or any other characteristic protected by applicable federal, state, or local law which is unwelcome and personally offensive to its recipient and (1) creates an intimidating, offensive, or hostile work environment, or (2) unreasonably interferes with the person’s work performance. Not only is harassment a violation of Ball policy, it can also be a violation of Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, or the Americans With Disabilities Act, as amended, as well as other federal, state, or local laws.

Sexual harassment, a particular form of harassment, may include sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such prohibited behavior is either an explicit or implicit term or condition of employment;
- Submission or rejection is used as a basis for employment decisions;
- The conduct substantially interferes with an individual’s work performance; or
- The conduct creates an intimidating, hostile, or offensive working environment.

Conduct similar to the examples listed above, but based on any other legally protected characteristic (i.e., race, ethnicity, color, creed, religion, gender, age, national origin, marital status, sexual orientation, gender identity or expression, disability, genetic information, or veteran status) also may constitute harassment. We prohibit harassment based on these characteristics and any others that are protected by applicable law.





Other examples of prohibited conduct include racial slurs, ethnic jokes, sexually oriented jokes, unwanted physical contact, sexually oriented propositions, obscene gestures, posting of offensive statements, posters or cartoons, or other similar conduct which may be considered offensive to another employee.

In accordance with Colorado law, in Colorado only, harassment is defined as (1) submission to the conduct or communication is explicitly or implicitly made a term or condition of the individual’s employment; or (2) submission to, objection to, or rejection of the conduct is used as a basis for employment decision’s affecting the individual; or (3) the conduct or communication has the purpose or effect of unreasonably interfering with the individual’s work performance or creating an intimidating hostile, or offensive working environment.

In addition to the procedure described above, Ball requires all employees to complete an annual training on workplace harassment, discrimination, and retaliation prevention. Employees who fail to complete this mandatory training may be subject to disciplinary action described in the “Policy Violation” section of this policy.

REPORTING POTENTIAL VIOLATIONS

If you believe that you have experienced, witnessed, or learned of potential violations of this policy, do not ignore it. If you are comfortable doing so, speak directly with the colleague about the inappropriate behavior. If the behavior persists or you do not feel comfortable speaking with the colleague, immediately report the behavior to your supervisor, Human Resources manager, any other member of management, or call the Ball Compliance Hotline. Callers to the Ball Compliance Hotline have the option to remain anonymous.

If you are a manager, you have a special duty to create and maintain a team culture of mutual respect and to foster a positive work environment free from discrimination, harassment, and retaliation. If you observe inappropriate behavior, or receive complaints about inappropriate behavior, you must take it seriously. Immediately consult with a human resource representative, any member of management, or call the Ball Compliance Hotline.

PROHIBITING RETALIATION

Ball prohibits retaliation against individuals who engage in behavior that is protected under Ball policies or local, state, federal, or international law. If you believe that you have experienced, witnessed, or learned of potential violations of Ball’s Prohibition of Retaliation Policy, you should report it immediately to your supervisor, Human Resources, any member of management, or the Ball Compliance Hotline. For more information, see Ball’s Prohibition of Retaliation Policy.

INVESTIGATING POTENTIAL VIOLATIONS

Reports of potential violations of this policy will be investigated quickly to determine if harassment, discrimination, or retaliation has occurred. Investigations will be conducted as impartially, discretely, and confidentially as feasible. Investigations will be initiated within 10 business days of the receipt of the complaint and will be conducted by qualified personnel. Investigations will be closed in a timely manner commensurate with the complexity of the investigation.

POLICY VIOLATIONS

Any employee, regardless of position, found to have engaged in behavior that violates this policy may be subject to appropriate disciplinary action, up to and including termination. Any contractor, supplier, or customer representative who engages in such conduct is subject to a request for removal from the worksite. No employee will be adversely affected in employment with Ball as a result of bringing good faith complaints of harassment, discrimination, or retaliation. Fabricated claims will not be tolerated and may result in disciplinary action, up to and including termination.

