

# PORT STANLEY FESTIVAL THEATRE

## Workplace Safety Policy

### Freedom from Harassment & Workplace Violence

Date of Issue: March 1, 2018

Port Stanley Festival Theatre values the diversity of its workforce, its patrons and visitors and is committed to providing a work environment supportive of human dignity & respect. It is the policy of PSFT and its Board of Directors to ensure that every employee is entitled to a workplace free of intimidation, discrimination, harassment and workplace violence. Such acts in any form will not be tolerated on our premises, while conducting our regular course of business, functions or events. We acknowledge our responsibility to support and assist persons subject to violence and/or harassment and to take appropriate action to stop such conduct without delay. This policy applies to all employees, Board members, volunteers, customers, contractors, patrons and members of the public and extends to all PSFT activities.

#### THE FOLLOWING BEHAVIOURS ARE PROHIBITED:

**Discrimination:** means any form of unequal treatment based on an Ontario Human Rights Code (the 'Code') ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy.

**Harassment:** means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy. Harassment can occur based on any of the grounds of discrimination.

**Examples of harassment include:**

- Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground
- Posting or circulating offensive pictures, graffiti or materials, whether in print form or via e-mail or other electronic means
- Singling out a person for humiliating or demeaning "teasing" or jokes because they are a member of a Code-protected group

- Comments ridiculing a person because of characteristics that are related to a ground of discrimination. For example, this could include comments about a person's dress, speech or other practices that may be related to their sex, race, gender identity or creed.

If a person does not explicitly object to harassing behaviour, or appears to be going along with it, this does not mean that the behaviour is okay. The behaviour could still be considered harassment under the *Code*.

**Sexual and gender-based harassment:** sexual harassment is a form of harassment that can include:

- Gender-related comments about a person's physical characteristics or mannerisms
- Paternalism based on gender which a person feels undermines his or her self-respect or position of responsibility
- Unwelcome physical contact
- Suggestive or offensive remarks or innuendoes about members of a specific gender
- Propositions of physical intimacy
- Gender-related verbal abuse, threats or taunting
- Leering or inappropriate staring
- Bragging about sexual prowess or questions or discussions about sexual activities
- Offensive jokes or comments of a sexual nature about an employee
- Rough and vulgar humour or language related to gender
- Display of sexually offensive pictures, graffiti or other materials including through electronic means
- Demands for dates or sexual favours.

**Sexual Solicitation:** this policy prohibits sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes managers and supervisors, as well as co-workers where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also not allowed.

**Poisoned environment:** a poisoned environment is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

## **EMPLOYER RESPONSIBILITIES:**

Managers are responsible for creating and maintaining a harassment and discrimination-free organization. PSFT will treat any complaint with seriousness, sensitivity and discretion and act immediately upon observations or allegations of discrimination or harassment to ensure that incidents of prohibited behaviour be discontinued as quickly as possible after becoming aware of it. Confidentiality will be maintained wherever possible. Exceptions will only be made where disclosure is necessary for the purposes of conducting a proper investigation, taking appropriate disciplinary/corrective measures, or where required by law.

PSFT shall take no reprisal or negative job action against any individual who, in good faith, reports and incident of harassment, discrimination, or workplace violence or who participates in the investigation of same.

## **EMPLOYEE RESPONSIBILITIES:**

All employees are expected to show respect for others both in the workplace and in any capacity where they are representing PSFT. They are responsible for their actions and expected to change their conduct when advised that their behaviour is not acceptable to others.

An employee should, whenever possible, make the abuser or harasser know that their behaviour is unwelcome and must stop immediately. In some cases, simply making someone aware of this will be enough to correct the problem.

Where an employee is not comfortable confronting an abuser or harasser, they should report the conduct to their manager, supervisor or director. The employee may file a formal complaint with the Employer consisting of a written statement providing a description of the event(s)/behaviour(s), dates, times, and witnesses. An employee may also, at any time, seek the assistance of a Respectful Workplace Advisor (RWA), if an Equity member, or the PSFT Board (*chair@psft.ca*)

## **INVESTIGATION:**

Any and all complaints of workplace violence, discrimination or harassment will be fully investigated. All employees, or others involved, will be expected to co-operate with such investigation. Reports shall provide details of the incident(s) including dates, times, places, persons involved and/or witnesses

Investigations will be completed in a timely manner and include interviews with the person who filed the report, any relevant individual(s) mentioned in the report and witnesses. Management will meet with the respondent and provide him/her with a copy of the complaint and provide him/her with the opportunity to respond. The respondent will also be afforded the opportunity to provide a written response.

External agencies or persons, with expertise in issues of workplace violence, discrimination or harassment, and/or the police, may be advised or consulted anytime during the investigative process or advice or assistance.

Upon completion of the investigation, a written report will be prepared to address the findings and make recommendations to address the incidents subject to the complaint(s). Recommendations may include such things as disciplinary action to the employee responsible for the violence, discrimination or harassment, counselling for those involved, discussion with the aggressor regarding expected and appropriate workplace behaviour, apologies to those involved or subject to the inappropriate behavior or any other recommendation deemed appropriate by the investigator. The report itself may or may not be provided to the complainant, respondent and/or the affected parties but all parties involved will be advised of the results of the investigation and the recommendations or actions that will be implemented.

IF ANY EMPLOYEE HAS QUESTIONS ABOUT THIS POLICY YOU MAY CONTACT:

- The Theatre Manager (*tm@psft.ca*)
- Artistic Director (*ad@psft.ca*)
- Chair of the Board (*chair@psft.ca*)

I have read and understood the above policy.

Name \_\_\_\_\_

Date \_\_\_\_\_