



The Gladstone Theatre Anti-Harassment Policy

Accepted by the Board of Directors November 9, 2020

Introduction

The Gladstone Theatre (TGT) provides a unique and inclusive space for independent local companies to create theatre which welcomes and supports our city's diversity.

TGT is committed to providing a caring, healthy and safe environment for its employees, volunteers and associates, together with outstanding service and quality theatrical entertainment for its patrons.

In the event of a complaint, this policy and the corresponding flow chart (page 6) will be made available to the complainant, the respondent and the investigative committee.

The Board of the TGT will be made aware of any harassment complaints brought forward under this policy. Detailed information related to complaints and any subsequent investigations will be made available only to those with a legitimate business reason to know and be informed.

Context

Everyone who participates in or attends the activities at TGT has the right to feel safe and to be treated with dignity. This includes the right to report any alleged incident and to have the report taken seriously. Harassment and discrimination are strictly prohibited and may be grounds for termination as a volunteer or, in the case of an employee, dismissal for just cause.

Objective

The objective of this policy is to provide TGT with strategic directions in order to foster a respectful workplace and address potential situations of harassment or discrimination.

Under the [Ontario Human Rights Code](#):

Every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.

Expected Results

The expected results of this policy are:

1. Complaints of harassment are handled fairly, confidentially, effectively and in a timely manner.
2. Steps are taken to restore the well-being of the workplace.

Application

This policy applies to all those who are employed by or volunteer for TGT (including board members).

Theatre companies, individuals, or groups who rent the facility shall either have their own policies in place for dealing with harassment and discrimination or shall be deemed to have agreed to abide by TGT policy. Unless a TGT employee or volunteer is involved as a complainant or respondent, any complaints should be addressed and resolved by the rental entity.

Audience members who experience or witness discrimination or harassment on the part of employees or volunteers of TGT while at TGT are not bound by the TGT policy but may avail themselves of TGT's procedure for resolving the problems resulting from such conduct. Any audience member who engages in inappropriate behavior, including harassment or discrimination, will be asked to quit the premises.

Definitions:

Harassment is improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. It also includes harassment within the meaning of the Canadian Human Rights Act (i.e. based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction).

Harassment is normally a series of incidents but can be one severe incident which has a lasting impact on the individual.

Sexual Harassment includes offensive or humiliating behavior that is related to a person's sex, as well as behavior of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment, or that could reasonably be thought to put sexual conditions on a person's job or employment opportunities. Some examples are questions and discussion about a person's sexual life; touching a person in a sexual way; commenting on sexual attractiveness or sexual unattractiveness; persisting in asking for a date after having been refused; etc.

Abuse of Authority occurs when a person uses authority unreasonably to interfere with an employee's job. It includes humiliation, intimidation, threats, and coercion. It does not

include normal managerial activities, such as counseling, performance appraisals and discipline, as long as these are not done in a discriminatory manner. Referenced from Canadian Human Rights Commission February / 2008.

Procedure for Addressing Harassment or Discrimination Concerns

In most situations, it is preferable that those who feel they have been harassed or discriminated against resolve their differences on an informal basis through discussion with the respondent. It is recommended that both parties keep accurate records of any such discussions.

If the complainant does not feel comfortable addressing the matter directly with the respondent, the matter should be brought to the attention of a person in a position of responsibility:

1. Where the complainant or respondent is a TGT volunteer or employee, this would be the Theatre Manager or the Chair of the Board of Directors, or any other member of the Board. All parties to the informal resolution process will be asked to sign a document attesting that the process was completed.
2. Where the complainant is affiliated with a rental entity and the respondent is not a TGT volunteer or employee, this could be the person who signed the contract, a producer, the director, a stage manager, or an Equity deputy.

If complaints cannot be resolved through informal means, a formal investigation will be initiated.

Process for Addressing Formal Complaints made to the Board/Theatre Manager

TGT is committed to ensuring that the harassment complaint process is carried out promptly and respects the principles of procedural fairness towards the complainant, the respondent and all other parties involved.

Every effort will be made to make the process as comfortable and unbiased as possible while the matter is investigated and resolved. The interviews and report will help inform any future action and will take into account consideration the complainant's wishes as well as the best practices for TGT.

1. Formal complaints must be made in writing and must include:
 - Names, date(s) time(s), and location(s), of all incidents of objectionable behavior. Include
 - Any conversations between the complainant and the respondent
 - The names of any witnesses
 - Any other relevant information.

2. Investigation of complaints will begin as soon as possible after receipt of the complaint. All investigation discussions with the complainant, the respondent and any witnesses will be undertaken by the investigation committee which will include:
 - The Theatre Manager OR the Chair of the Board of TGT.
 - A second member of the board who will be present at all discussions.
3. The respondent shall be advised in writing of the complaint and will be given an opportunity to respond to the allegation(s) both in writing and in discussion with the investigation committee.
4. Any and all witnesses will be interviewed by the investigation committee.
5. Both the complainant and the respondent shall be made aware that they are entitled to be accompanied by a support person during any discussions related to the complaint.
6. Upon completion of the investigation, the Board will inform the complainant and the respondent in writing of its decision and will take appropriate action(s). A report will be filed with the Board within 20 working days or as soon as reasonably possible of resolving the complaint.
7. Should the matter prove unresolvable through this investigation process, TGT will recommend that the matter be formally reported to those authorities deemed appropriate by the theatre manager and participating board member(s).

Confidentiality

TGT will make every reasonable effort to conduct all investigations into allegations of harassment, intimidation, or discrimination in a manner that will protect the confidentiality of all parties. Information related to complaints and any subsequent investigations will be made available only to those with a legitimate business reason to know and be informed. Parties to the complaint should treat the matter under investigation with discretion and confidentiality.

Responsibilities of the investigation committee:

1. Maintain as much confidentiality as possible for both the complainant and the respondent.

2. Interview the complainant, the respondent, and any witnesses and review all documentation
3. Inform both parties that during investigative interviews conducted following a formal complaint, both the complainant and the alleged harasser have the right to be accompanied by a co-worker, or another support person
4. During the interview process:
 - Be respectful. Listen carefully and objectively and to all parties.
 - Find out about the complainant's preferences for resolving the situation.
 - Address any concerns the complaint may have about filing a formal complaint. For example, provide reassurance about protection from reprisal, advise them about their right to be accompanied during investigative interviews by a co-worker or support person.
 - If appropriate, allow time for the complainant to consider how to proceed and arrange for a follow-up meeting.
 - Keep a confidential record of all information relating to the complaint in a secure place.
5. Inform both parties that during investigative interviews conducted following a formal complaint, both the complainant and the respondent have the right to be accompanied by a co-worker, or another support person.
6. Complete the investigation, take appropriate action and file a report with the Board within 20 working days or as soon as reasonably possible of receiving the complaint.
7. Should the matter prove unresolvable through these interviews, TGT will recommend that the matter be formally reported to those authorities deemed appropriate by the theatre manager and participating board member(s).

TGT Harassment Procedure Flow Chart

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What to do if you feel that you have been harassed?

Harassment is improper conduct by an individual, that is directed at and offensive to another individual in the workplace, including at any event or any location related to work, and that the individual knew or ought reasonably to have known would cause offence or harm.

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