

# Highlands Summer Festival Anti-Harassment Policy

December 11<sup>th</sup>, 2019

The Highlands Summer Festival (HSF) has a long legacy of providing a caring and supporting environment for its employees and volunteers, together with outstanding service and quality theatrical entertainment for its patrons. The Board of Directors is fully committed to maintaining and enhancing that legacy. It is the primary objective for all associated with our theatre to ensure that the working environment – for employees, volunteers and patrons – ensures a positive theatre experience.

## 1. Purpose

This policy is intended to promote a harmonious and respectful working environment for all HSF employees and volunteers, and to ensure that the HSF complies with the requirements of the Ontario *Workplace Health and Safety Act* (the "OWHSA") relating to workplace violence and harassment. It aims to set the highest standards of service integrity, to minimize discord and to promote the resolution of conflicts among or between employees, volunteers and the public.

## 2. Application

The code applies at all times when employees and volunteers are engaged in activities for, or are representing, the HSF.

## 3. General Expectations

Employees and volunteers are expected at all times to:

- [ treat one another and the public with dignity, respect and hospitality;
- [ act with honesty, integrity and professionalism;
- [ observe high standards of appearance and conduct;
- [ avoid conflicts of interest;
- [ conduct themselves in a manner that is in the best traditions of the HSF, reflects positively on our public image, and fully supports our mission and mandate.

## 4. Unacceptable Conduct

Conduct considered unacceptable is what most of us reasonably understand as unbecoming or inappropriate in a workplace serving the public. It includes violence. It also includes harassment of one person by another, or others, on any basis, including: age, race, colour, religion, sex, sexual orientation, marital status, national origin, disability, or any other prohibited ground of discrimination

recognized under the *Human Rights Act* of Ontario. It also includes sexual violence and harassment.

The *OWHSA* defines "workplace violence" as:

- (a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- (b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- (c) a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It defines "workplace harassment" as:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or
- (b) workplace sexual harassment.

And it goes on to define "workplace sexual harassment" as:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome

Harassment is often based on the perceptions of people – having something said or done to them that causes distress or discomfort. It can be culturally based – what is accepted in one culture may be inappropriate in another. However, one's culture or ethnic background is not a legitimate excuse for inappropriate or unwanted behaviour or actions. Awareness and understanding of conditions causing harassment is crucial to maintaining good relationships among employees, volunteers and the public.

Harassment can include, but is not limited to, slurs, epithets, teasing, threats, verbal or physical abuse, derogatory comments or jokes, and the display or distribution of derogatory pictures or material.

Sexual harassment may include, but is not limited to, the following sorts of unwelcome conduct: comments or jokes of a sexual nature, the display or distribution of pornographic pictures or material, inappropriate or uninvited touch or contact, sexual advances, requests for sexual favours, verbal or physical conduct of a sexual nature, or, sexual assault.

*Unacceptable conduct must be discouraged at all times.*

**The following are not considered to be harassing behaviours:**

- [ expressing differences of opinion;
- [ offering constructive feedback, guidance, or advice about work-related behaviour and performance;
- [ providing productive direction to an individual in order to have the person improve his or her performance.

5. Complaints and Reports about Unacceptable Conduct

Violence

If violence occurs or is likely to occur, those involved or witnessing it must inform, as soon as possible, their immediate supervisor (ie stage manager, director, executive producer or artistic producer) or a senior member of the company.

Other Forms of Unacceptable Conduct

If any other form of unacceptable conduct occurs, those involved in or witnessing it should make a reasonable effort to resolve the situation immediately.

If that approach proves unsuccessful, or the behaviour continues or increases, the conduct should be reported as soon as possible to the Executive Producer or Artistic Producer, General Manager or member of the Board of Directors.

Complaints

Any person who perceives that they have been subjected to unacceptable conduct and that the matter has not been satisfactorily resolved, may, without delay, make a complaint in writing to any of: the General Manager, the Artistic Producer, the Executive Producer, or any Board member.

The HSF representative will provide an initial response within 14 working days of receiving notice of a complaint, take such action as s/he considers appropriate and report back in writing to the complainant and respondent on the results of the investigation and any corrective action that has been taken as a result.

## 6. Conflict of Interest

A conflict of interest occurs when, in the course of an employee's or volunteer's activities at the HSF, they are called upon to deal with a matter in which they have a direct or indirect personal and/or financial interest.

A direct interest can occur when an individual may derive, or be seen to derive, some financial or personal benefit or avoid financial or personal loss. An indirect interest may arise when the potential benefit or loss would be experienced by another person having a relationship with the employee or volunteer. These benefits, losses, interests and relationships are generally financial in nature, but may be of some other personal nature. In other words, a conflict arises when an employee participates in activities, which could advance a personal interest at the expense of the HSF's interests. Any behaviour that is, or could be perceived as, a conflict is prohibited.

Some examples of conflicts of interest are:

- [ giving preferential treatment to relatives, friends or associates, or to organizations or businesses of which they or their relatives, friends or associates have an interest in, financial or otherwise;
- [ deriving financial gain from the use of confidential information acquired in the course of their activities at the HSF;
- [ using HSF equipment or resources for personal purposes unrelated to the HSF, without permission;
- [ accepting any personal gift, service or favour from any person, business or organization in recognition of their activities at the HSF, other than in the course of HSF employee or volunteer recognition events or programs or the normal exchange of hospitality.

Conflicts of interest for employees of the HSF may also arise from employment or business activities outside the HSF. Subject to their employment contracts employees may engage in these activities if they do not interfere with the performance of their duties as employees of HSF and are not otherwise incompatible with their employment.

## 7. Conflict of Interest Disclosure

Employees or volunteers who believe they are in, or about to enter into a conflict of interest, whether actual or perceived, are to report the matter to the Executive Producer or the General Manager for a determination.

## 8. Confidentiality

The HSF Employee Privacy Policy applies to information contained in, or related

to, reports and complaints under this policy. Such information is confidential and may only be disclosed as necessary for dealing with the matter it concerns and in accordance with the law.

## 9. Early Stages

Any instructor delivering the HSF's Early Stages programming (for youths 10 to 12 years of age) must provide the HSF with a current "Vulnerable Sector" police check.

## 10. Responsibility

The board of directors of HSF will assume responsibility for the resolution of any written complaints formally presented to the company. That resolution could be, but is not limited to, allowing a senior member of the management team (Artistic Producer, Executive Producer or General Manager) to arbitrate and find a resolution; deal with the complaint itself; or bring in an outside party to resolve the complaint. However, the ultimate responsibility for seeing the complaint through to resolution rests with the Board of Directors.

## **Feedback and Input**

The Board of Directors and management of the Highlands Summer Festival are dedicated to ensuring the highest quality working and production environment. Comments or questions on this policy are welcome. The Board of Directors will review and update this policy annually at its November or January meeting.

## **Contact Information**

These are the individuals mentioned in this policy whom anyone with a concern can contact:

Artistic Producer:		
Scot Denton	sdenton@sympatico.ca	416.435.5008
Executive Producer:		
Melissa Stephens	melistep@gmail.com	705.455.2366
General Manager:		
Ken Loney	hsfgmgr@gmail.com	705.457.0456
Board President:		
Brian Kipping	brian.kipping@bell.net	705.457.4916