

# Respectful Workplace Policy for



## General statement

Everyone has the right to safe and respectful workplace.

We are all responsible for treating each other with respect and dignity, and each of us bears a responsibility to look out for each other. We should always consider both the impact as well as the intent of our behaviour.

This policy asserts our commitment to providing and maintaining a workplace that fosters a positive working experience and is free from harassment, discrimination, and other forms of inappropriate behaviour.

Inappropriate behaviour will not be tolerated.

Everyone has the right to speak up about inappropriate behavior. We will provide support for those who have experienced, witnessed, or been harmed through inappropriate behaviour. We will take prompt action to investigate allegations of unprofessional conduct and address inappropriate behavior.

We are also committed to providing a workplace that is physically safe. In addition to the working conditions provided by Equity's scale agreements and engagement policies, each [province and territory](#) has its own occupational health and safety legislation. Fundamentally, every worker across Canada is entitled to the [Three Rights of Workers](#). They are the:

- **Right to KNOW** what hazards are present in the workplace.
- **Right to PARTICIPATE** in keeping your workplace healthy and safe.
- **Right to REFUSE** work that you believe to be dangerous to yourself or your co-workers.

## Who is covered by this policy?

The protections, provisions and support resources under this policy apply to everyone working with the theatre, including artists, technicians, the artistic leadership of the theatre and its staff.

## Where does this policy apply?

This policy applies to all workplaces – in person, or on digital platforms – related to the theatre and its productions. This includes but is not limited to rehearsals, performance, fittings, production meetings, transportation and accommodations on tour, as well as social or other events related to the theatre and its productions.

## Definitions of inappropriate behaviour

The following is a list of inappropriate behaviour, as defined by Equity's Bylaws:

### **Abuse of Power**

Use of official or vested authority to improperly disadvantage, discriminate, or harass a person, or to procure personal advantages for oneself.

### **Discrimination**

The unfair or unequal treatment of a person on the basis of their protected personal characteristics or the Prohibited Grounds of Discrimination, as established in the Canadian Human Rights Act, and/or applicable provincial human rights legislation".

### **Harassment**

Any action, conduct, or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation, or physical or psychological injury or illness. Though harassment is generally behaviour that persists over time, serious individual incidents may also be considered harassment.

### **Reprisal**

Any action, or threat, that is intended as retaliation for claiming or enforcing a right under the Association's Bylaws, or negotiated or promulgated agreements. reporting, addressing, or speaking up about inappropriate workplace behaviour;

### **Unprofessional Behaviour**

Any workplace behaviour not otherwise specified in Bylaw 67 that would reasonably be regarded as inappropriate and unprofessional within the context of a professional live performance workplace. Such behaviour includes, but is not limited to:

- i. intoxication (of any sort) while at work;
- ii. disregard for member safety in the workplace; and
- iii. theft of personal property.

### **Violence**

Actions, conduct, threats or gestures that can be reasonably expected to cause harm, injury, or illness. Violence can include verbal threats, abuse, or intimidation.

## What is not inappropriate behaviour?

- Respectfully expressing differences of opinion.
- Respectfully offering direction, feedback, guidance, or advice related to work, with the authority to do so.
- Making a legitimate complaint about inappropriate behaviour through a prescribed process.
- Reasonable actions taken to ensure people fulfil their contractual obligations.
- The employer's right to take action to ensure everyone complies with this policy.

## Procedure for making a Disclosure or Formal Complaint

If an individual feels comfortable and it is safe to do so, they may attempt to address their concerns directly, either in person or in writing, with the individual whose behaviour concerns them.

They may also choose to have this conversation in the presence of a third party, such as a friend or colleague, an Equity Business Rep, or a neutral representative of the theatre.

A **Disclosure** is made to report an alleged instance of inappropriate behaviour to the theatre without expectation of any formal action by the theatre.

A **Formal Complaint** is made with the expectation of action to be taken by the theatre, namely an investigation of the complaint.

We encourage individuals to make formal complaints promptly to facilitate finding a prompt resolution in an ongoing work environment.

Disclosures and formal complaints may be made to the theatre via email or phone by contacting the following representative of the theatre:

Name:

Position:

Email:

Phone:

In the event that an allegation involves the management or artistic leadership of the theatre, an individual may make their disclosure or complaint to the following neutral third party:

Name:

Role:

Email:

Phone:

Please provide a record of all pertinent details, including dates, times, witnesses, and what was said/done and by whom. Providing a preferred resolution is also constructive in the process. After making a complaint, you are expected to refrain from discussing the situation with anyone else.

Disclosures and formal complaints must be made in good faith. Misrepresented information and allegations found to be frivolous or made in bad faith may be subject to disciplinary action.

## Confidentiality

The theatre will maintain the confidentiality of an individual who makes a disclosure or formal complaint. If an investigation or any action requires disclosing the identity of the individual, the theatre will seek permission to do so first.

Please note that choosing to make a disclosure anonymously means that the theatre cannot contact you for more details and limits the theatre's ability to fully enforce this policy. Formal complaints cannot be made anonymously.

# Investigation of formal complaints

## The theatre will ensure that:

- The formal complaint is acknowledged within 48 hours of having been received.
- Equity is notified that a formal complaint has been made, requiring investigation.
- The investigation of a formal complaint is undertaken promptly and is completed within 30 days unless there are compelling reasons why a longer investigation is required.
- The investigation of a formal complaint is undertaken in a thorough manner, including, but not limited to, interviews with the parties involved and witnesses, as appropriate.
- The investigation of a formal complaint is undertaken through an objective process and is not conducted by an individual involved in the alleged incident or someone under the direct supervision of an individual involved in the alleged incident.
- The investigation is undertaken in a manner which ensures the rights to procedural fairness and natural justice of all persons involved.
- Best efforts will be made protect the confidentiality of all parties involved throughout the investigation.

## Following the conclusion of the investigation, the theatre will:

- Inform the complainant and respondent of the findings of the investigation in a written report.
- Provide the complainant and respondent with a copy of the report that may be shared with Equity

Should the allegations of inappropriate behaviour be substantiated, the theatre will take action to restore a respectful workplace.

This may include, but is not limited to:

- Discussion with the respondent regarding expected and appropriate workplace behaviour and responsibilities.
- Mediation, if all parties agree.
- Requiring a formal apology from the respondent.
- Mandatory training or counselling for the respondent.
- Suspension, termination, or removal of the respondent from their role or position.

This policy does not supersede an individual's right to pursue legal recourse, file a provincial or federal human rights complaint, or file a complaint against an Equity member as per the complaint process under Equity's Constitution & Bylaws.

I have read, understand, and agree to the terms of this respectful workplace policy.

Engager Name

Artist Name

Engager Signature

Artist Signature

Date

Date