

# Concrete Theatre: Respectful Workplace Policy

## Preamble

1. Concrete Theatre is committed to providing a safe and healthy environment for all contributing members engaging in activities under the scope of the organization; including staff, contractors, volunteers, stakeholders, and audience members. Any conduct intended to undermine the dignity or self-esteem of any individual, and behaviours that create intimidating, hostile or toxic work environments, including microaggressions, will not be tolerated.

Concrete Theatre is committed to meeting all legal obligations by establishing clear and concise anti-harassment and anti-discrimination policies in place to ensure a healthy work environment for all.

## 2. Application

This policy applies to all current employees of Concrete Theatre Society, including full and part-time, casual, contract, permanent and temporary employees. This policy also applies to current Board members and volunteers of Concrete Theatre Society. This policy applies to all behavior that is in some way connected to the work of Concrete Theatre Society, including during rehearsals, performances, and during travel.

## 3. Definitions

- a) Workplace harassment includes objectionable conduct, which may create an intimidating, offensive, or hostile work environment such that an employee's work performance is adversely affected, or that interferes with and undermines an individual's employment relationship or that denies an individual the respect, and dignity they deserve. It includes any behaviour which is known, or which should be reasonably known, to be unwelcome.

Workplace harassment may involve:

- Written or verbal abuse or threat
- Unwelcome remarks, jokes, innuendos, taunting or degrading comments about a person's race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation
- Displays of racist or other offensive or derogatory pictures
- Name calling, racial or ethnic slurs, including microaggressions
- Practical jokes, pranks or mischievous conduct which may cause awkwardness or embarrassment

- b) Sexual harassment includes unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature which might reasonably be perceived as placing a condition of a sexual nature on new or continued employment, work assignment, or on any opportunity for training, development or advancement.

Sexual harassment may involve:

- Unwelcome sexual remarks, jokes, innuendos or taunting regarding a person's appearance, body, attire, age or marital status
- A sexual advance or solicitation made by an individual who is in a position to grant or deny a benefit or advancement

- Expressed or implied promise of reward for complying with a sexual oriented request or actual or threatened reprisals against an individual who has rejected a sexual advance
- Unwanted sexual attention of an abusive or persistent nature, or intimidating invitations or requests with sexual overtones, whether expressed or implied
- Comments unduly emphasizing gender or sexuality
- Unwanted physical advances and contact such as touching, patting or pinching, or leering or other gestures of a sexual nature
- Unwelcome displays of pornographic, derogatory or offensive pictures, materials or graffiti of a sexual nature

Sexual harassment may occur between any two or more people. The behaviour need not be intentional in order to be considered sexual harassment. Sexual harassment is illegal under the provisions of the Alberta Human Rights Act.

#### 4. Responsibility of Management

It is the responsibility of the General Manager and Artistic Director, the Chair of the Board of Directors or Union Representative in the company to take immediate and appropriate action to report or deal with incidents of harassment of any type whether brought to their attention or personally observed. Concrete Theatre wants to provide a safe and healthy work environment.

Harassment will not be tolerated within this organization.

#### **Expectations and Responsibilities**

- We are all responsible for treating each other with respect and dignity at all times
- We are responsible to address issues as they arise promptly and within the policy directives
- We are responsible to speak up about inappropriate behaviour that we witness within the workplace, even as bystander
  - Address the issue as it arises in a calm manner
  - Discuss how the behaviour affects you and ask for it to stop
  - Engage in dialogue to better communicate issues
- We are responsible to listen if an issue is brought forward about our own behaviour
  - Listen carefully
  - Respond thoughtfully
  - Use honest, direct dialogue
  - Ask clarifying questions to better understand
- Report issues that cannot be resolved through conversation
- Maintain notes, emails, communications that demonstrate the concerns
- Cooperate with any investigations that arise
- Communicate any concerns within 6 months of an incident

#### **Procedures**

##### **1. Right to Assistance**

Concrete Theatre provides employees, board members, and volunteers with information that outlines their rights to:

- Access assistance through the General Manager, Artistic Director, the Chair of the Board of Directors, or Union Representative in communicating their objections to violence and harassment in the workplace to themselves or others.
- Formally pursue the complaint, if warranted. This includes the right to address concerns of unlawful harassment with the Alberta Human Rights.
- Commission, or to file charges with the police, where warranted.

## **2. Steps Prior to Formal Reporting**

- Concrete Theatre requests employees to immediately report and initiate formal investigating processes when incidents of violence and/or harassment occur. The General Manager and Artistic Director, the Chair of the Board of Directors or Union Representative, ensures that assistance is provided to the individual, as needed.
- A group of employees may file a complaint in cases where more than one (1) employee is a victim of workplace violence or harassment by the same individual.
- In instances of more subtle forms of violence or harassment, the complainant:
  - Is required to make their feelings known verbally, or in writing, to the subject of the complaint, either directly or with the assistance of Concrete's third party contact (noted in Section 3). This is to make the subject of the complaint aware that the behaviour is offensive, and to give them an opportunity to stop the behaviour.
  - Is asked to record, as their personal record of the event, the details of the incident, including the date and time, nature of the behaviour, and names of anyone who may have witnessed the behaviour.

## **3. Formal Reporting**

- If the behaviour continues, a complaint can be made by reporting the situation to the General Manager or Artistic Director, the Chair of the Board of Directors, or a Union Representative.
- Although it is Concrete Theatre Society's desire to address these matters expediently and at the earliest opportunity possible, if the subject of harassment does not feel comfortable approaching any of the persons above, a neutral third party individual has been designated to receive complaints independently. The current third party contact for Concrete Theatre is Sue Goberdhan (sue@azimuththeatre.com).
- An alternative report may be made to a member of the HR committee of the board if the subject of a complaint is one of the above.
- All documentation related to the complaint is confidential, except where required by law and/or where necessary to complete the investigation.

## **4. Investigation of the Complaint**

- The General Manager and Artistic Director, the Chair of the Board of Directors or Union Representative immediately undertakes an investigation when an employee, board member, or volunteer files a complaint. Any complaint received by the General Manager and Artistic Director, the Chair of the Board of Directors or Union Representative is held in the strictest confidence. Names are used only for the purposes of investigating the complaint, or taking disciplinary measures in relation to the complaint. The investigation documents, notes, interviews, and results are all protected under federal and provincial privacy legislation.
- The General Manager and Artistic Director, the Chair of the Board of Directors or Union Representative will review details of the complaint followed by interviewing both the

complainant and the subject of the complaint, as well as any individuals who may have witnessed the incident, or who may be able to provide relevant information, and an examination of any relevant documents, emails, notes, photographs, audio recordings, or video as relevant.

- Upon completing the investigation, the General Manager and Artistic Director, the Chair of the Board of Directors or Union Representative determines what actions, if any, are warranted.
- Concrete Theatre will ensure that information and documents regarding a complaint or incident will not be disclosed except to the extent necessary to protect employees, board members, and volunteers, to investigate the complaint or incident, to take corrective action or as otherwise required by law. All parties involved in a workplace violence complaint, including Complainants, Respondents, witnesses, the General Manager, Artistic Director, and/or Chair of the Board of Directors, and support persons are expected to treat the matter and any information they become aware of as confidential. No party shall discuss the matter or associated details with other employees, board members, volunteers, or witnesses. An employee, board member, or volunteer may face disciplinary action if it is determined that they have failed to adhere to these confidentiality expectations.
- Documentation is placed in the personnel files of only those employees, board members, or volunteers who are subject to disciplinary action. All documentation is kept in a secure file on the Concrete server.
- The complainant and the subject of the complaint will be kept up to date on the investigation and will be notified of the results of the investigation and any subsequent actions to be taken.
- Disciplinary action, which may include discharge for just cause, is taken when an employee, board member, or volunteer:
  - is found to have engaged in unlawful harassment or workplace violence,
  - breaches confidentiality expectations,
  - fails to cooperate with the investigation,
  - supplies falsified information,
  - is found to have made a spiteful or bad faith complaint.
  - is aware of harassment and/or workplace violence, and permits the harassment or violence to continue.
- Disciplinary action may include performance coaching, training, counselling, written warning, suspension, and termination of employment, depending on individual circumstances. Additionally, the organization may pursue criminal charges where warranted.
- Regardless of the outcome of a harassment complaint that is made in good faith, the employee, board member, or volunteer lodging the complaint, as well as anyone providing information, are protected from any form of retaliation by either employees, board members, or volunteers of Concrete Theatre. Retaliation is not condoned, and may result in discipline, up to and including discharge, of the person(s) responsible for the retaliation.

## **5. Observations of Violence and Harassment in the Workplace**

- Employees, board members, and volunteers are responsible for taking positive actions to prevent and discourage violence and harassment in the workplace.

- In addition to situations that affect them directly, employees, board members, and volunteers are to take action concerning violence and/or harassment to others by supporting and encouraging the individual to deal with and/or to report the behaviour.
- Notify a supervisor about the incident.

**6. Responsibilities of General Manager, Artistic Director, and Chair of the Board of Directors:**

- The General Manager, Artistic Director, and the Chair of the Board of Directors must not:
  - Dismiss or downplay a legitimate complaint under any circumstances,
  - Tell the complainant to deal personally with the behaviour.
- To respond to complainants, the General Manager and Artistic Director must:
  - Contact the Chair of the Board of Directors, who, with the General Manager and/or Artistic Director's assistance, will interview the complainant, subject of the complaint, and any witnesses,
  - Document the situation accurately and completely,
  - Ensure that all information concerning the incident is kept confidential
  - Use the information only to the extent that is required to deal with the incident.
- The General Manager, Artistic Director, or the Chair of the Board of Directors must follow up with employees, board members, or volunteers who experience violence or harassment to determine whether or not the abuse has ceased, and whether or not any other action, such as retaliation, against the employee, board member, or volunteer has taken place.
- The General Manager, Artistic Director, or the Chair of the Board of Directors, or anyone who ought reasonably to be aware that incidents of workplace harassment or violence are occurring or are thought to be occurring are obligated to take appropriate action to stop the offending behaviours and actions, even in the absence of a formal complaint.