

Talisman Theatre

Anti-Harassment and Non-Discrimination Policy

Effective: January, 2019

Adopted by: Board of Directors of Talisman Theatre (“Talisman”) on _____

Policy Contact: Address questions about this policy to: Lyne Paquette, Artistic and Executive Director, Talisman Theatre

Update Frequency: One year after the date of first adoption and subsequently, every three years

Last Reviewed/Updated: _____

Applies to: all persons involved with Talisman’s operations and productions. Including all employees (full-time, part-time, temporary, probationary, casual and contract staff, performers, instructors, artistic collaborators and service providers) as well as volunteers, co-op students, interns, apprentices, and guests of Talisman. (“Talisman Affiliates.”)

STATEMENT OF PRINCIPLE

Talisman is dedicated to providing a secure, supportive and comfortable environment, through relationships built on mutual respect and dignity; ensuring an inclusive environment that is free from discrimination, harassment and/or fear of discrimination and harassment.

OBJECTIVES

The main objective of this policy is to inform Talisman Affiliates that all forms of harassment and discrimination are unacceptable and are incompatible with the standards, mission and values of this organization.

Talisman’s policy is consistent with Quebec legislative requirements for safe workplaces.

Talisman is committed to a comprehensive strategy to address harassment and discrimination, including:

1. Regular monitoring of organizational systems to identify potential or actual infringements of Québec’s Charter of Human Rights and Freedoms (“Quebec Charter”);
2. Preventing any forms of discrimination prohibited by Canadian or Quebec law;
3. Engaging in proactive efforts to promote awareness about equity among Talisman Affiliates and ensuring equity complaints are addressed expeditiously through fair processes and procedures to address complaints;
4. Promoting appropriate standards of conduct at all times to ensure that policies and procedures foster an environment free of harassment.

SCOPE

The right to freedom from discrimination and harassment extends to all persons working with Talisman or representing Talisman, as outlined above. It is also unacceptable for Talisman Affiliates to engage in harassment or discrimination when involved in other professional dealings on behalf of Talisman, such as when engaging with students, outside performers or rental providers.

This policy applies at every level of the organization and to every aspect of the workplace environment and employment relationship, including but not exclusively to recruitment, selection, promotion, transfers, training, salaries, benefits and termination. Due to the nature of Talisman's business being largely operational not in one physical location, this policy applies to all business and events conducted in the name of Talisman Theatre.

This policy prohibits discrimination or harassment based on the following grounds, and any combination of these grounds (hereinafter "Charter-protected grounds"):

DEFINITIONS

Discrimination means any form of inequitable treatment based on the above grounds, 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, this is a violation of this policy.

Harassment is defined as any 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.

Harassment can also take the form of bullying and can be in person or via any on-line means including email, social media, and other digital sources. For example, when an individual or a group of people with more power, repeatedly and intentionally cause hurt or harm to another person or group of people who feel helpless to respond. Bullying can continue over time with potential for devastating consequences (e.g. physical and/or psychological harm; suicide) if no action is taken.

Examples of harassment include:

- Unwelcome remarks, jokes, innuendos, or taunting
- 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 Charter-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 Charter.

Racial/Ethnic Harassment means that someone is bothering you, threatening you or treating you unfairly because of your perceived; race, skin colour, ancestry, ethnic origin, place of origin, religion, or citizenship.

Examples of racial or ethnic harassment include:

- Display of racist, derogatory or offensive pictures or materials
- Unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry

- Refusing to converse or work with an employee because of his or her racial or ethnic background
- Insulting gestures or practical jokes based on racial or ethnic grounds which cause embarrassment or awkwardness

Sexual Harassment is defined as any unwanted sexual statements and advances, including but not exclusively, sexual jokes, comments on physical attributes and appearance, spreading rumours about sexual activity, talking about sexual activity in front of others, displaying and/or distributing sexually explicit images or materials. Unsolicited touching of a sexual nature or exposure of oneself for others to view are also considered harassment

Sexual harassment may include: unwanted personal attention such as emails, phone calls, text messages, visits, pressure for unnecessary personal interactions and pressure for dates where sexual or romantic intent appears evident but is unwanted are all forms of sexual harassment.

Some examples of sexual harassment include:

- Display of sexually offensive pictures, graffiti or other materials including through electronic means
- Unwelcome remarks, jokes, innuendos, or taunting about a person's body, attire or sex
- Unwelcome physical contact such as touch, patting or pinching
- Propositions of physical intimacy, demands for dates or sexual favours
- Leering or inappropriate/suggestive staring or other gestures
- Bragging about sexual prowess or questions or discussions about sexual activities
- Offensive jokes or comments of a sexual nature about an employee or client
- Rough and vulgar humour or language related to gender

Gender-Based Harassment is defined as any unwelcome remarks or actions based on gender, gender identity, or sexual orientation that are demeaning or derogatory

Some examples of Gender- Based Harassment include:

- Unwelcome remarks, jokes, innuendos, or taunting about a person's body, attire or sex
- 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
- Suggestive or offensive remarks or innuendoes about members of a specific gender
- Gender-related verbal abuse, threats or taunting
- Rough and vulgar humour or language related to gender

Sexual Solicitation: Sexual solicitation is defined as advances where the perpetrator has power over the employee such that they are in a position to grant or deny a benefit or advancement to the employee. This policy prohibits sexual solicitation, including 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 prohibited.

ROLES AND RESPONSIBILITIES

All persons working with Talisman or representing Talisman as employees, actors, creative collaborators and volunteers are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination, by treating others with dignity and respect, and by cooperating fully in any investigation of a harassment or discrimination complaint.

The Artistic and Executive director(s), and the Stage Manager(s) of Talisman productions are responsible for creating and maintaining a harassment and discrimination-free organization, and should address potential problems before they become serious.

The Artistic and Executive director(s), and the Stage Manager(s) of Talisman productions have the additional responsibility to act immediately on observations or allegations of harassment or discrimination.

The Board of Directors has the responsibility to elect a member of the Board to act as the Anti-Harassment/Anti-Discrimination Delegate.

REPORTING PROCEDURE RELATED TO HARASSMENT OR DISCRIMINATION

A person working with Talisman Theatre may file a complaint by contacting one of the following responsible persons. A complaint can be made verbally or in writing. The alleged behaviour and details of incidents should be described as accurately as possible, so that an intervention can be carried out quickly to stop the situation. Complainants are strongly encouraged to document the date and details of the incidents as well as any the steps they took to try to resolve the situation.

The responsible persons designated by the employer are as follows:

- The acting Artistic and Executive Director of Talisman Theatre (Lyne Paquette)
- The Anti-Harassment/Anti-Discrimination Delegate of the Board of Directors
- In the event that the person is an performer, contractor, creative collaborator or volunteer working with Talisman on a particular production, the Stage Manager for this production.

Any person who witnesses an instance or pattern of harassment is also invited to report it to one of the above mentioned responsible persons, ideally after having obtained the consent of the person who is subject to the harassment.

PRINCIPLES OF INTERVENTION

Talisman agrees to:

- Respond to the complaint or report as soon as possible;
- Preserve the dignity and privacy of the individuals involved, that is, the complainant, the alleged perpetrator and witnesses;
- Ensure that all concerned are treated objectively with humanity, due process and procedural fairness and that adequate support is provided;
- Protect the privacy and confidentiality of the parties involved, including information about the complaint, report or disclosure of the harassment;
- Offer the individuals concerned a meeting to resolve the situation with their consent;
- Conduct a prompt and objective investigation, as required, or assign responsibility to an independent and impartial stakeholder. The parties will be informed of the conclusion of this process. If the investigation cannot establish the facts of the claim, all material evidence will be retained for two years and subsequently destroyed;
- Take all reasonable steps to resolve the situation, including, but not limited to, mediation or appropriate disciplinary action.

LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Aside from the internal process at Talisman Theatre, a worker may also choose to file a complaint at the Commission des normes, de l'équité, de la santé et de la sécurité au travail (CNESST). The maximum time for doing so is two (2) years from the last harassment event. The complaint can be filed online (<https://www.cnt.gouv.qc.ca/en/on-line-services/on-line-complaints/index.html>) or by phone at 1 844 838-0808. The choice of a worker to apply first to their employer will not have the effect of preventing them from filing a complaint with CNESST. Please note that that according to the Act Respecting Labour Standards, unpaid interns and volunteers cannot file a complaint with CNESST.

A performer who is a member of Equity, or any person working on a production for which performers are working under Equity (CAEA) contracts who is experiencing harassment or discrimination from an Equity member, may also choose to file a complaint under Equity's harassment and discrimination policy. This policy may be found online at:
<https://www.caea.com/Portals/0/Documents/Features/NotInOurSpace/RespectfulWorkspacePolicy.pdf>

If the harassment constitutes a crime, a worker may wish to contact the Service de police de Montréal (SPVM). Physical violence and sexual assault are examples of crimes.

RESOURCES FOR SURVIVORS OF SEXUAL HARASSMENT OR ASSAULT

Who	Description	Contact
Groupe d'aide et d'information sur le harcèlement sexual au travail (GAIHST)	The Help and Information Center on Sexual Harassment in the Workplace (GAIHST) is a non-profit community center established in 1980 that has been helping individuals who have been subjected to sexual and/or psychological harassment at work. GAIHST's main objective is to help break the isolation and to bring down the wall of silence that surrounds people who are going through or have been through a situation of workplace harassment and to raise public awareness about this reality.	2231, rue Bélanger Montréal (Québec) H2G 1C5 info@gaihst.qc.ca Téléphone: 514-526-0789
CAVAC	The Montréal CAVAC, with its quick-response system, meets the specific needs of persons of all ages who are either victims or witnesses of a criminal offence, or someone close to a crime victim, whether or not the perpetrator is identified, apprehended, prosecuted or convicted.	Montréal Centre (Beaubien metro station) Telephone: 514 277-9860 East End Montréal (Cadillac metro station) Telephone: 514 645-9333 West End Montréal (Du Collège metro station) Telephone: 514 744-5048

<p>CALACS (centres d'aide et de lutte contre les agressions à caractère sexuel)</p>	<p>A collection of sexual assault help centres with various locations in Montreal.</p>	<p>Trêve pour Elles 514-251-0323 trevepourelles@videotron.ca www.trevepourelles.org</p> <p>CALACS de l'Ouest de l'île – West Island CALACS Case postale 43536 Succ. Roxboro 4894 Boul. des Sources Dollard des Ormeaux, Québec H8Y 3P4 514-684-2198 info@calacsdelouest.ca www.calacsdelouest.ca/</p> <p>Mouvement contre le viol et l'inceste 514-278-9383 mvi@contreleviol.org</p> <p>Centre pour les victimes d'agressions sexuelle à Montréal 1801 boul. de Maisonneuve Ouest, Bureau 600, Montréal, Québec, H3H 1J9 24h/7 : 514-934-4504 Ligne d'écoute : 1-888-933- 9007 info@cvasm.ca</p>
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AGREEMENT FORM

I have read the above Anti-Harassment and Non-discrimination Policy and I understand the reporting procedure:

Signature _____

Name (printed) _____

Date of signature _____

