

**Theatre Alberta Society Policy**  
**HEALTHY AND RESPECTFUL WORKPLACE**  
**FREE OF DISCRIMINATION AND HARASSMENT**  
*Adopted by the Board of Directors on May 11, 2019*  
*Reviewed and Amended by the Board of Directors on May 30, 2020*

\*This Policy rescinds and replaces all former versions of the Artstrek Harassment and Discrimination Policy as of May 11, 2019.

## **I. Purpose**

To ensure that behavioural expectations, reporting procedures, and other related considerations are clearly articulated to all employees, members, contractors, participants, volunteers, and suppliers/vendors of Theatre Alberta.

## **II. Policy Statement**

Theatre Alberta Society commits to provide a workplace and programs/services that are free from any type of harassment and discrimination, where all employees, members, contractors, participants, volunteers, suppliers/vendors, and members of the public are treated with respect and dignity. Everyone involved in Theatre Alberta operations and activities has the right to a safe and respectful environment, and must know the relevant procedure when it is necessary to report, without fear of reprisal, cases of harassment, discrimination, violence, sexual misconduct, and abuse of power, or any other behaviours, that contribute to an unhealthy environment.

In this policy and in our work and service, Theatre Alberta prioritizes dignity, personal safety, respect of personage, and self-determination of boundaries.

Management will identify and assess conditions and practices that create harassment risks, and will deal with all reports, allegations, and incidents in a respectful, professional, transparent, and timely manner.

This policy does not aim to limit or impede Theatre Alberta's right to manage. Performance reports for personnel, attendance and absenteeism management, work evaluations, and disciplinary measures imposed for valid reasons do not constitute harassment or discrimination in the workplace. This right to manage could seem inconvenient or disappointing to some, but it does not on its own constitute harassment, discrimination, or abuse of power.

This policy will be reviewed annually by the Board of Directors.

### III. Definitions

Harassment and discrimination are violations of the *Canadian Charter of Rights and Freedoms*, the *Alberta Occupational Health and Safety Act*, and/or the *Alberta Human Rights Act*.

**Harassing and/or discriminatory behaviours** are those which are not welcome, which are personally offensive, which debilitate morale, and which therefore interfere with work and/or educational effectiveness. Any and all conduct that is harassing, coercive, intimidating, hostile, discriminatory, or offensive in nature **will not be tolerated**, including any act of retaliation against an individual who reports a violation of this policy or who participates in the investigation of a complaint.

Harassment is defined as:

- any unwanted, intimidating, abusive, offensive, or degrading treatment of a person, which interferes with a person's employment, performance, or learning, or creates an intimidating, hostile, or offensive working or educational environment.

Discrimination is defined as:

- any unfavourable and/or unwelcome treatment of a person based on gender identity or expression, race, ethnicity, national origin, religion, marital or parental status, economic status, disability, sexual orientation, age, or any other unlawful consideration.

Sexual harassment is defined as:

- any unwelcome sexual advances, requests for sexual favours, and/or other verbal or physical conduct or communication constituting sexual harassment as defined and otherwise prohibited by provincial and federal laws;
- sexual harassment includes, but is not limited to, the following:
  - unwelcome leering, sexual flirtations, or propositions;
  - unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions;
  - graphic verbal comments about an individual's body or overly personal conversation;
  - suggestive or obscene letters, notes, invitations, jokes, stories, drawings, pictures, cartoons, objects, or gestures;
  - spreading sexual rumours;
  - touching an individual's body or clothes in a sexual way;
  - continued expression of sexual interest after being informed that the interest is unwelcome;
  - engaging in implicit or explicit coercive sexual behaviour which is used to control, influence, or affect the educational opportunities and/or learning or professional environment of others.

#### **IV. Policy Details and Implementation**

Violation of this policy, including making a wrongful complaint or report, will result in appropriate disciplinary action. Anyone who engages in, permits, or fails to report an incident of harassment and/or discrimination will be subject to disciplinary action, up to and including dismissal, suspension, or expulsion. In addition, criminal or civil charges may be brought against the alleged harasser. Where children are involved or present, sexual harassment also may be considered a violation of laws relating to child abuse.

Specific strategies in place for securing an environment free from harassment and discrimination include:

1. All program participants are informed of the policy prior to their arrival at a program/event. If participants are children, their parents/guardians are also informed. This information is communicated in program handbooks and online.
2. All staff, contractors, and volunteers are informed of the policy prior to their arrival at a program/event. This information is most often communicated in an employment/working agreement.
3. All agreements with contractors and/or staff members who will work directly with children will include the following clause: "By their signature, the Contractor confirms that they have never been charged with or convicted of sexual or physical assault or harassment. As a condition of employment, Theatre Alberta requires the Contractor to have a Police Information Check (or Criminal Records Check) and a Positions Working with Children/Vulnerable Sectors search completed at their local police or RCMP detachment."

**Additional** strategies in place **at Artstrek** include:

1. When an oral or written complaint of harassment and/or discrimination and/or sexual harassment has been received from a participant, it will be reported to the participant's parent/guardian if the participant is under 18 years of age and it will be referred to the Artstrek Director for appropriate follow up.
2. Artstrek Supervisors are selected each year from participants who have attended Artstrek in the past, and therefore have personal experience with the program's strict requirements. Selection is based on recommendations from the Administrative Director and Curriculum Director, who have had direct experience with these individuals.

3. The Artstrek team is oriented during the program's planning days on the details of this policy and expected and appropriate behaviour with students. Individual contractors are required to refer any concerns they may have regarding students to the Administrative and Curriculum Directors.
4. At Artstrek, no physical contact outside of the classroom setting and supervised activities, or unwanted contact of any kind between parties, is allowed. Individuals who violate this policy are to be dismissed/sent home immediately.
5. The Artstrek team is informed to watch for and report on any participants who appear homesick, isolated, and/or distressed. Supervisors also conduct an evening check with students to talk about the day, their experiences, and any concerns they may have.

## **V. Complaints Procedure**

Anyone who believes they are a victim of harassment or discrimination can file a complaint, verbally or in writing, with the Theatre Alberta team member directly responsible for the program or activity involved. When this is not possible or preferable, reports should be received by the Executive Director. When this is not possible or preferable, reports should be received by the President of the Board of Directors. Complaints should be filed as soon as possible, be as detailed as possible, and must reflect facts and cannot be false or defamatory in nature. No one will be punished for reporting in good faith an incident, or for participating in an investigation. Theatre Alberta will accept anonymous complaints.

Any parties involved will benefit from the principles of natural justice, by learning of allegations against them and having the opportunity to respond to them.

All reports will be appropriately investigated, and appropriate action will be taken to end the harassment or discrimination, address its effects on the person(s) subjected to it, and prevent any further instances. Theatre Alberta may choose to involve mediators, qualified external consultants, and/or legal counsel in investigations.

### **Additional procedures for Artstrek:**

Artstrek participants should immediately inform an Artstrek Supervisor if they feel they are being harassed or discriminated against at Artstrek. Artstrek Supervisors will refer reports to the Administrator Director, Curriculum Director, and/or Artstrek Director as appropriate for timely follow up.

Artstrek staff members should report any incidents they observe, even if the harassed party has not filed a complaint.

## **VI. Confidentiality**

As part of the complaints procedure, Theatre Alberta will put in place parameters in order to ensure, whenever possible, confidentiality and privacy of information.

The name of the complainant, circumstances of the complaint, investigation reports, witness statements, and other documents or information produced in accordance with this policy will be kept strictly confidential by Theatre Alberta, except when disclosure is necessary as part of the investigation or if otherwise required by this policy, or if the information is necessary to handle the complaint, conduct the investigation, or impose disciplinary or administrative measures.

Therefore, information may be shared, notably:

- When it might be of a criminal nature;
- When Theatre Alberta deems it necessary to protect others against harassment or acts of violence;
- When fairness and the right to natural justice must be ensured as part of the procedures within this policy;
- As provided under applicable laws regarding occupational health and safety and/or child protection;
- When required by law or court order; and
- For the protection of Theatre Alberta's interests.

All involved parties in a complaint must respect the confidentiality of information of other parties involved, must refrain from discussing the complaint except with those that need to be informed, and must act with professionalism and discretion during the complaint procedure.

## **VII. Feedback**

We welcome feedback on and questions about this policy.

\*In the creation of this policy, Theatre Alberta accessed information and samples from, and therefore extends gratitude to, the following organizations and/or resources:

<http://respectfulartsworkplaces.ca> (Cultural Human Resources Council)

[Association des théâtres francophones du Canada](#)

[lemonTree creations](#)

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**Reporting Form**

This form can be used by anyone to file a complaint regarding and/or report a violation of Theatre Alberta's Healthy and Respectful Workplace Free of Discrimination and Harassment Policy, adopted by the Board of Directors on May 11, 2019.

This form should be completed and submitted to the [Theatre Alberta team member](#) directly responsible for the program or activity involved. When this is not possible or preferable, reports should be submitted to the [Executive Director](#). When this is not possible or preferable, reports should be submitted to the [President of the Board of Directors](#). If making a report verbally, a Theatre Alberta team member will record details using this form. Please see Policy Items V Complaints Procedure and VI Confidentiality for additional information.

- 1) name and position of complainant:
  
- 2) complainant contact information (phone number and email address):
  
- 3) name and position of person involved in alleged harassing and/or discriminatory behaviour:
  
- 4) please describe in detail the specific incident(s) of harassment and/or discrimination alleged, including:
  - the location, date, and time of the incident (approximate if necessary)
  - details about the incident (including behaviours, actions, and/or language used)
  - the names and positions of the people involved, and any witnesses to the incident
  - any additional details

*If multiple incidents, describe each separately.*

*Use extra pages as necessary and attach any supporting documents such as emails or texts.*

signature of complainant:

date: