

PLAYWRIGHTS' WORKSHOP MONTREAL

Anti-Harassment and Nondiscrimination Policy

Effective: September 2019

Adopted by: Board of Directors of Playwrights' Workshop Montreal on November 19, 2019

Policy Contact: For any enquiry about this policy, please contact: Lesley Bramhill, General Manager, Corrina Hodgson, Board Member or Elisabet Rafols Sagues, Board Member

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

Last Reviewed/Updated: November 2019

Applies to: Employees, consultants, volunteers, co-op students, interns, apprentices, guests and workshop participants of Playwrights' Workshop Montreal

POLICY OBJECTIVES

Playwrights' Workshop Montreal (herein after "**PWM**" or the "**organization**") is committed to providing a secure and comfortable environment, through relationships built on mutual respect, and to ensuring an environment for its members that is free from discrimination, harassment and/or the fear of discrimination and harassment.

The objectives of this policy are to make sure that employees, including full-time, part-time, temporary or probationary employees, consultants, volunteers, co-op students, interns, apprentices, guests and workshop participants of PWM are aware that harassment and discrimination are unacceptable practices and are incompatible with the standards of this organization. This policy applies in addition to any legislative requirements in pursuing a safe workplace.

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

- regularly monitoring organizational systems for systemic barriers relating to grounds of discrimination identified in Québec's Charter of human rights and freedoms (hereinafter the "**Charter**");
- providing an effective and fair complaints procedure; and
- promoting appropriate standards of conduct at all times.

APPLICATION

The right to freedom from discrimination and harassment extends to all PWM's employees, consultants, volunteers, co-op students, interns, apprentices, guests and workshop participants.

It is also unacceptable for the above individuals to engage in harassment or discrimination when dealing with each other, or any third parties they interact with in the context of their role with PWM, such as students, instructors, performers, rental companies, or service providers.

This policy applies at every level of the organization and to every aspect of the workplace environment and employment relationship, including recruitment, selection, promotion, transfers, training, salaries, benefits and termination.

This policy also applies to events that occur outside of the PWM offices, such as during organization travel, social events and PWM residencies.

PROHIBITIONS & DEFINITIONS

This policy prohibits discrimination or harassment based on the following grounds, and any combination of these grounds (hereinafter "**Protected Grounds**"):

- Age (except as provided by law)
- Religion
- Physical, development, learning or mental disability
- Sexual orientation
- Sex, gender identity or expression
- Social condition
- Civil status
- Family status (including pregnancy and breastfeeding)
- Race
- Political convictions
- National origin
- Ethnic origin
- Citizenship
- Language
- Colour
- Ancestry
- Record of criminal offences (except as consistent with s. 18.2 of the *Charter*)

1. Prohibition of discrimination

Discrimination means any form of unequal treatment based on a Protected Ground, 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, the fact that a discriminatory factor is among them violates this policy.

Notwithstanding the above, and in accordance with article 20 of the Charter, a distinction, exclusion or preference that is demonstrably based on the aptitudes or qualifications required for employment in a specific position is deemed non-discriminatory.

2. Prohibition of harassment

Harassment means a course of 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. Harassment can occur based on any of the grounds of discrimination. Harassment can also take the form of bullying, i.e. 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 and will probably continue if no action is taken.

Harassment includes:

- Unwelcome remarks, jokes, innuendos, or taunting about a person
- 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 Protected Grounds 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.

- Giving a cold shoulder or shunning someone repeatedly
- Cyberbullying
- Retaliating against an individual for filing a harassment complaint
- Filing an unfounded harassment complaint intended to cause harm

If a person does not explicitly object to harassing behavior, or appears to be going along with it, this does not mean that the behavior is okay. The behavior could still be considered harassment under this policy.

Harassment also includes:

a) Racial or Ethnic Harassment.

Examples of racial or ethnic harassment include:

- Display of racist, derogatory or offensive pictures or materials
- Unwelcome remarks, jokes, innuendoes 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

b) Sexual and gender-based harassment.

Examples of sexual harassment include:

- Display of sexually offensive pictures, graffiti or other materials including through electronic means
- Unwelcome remarks, jokes, innuendoes, 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
- Unwelcome physical contact such as touch, patting or pinching
- Suggestive or offensive remarks or innuendoes about members of a specific gender
- Propositions of physical intimacy, demands for dates or sexual favors
- Gender-related verbal abuse, threats or taunting

- 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 humor or language related to gender
- Intentional misuse of someone's stated pronouns

c) Sexual Solicitation

This policy prohibits behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities. This includes sexual solicitation or advances by any person who is in a position to grant or deny a benefit to the recipient of such solicitation or advance. This includes 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 solicitation are also not allowed.

ROLES AND RESPONSIBILITIES

All persons present on PWM's premises or representing PWM are expected to uphold and abide by this policy, by refraining from any form of discrimination or, and by cooperating fully in any investigation of a harassment or discrimination complaint.

Managers, instructors, supervisors and artistic directors have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Managers and supervisors are responsible for creating and maintaining a harassment and discrimination-free organization, and should address potential problems before they become serious.

Corrective action for the person found to have engaged in harassment may include a reprimand, a suspension, a demotion, a dismissal, termination of the person's relationship with PWM and/or a prohibition to participate in future PWM activities.

REPORTING PROCEDURE RELATED TO HARASSMENT OR DISCRIMINATION AT PWM

Complaints should be made as soon as possible but no later than within one year of the last incident of perceived harassment, unless there are exceptional circumstances, such as circumstances that prevented the employee from doing so.

At any given time, there shall be two anti-harassment and anti-discrimination delegates who shall have been appointed by the PWM's board of directors (the "**Board of Directors**") following recommendation by the Governance Committee (such delegates, the "**Board Delegates**"). To the extent possible, the terms of the two Board Delegates shall be staggered by one year. The Board Delegates will have to complete an anti-harassment and anti-discrimination training, which training will be chosen by the Governance Committee prior to the beginning of the term of the Board Delegate.

In the case where a person (the "**complainant**") brings forward an allegation of harassment or discrimination as defined in the above policy, the complainant is to contact PWM's manager, instructor, supervisor or artistic director with whom they feel comfortable discussing the allegations (the "**First Respondent**"), through either a verbal or written statement. In the event that the statement is given verbally, the First Respondent who received the statement should put down said statement in writing.

The statement will be reviewed by a Board Delegate in consultation with the First Respondent and appropriate action will be taken if required. A response will be presented to the complainant by the First Respondent within 30 business days. The response options under this policy range, without limitation, from consulting with a human resources member of the Board of Directors, to informal or formal reporting to the Board of Directors, to an investigation process or disciplinary action. These are not mutually exclusive as an effective response may combine elements of all approaches. The response process should be done in consultation with the complainant; however, final decision on the appropriate response should be at the Board of Directors' discretion.

The Board Delegate will keep a record of the incident(s), including date, time of occurrence, location, what happened, witnesses, etc. In keeping with PWM's zero tolerance harassment and discrimination policy, every effort is made to ensure these reports are fully confidential. Filed reports are kept confidential and only seen by the First Respondent, the Board Delegates and, if required, members of the Board of Directors. PWM and all individuals involved in the harassment complaint process on behalf of PWM will make every effort to protect the privacy and confidentiality of all parties involved in the process and will limit the discussion of a harassment complaint to those that need to know.

In the case of suspected or alleged harassment of minors, the Quebec Department of Youth Protection will be contacted at 514-935-6196.

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

Signature

Name (printed)

Date of signature

Anonymous Incident Report: A complainant who does not feel comfortable discussing an incident in person and prefers that their identity be kept anonymous can file an Anonymous Incident Report. The form to fill out can be found on PWM's website at: <https://www.playwrights.ca/anti-harassment-and-non-discrimination-policy>