



Connecting the Canadian Live Performing Arts Community
Réunir le milieu canadien des technologies scénographiques

Anti-violence, Harassment, Psychological Harassment and Sexual Harassment Policy

PREAMBLE

The CITT/ICTS is committed to the values of civility, equity, respect, non-discrimination and an appreciation of diversity. All CITT/ICTS Associates may reasonably expect to pursue their work and other activities related to the CITT/ICTS in a safe and civil environment. All forms of harassment are an injury to the dignity and the integrity of the individual being harassed and will not be tolerated.

Various laws such as the *Quebec Charter of Human Rights and Freedom*, the *Civil Code of Quebec*, the *Act Respecting Industrial Accidents and Occupational Diseases*, the *Act Respecting Occupational Health and Safety* and the *Act Respecting Labour Standards* contain provisions or provide potential remedies related to harassment prohibited by law. Some cases of harassment may contravene provisions of the *Criminal Code*, as well.

Our Anti-violence, Harassment, Psychological Harassment and Sexual Harassment Policy is not meant to stop free speech or to interfere with everyday interactions. However, what one person finds inoffensive, others may not. Usually, harassment can be easily distinguished from normal, mutually acceptable socializing. It is important to remember that it is the perception of the receiver that determines whether the potentially offensive message is acceptable or not, be it spoken, gestural, pictorial, or some other form of communication which may be deemed objectionable or unwelcome.

CITT/ICTS Board of Directors will provide for a fair and prompt investigation of any complaint or concern without fear of reprisal, as long as the complaint is not found to be frivolous or vexatious.

Definitions

Associates: For the purposes of this policy the term “Associates” means employee, independent contractor, volunteer, member, or other persons who performs work for CITT/ICTS. This includes, but is not limited to, full and part time employees, directors, officers, volunteers, CITT/ICTS’ members, individuals receiving or offering training or participating in CITT/ICTS’ programming and others who provide goods and services to CITT/ICTS.

Harassment: Harassment comprises any unwelcome or objectionable, physical, visual or verbal conduct, comment or display, whether intended or unintended, that is insulting, humiliating or degrading to another person, or creates an intimidating, hostile or offensive environment and/or is on the basis of race, ethnicity, language, financial ability, religion, gender or sexual orientation, disability or age, or any other kind of discrimination which is prohibited by particular provincial/territorial legislation: made by an employee, volunteer, member, client or supplier of CITT/ICTS; Directed at and offensive to any other employee, volunteer, client or supplier of CITT/ICTS, or any other individual or group that the person knew or reasonably ought to have known would be offensive (e.g., unintended).

Examples of harassment include, but are not limited to:

- Threats made or perceived, that are malicious, vexatious or based on any of the prohibited grounds under Human Rights legislation
- Derogatory written or verbal communication or gestures (e.g. name calling, slurs, taunting pictures or posters, bullying, graffiti), that are malicious, vexatious or that relate to any of the prohibited grounds under Human Rights legislation

- Application of stereotypes or generalizations based on any of the prohibited grounds under the legislation
- Conduct or comments intended to create, or having the effect of, creating an intimidating, hostile or offensive environment

Psychological Harassment: Psychological harassment is vexatious behaviour that manifests itself in the form of conduct, verbal comments, actions or gestures characterized by four criteria:

- repetitive behaviour
- hostile or unwanted behaviour
- affect a person's dignity or psychological integrity, and
- result in a harmful working environment.

Sexual harassment: Sexual harassment means any unwelcome conduct, comment, gesture or contact of a sexual nature, whether on a one time basis or in a continuous series of incidents that:

- Might reasonably be expected to cause offence, embarrassment or humiliation
- Might reasonably be expected to be perceived as placing a condition of a sexual nature on employment, services, or on any opportunity for training or advancement.

Examples of sexual harassment include, but are not limited to:

- Remarks, jokes, innuendoes or other comments regarding someone's body, appearance, physical or sexual characteristics or clothing
- Displaying of sexually offensive or derogatory pictures, cartoons or other material
- Persistent unwelcome or uninvited invitations or requests
- Unwelcome questions or sharing of information regarding a person's sexuality, sexual activity or sexual orientation

Bullying: Bullying is an offensive, cruel, intimidating, insulting or humiliating behaviour which includes physical violence or the threat of physical violence. It can be physical or verbal, direct or indirect such as gossip. Bullying is considered harassment in general, unless there is physical contact or a threat of violence, where it is considered violence. Bullying is ill treatment which is not addressed under human rights legislation or criminal codes.

Bullying and harassing behaviours do not include:

- Expressing differences of opinions
- Offering constructive feedback, guidance, or work-related advice about behaviour
- Reasonable action taken by CITT/ICTS or a supervisor relating to management and direction of employees or the place of employment (e.g. counselling, managing a worker's performance, taking reasonable disciplinary actions, assigning work, implementation of disciplinary actions).

Cyber Bullying: Bullying that occurs through the use of electronic communication (email, text messaging, social networking etc.). Incidents of cyberbullying should be reported and will be investigated in accordance to the procedures outlined within this Policy.

Workplace: For the purposes of this policy, workplace includes any location in which employees and/or volunteers are engaged in CITT/ICTS business activities necessary to perform their assignments. This includes, but is not limited to, CITT/ICTS office, employee/ volunteer parking lots, employee/volunteer organized social events, field locations, and during business related travel.

Workplace violence: workplace violence is the exercise, statement, or behaviour of physical force by a person against any person, in a workplace, that causes or could cause physical injury to the person, such as:

- Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault, throwing an object at a person, kicking an object the person is standing on such as a ladder, or trying to run down a person using a vehicle or equipment such as a forklift);
- Any threat, behaviour, or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property; or
- Disruptive behaviour that is not appropriate to the work environment (e.g., yelling or swearing).

Domestic violence: a person who has a personal relationship with a worker—such as a spouse or former spouse, current or former intimate partner or a family member—may physically harm, or attempt or threaten to physically harm, that worker at work. In these situations, domestic violence is considered workplace violence.

Abuse of power: Abuse of power happens whenever a CITT/ICTS staff/volunteer abuses or misuses his/her power and discretion for personal benefit, or in benefit of another person.

Abuse of power, for the purposes of this policy, includes situations involving a minor and situations that involve a reporting relationship.

Reporting relationships may include, but are not limited to:

- National Coordinator to Board of Directors
- National Office Staff/Contractors to Board of Directors
- National Office Staff/Contractors to National Coordinator

PURPOSE

The purpose of this Policy is to assist the CITT/ICTS in taking all reasonable steps to:

- maintain a climate at work which is devoid of harassment and to ensure that Associates' right to dignity and respect is protected
- contribute to the sensitization, the education and the training of all staff, directors, officers and members to prevent harassing behaviour
- provide the necessary support and redress to Associates who believe that they have been subjected to harassing behaviour by outlining a clear and expeditious complaint resolution process.

SCOPE

This Policy applies to all Associates of CITT/ICTS

As CITT/ICTS employs minors in paid and volunteer roles, express reference is made to the fact that this policy will also apply to minors. A minor or a minor's parent or guardian may file a complaint(s) in accordance with this policy. In such an event, the complaint shall be reported to the National Coordinator, or President of the Board of Directors, for CITT/ICTS, who in consultation with legal counsel will review the necessity for reporting the complaint to the child welfare authorities or police of the jurisdiction within which the complaint arises.

Education and Prevention

1. Preventing harassing behaviour requires increased awareness of the impact that one's actions may have on others. The CITT/ICTS firmly believes that prevention is the best tool for the elimination of such behaviour. Accordingly, the CITT/ICTS intends to take all necessary steps to prevent that conduct from occurring, such as affirmatively raising the subject, expressing strong disapproval and developing methods to sensitize all concerned.
2. While the board and supervisors have a positive responsibility to discourage and prevent harassing behaviour, it is also the responsibility of each staff and volunteer member to maintain an appropriate standard of conduct and to ensure that harassing behaviour does not occur at work by:
 - refraining from behaviour that may be construed or is regarded as harassment by colleagues
 - taking appropriate action if such conduct occurs to prevent it from occurring again. Such action should include, if at all possible, telling the person who is misbehaving to cease the behaviour. Many people will change their behaviour if they know it offends.
3. All Associates are reminded of their obligation to adhere to CITT/ICTS policies and procedures and relevant provincial and federal legislation, aimed at ensuring a positive work environment.

Complaints of Harassment

1. The CITT/ICTS will not tolerate any form of harassment.
2. It is imperative that complaints be reported and investigated in order to assist the CITT/ICTS in taking steps to remedy alleged situations of harassment and to prevent recurrences.
3. Any Associate of CITT/ICTS who has a concern regarding the behaviour of an Associate that falls within the scope of this Policy is strongly encouraged to consult the National Coordinator, or President of the Board of Directors, and to seek a remedy through one or more of the informal dispute resolution procedures described in the Policy. In the case of a concern regarding the behaviour of National Coordinator, the member is strongly encouraged to consult the President and in the case of a complaint against the President, the member is strongly encouraged to consult the Incoming President or Vice President.

Guidelines

CITT/ICTS is committed to providing a safe and healthy work environment, free from violence, threats of violence, discrimination, harassment, sexual harassment, intimidation, and any other misconduct. Similarly, weapons are strictly prohibited from the company's premises; violators will be subject to disciplinary action, and the incident will be reported to the police.

It is also a violation of the Anti-violence, Harassment, Psychological Harassment and Sexual Harassment Policy of CITT/ICTS for anyone to knowingly make a false complaint of violence or harassment or to provide false information about a complaint. Individuals who violate this policy are subject to disciplinary and corrective action, up to and including termination of employment.

This policy prohibits reprisals against individuals acting in good faith who report incidents of workplace violence or act as witnesses. CITT/ICTS Board of Directors will take all reasonable and practical measures to prevent reprisals, threats of reprisal, or further violence. Reprisal is defined as any act of retaliation, either direct or indirect.

CITT/ICTS will ensure that all employees and Board of Directors are trained and educated on violence and harassment and that they are clear about their roles and responsibilities. In addition, a copy of this policy will be made available to all employees, volunteers and members.

Policy Review

CITT/ICTS will review this policy once every two years and will include this policy with other policy documents.

Acknowledgment and Agreement

I _____, acknowledge that I have read and understand the Workplace Anti-violence, Harassment, Psychological and Sexual Harassment Policy of CITT/ICTS. I agree to adhere to this policy and will ensure that employees, volunteers or members working under my direction adhere to this policy. I understand that if I violate the rules set forth by this policy, I may face disciplinary action up to and including termination of employment, ejection from the board or ejection from the organization.

Name: _____

Signature: _____

Date: _____

Witness: _____