

Touchstone Theatre
Harassment Policy 2024/25

1. Touchstone's commitment

Touchstone Theatre is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities.

Every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned or ignored at Touchstone Theatre. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of employment.

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

- providing training and education to make sure everyone knows their rights and responsibilities
- regularly monitoring organizational systems for barriers to participation
- providing an effective and fair complaints procedure
- promoting appropriate standards of conduct at all times.

2. The objectives of this Policy are to:

1. Make sure that staff, artists, associates, and participants of Touchstone Theatre are aware that harassment and discrimination are unacceptable practices and are incompatible with the standards of this organization, as well as being a violation of the law.
2. Set out the types of behaviour that may be considered offensive and are prohibited by this policy.
3. Outline to procedure for investigation if an incident arises and/or a complaint is made.
4. Maintain accordance with Equity's "Not In Our Space" Policy.

3. Applying this policy

The right to freedom from discrimination and harassment extends to all employees, including full-time, part-time, temporary, probationary, casual and contract staff, as well as volunteers, co-op students, interns and associates.

It is also unacceptable for members and associates of Touchstone Theatre to engage in harassment or discrimination when dealing with audiences, or with others they have professional dealings with.

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

This policy also applies to events that occur outside of the physical workplace- such as opening night gatherings.

4. Protections/Protected Groups

This policy prohibits discrimination or harassment based on the following grounds, and any combination of these grounds:

- Age
- Creed (religion)
- Sex
- Pregnancy and breastfeeding
- Sexual orientation
- Gender identity
- Gender expression
- Family status
- Marital status
- Disability (including but not limited to mental, physical, developmental or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin
- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received)
- Having an association or relationship with a person who is a member of one of the groups listed above
- Perception that one of the above grounds applies

5. Key concepts

It is important to note that people experiencing harassment may not outwardly object to the harassing comments or conduct. People may feel unable to object. For example, they may be in a vulnerable situation and be afraid of the consequences of speaking out. It doesn't matter if someone voices

objections or not to the person making the unwelcome comments – they can still make a complaint and the behaviour can still be found to be harassment.

The following behaviour is prohibited:

Discrimination: means any form of unequal treatment based on any of, or a combination of, the above listed 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, that is a violation of this policy.

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, based on a ground of discrimination identified by this policy. Harassment can occur based on any of the grounds of discrimination.

Examples of harassment include:

- Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground
- 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, degrading, or demeaning "teasing" or jokes because they are a member of a 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.

6. Handling disputes, making complaints

If you witness or are on the receiving end of any form of inappropriate behaviour or speech (including but not limited to the examples discussed above), please feel free to address the situation directly if you are comfortable doing so. If not, please reach out to any Touchstone staff member by speaking to us directly, or by emailing gm@touchstonetheatre.com to get in touch with Libby, or ad@touchstonetheatre.com to get in touch with Lois.

If you feel uncomfortable taking your concern to a Touchstone staff member for any reason, please contact our Board President via email at boardpresident@touchstonetheatre.com.

We ask that you refrain from any kind of public shaming in person or through social media, as this has the potential to shut down necessary dialogue.

All complaints will be addressed in a timely manner, investigated thoroughly, and dealt with accordingly.

7. The Investigation Process

Any complaint of harassment and/or discrimination must and will be investigated. If Touchstone staff learn that harassment or discrimination is taking place, whether a report has been made or not, we still have a legal obligation to investigate. It is important to note that this legal obligation to investigate remains even if it is stated by the individual that they do not want the issue investigated.

Each investigation will look different based on the nature of the complaint, but all investigations will prioritize confidentiality, privacy, fairness, sensitivity, and consistency. All investigations will be handled by a neutral party, including external investigators if necessary. There will always be two individuals conducting meetings; one to interview and the other to take notes.

The general structure of the investigation process can be found below. This is informed by “Respectful Workplaces in the Arts”, as well as the “CHRC HR Management Toolkit”.

1. Preparation

- The receiver of the complaint (Touchstone Staff or board member) plus a note-taker will meet with the concerned party about the nature of their complaint. Together the two parties will identify the issue, discuss any complications, identify goals for the investigation as well as the scope and scale of the investigation, and determine whether an outside investigator is necessary.
- This stage also involves discussion of any legal requirements, and/or union requirements pertinent to the investigation.
- Given that we are a small organization and typically work in small teams- the complainant or respondent may [if legally permissible] be placed on paid administrative leave until such a time as a determination is made upon the completion of the investigation.

2. Fact-Gathering

- Interviews will be conducted by the investigator (with a note-taker present). The investigator will interview the complainant, and any relevant witnesses. Only relevant information will be disclosed to witnesses.
- A summary of allegations will be supplied to the respondent at least 24 hours before their meeting with the investigator so that they may reflect and consider their response.
- After the interview with the respondent, witness statements will be crafted using the notes gathered in interviews. Witnesses will then review these statements to ensure their accuracy.
- Any relevant documents (emails, texts, social media posts) will be collected and reviewed by the investigator.
- Investigator will identify if there is any missing information, and conduct additional interviews or follow-ups as necessary.

3. Reporting and Decision-Making

- Using the information gathered in the last stage, the investigator will craft a report using the facts available to them. This report will include a summary of the allegations, a summary of

- the evidence, and if there is conflicting evidence- whether and why they prefer one version of events over the other.
- The investigators findings will be delivered to Touchstone’s Board President, or to the Vice-President (should the President not be a neutral party).
 - Involved parties will be informed of the outcome of the investigation in writing, with an explanation of how the outcome was reached.

4. Moving forwards

- If the complaint is substantiated, the negative impact of the event on the complainant will be addressed, along with disciplinary measures for the respondent.
- Touchstone will take steps to prevent future wrongful acts, such as making revisions to policies, workplace training, etc
- If necessary; Touchstone will support relationship rehabilitation between the complainant and the respondent.

If you have any questions or concerns about the process of reporting and investigating, please reach out to gm@touchstonetheatre.com.