



## **SAFER SPACES POLICY: DISCOMFORT, DISCRIMINATION, HARASSMENT, AND BULLYING**

### **Hamilton Festival Theatre Company**

#### **Overview**

All employees and volunteers of the Hamilton Festival Theatre Company ("Frost Bites", "Hamilton Fringe Festival" or the "Company") have the right to be treated fairly and with respect by everyone, and have a responsibility to treat others with the same consideration. This policy applies to all relationships we have as employees or volunteers of the Hamilton Festival Theatre Company including dealing with the public, contractors, sales personnel, consultants, and applicants for employment.

The Hamilton Festival Theatre Company will not tolerate any form of discrimination, bullying and/or harassment in its workplace or festival and event venues. People are a key resource and important for the Company's success. All our people—employees, contractors, volunteers and the public—must be treated fairly, respectfully and with dignity.

#### **Addressing Discomfort**

Sometimes it can feel unclear what an individual is experiencing, but it leaves them feeling discomforted. The person feeling the discomfort might question the situation: Was it harm? Was it a joke? Was it intentional? The lack of clarity or the seemingly minimal impact might compel the individual to sweep the situation under the rug. From our ongoing research on creating and maintaining safer spaces, we have learned that addressing situations at the discomfort-level prevents wider scale harm, like harassment, discrimination and bullying. Addressing discomfort has a higher likelihood of repair, building trust and the ability to remain in a relationship, be it professional or within the community in general.

Discomfort can be the seed of harm or the seed of new awareness and transformative growth. Our commitment as a company through this policy is to create environments and relationships where everyone can trust their belonging and right for care.

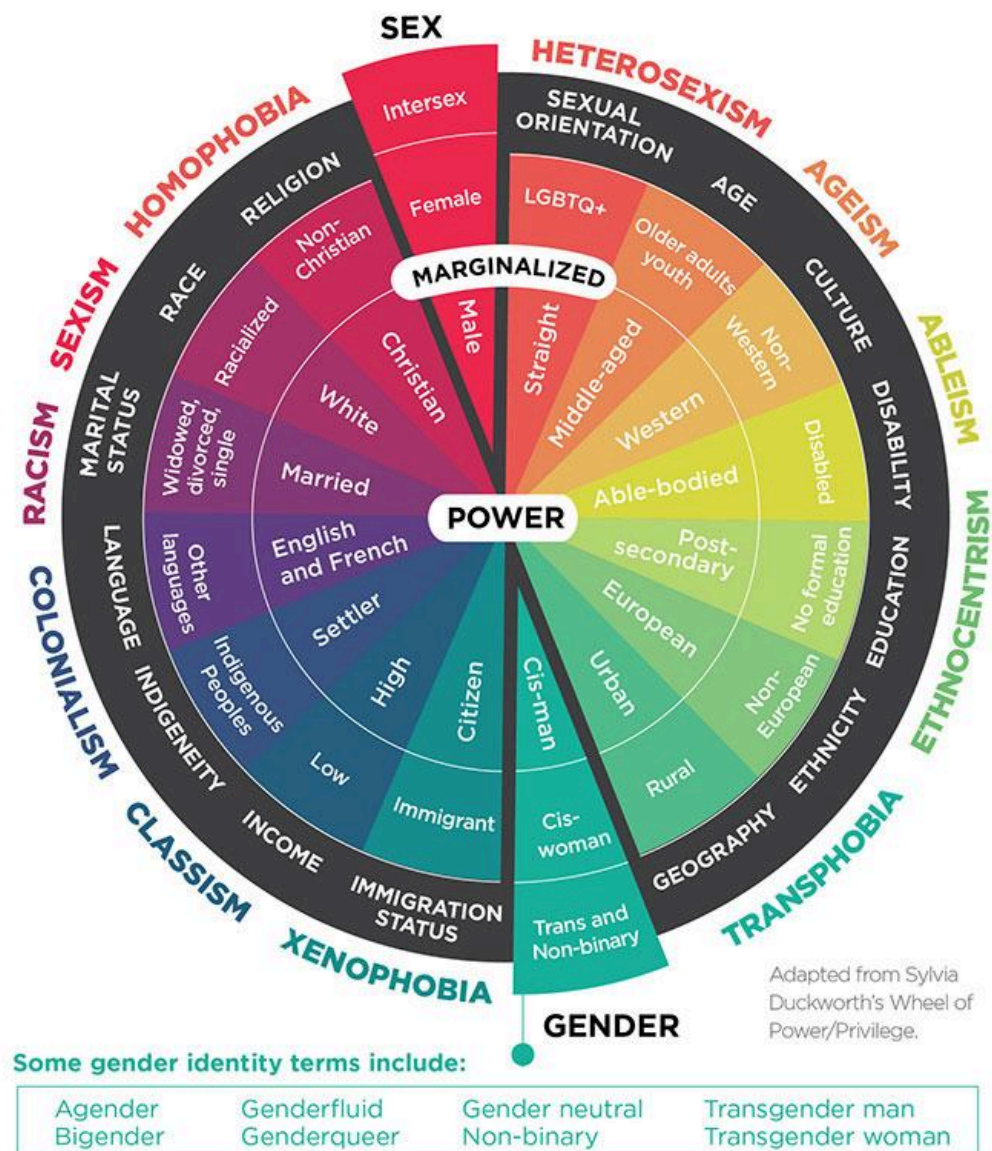
#### **Repair Oriented**

We commit to centering repair, which is why we encourage all employees and volunteers to bring things forward at the discomfort-level, before things feel beyond repair.

We believe all humans deserve fair treatment, care and the opportunity to learn from mistakes, harm and healing. We assume the best intentions of all people, while believing

that humans are inherently harmful and inherently resilient. We believe that courteous and compassionate relationships require accountability in all directions; taking accountability for our own triggers and for the harm our actions might create.

Our conflict-resolution process is care-centred, holding the complexity and paradoxical nature of our humanity. Our process also understands the underlying systemic power dynamics at play within relationships, conflict and work environments (see wheel of power diagram below). Our goal is to facilitate compassionate communication where all folks feel heard, understood, cared for and resourced for growth.



## What is Harrassment, Discrimination, and Bullying

**Personal harassment** includes, but is not limited to, any behaviour, statement or practice that the individual performing it knows, or ought reasonably to know, is unwelcome, belittles, causes personal humiliation and /or has an adverse effect on an individual's employment or job performance. Harassment can be a single incident or an ongoing situation. Some examples of personal harassment include unwelcome or objectionable, physical, visual or verbal conduct, comment or display, whether intended or unintended, that is aggressive, 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, religion, gender or sexual orientation, disability or age, or inappropriate or practical jokes that cause awkwardness or embarrassment.

**Verbal harassment** includes, but is not limited to, foul or obscene language, spreading malicious rumours, derogatory comments, demeaning jokes or slurs, unwanted sexual comments, implied or expressed promises of reward for complying with, or threats of reprisal for not complying with, a sexually-oriented request.

**Physical harassment** includes, but is not limited to, practical jokes, pushing, shoving, aggressive behavior and the like. Acts of sexual harassment include any unwanted physical contact, unnecessary touching, or physical interference with work or movement.

**Visual harassment** includes, but is not limited to, obscene gestures, demeaning posters, cartoons, graffiti or drawings which are shown to an individual or a group or displayed in plain view. Where these have a sexual content, this will constitute sexual harassment.

**Sexual harassment** includes, but is not limited to, any comment, conduct, gesture or contact of a sexual nature or related to sex or gender, whether occurring once or in a continuous series of incidents and, where the person engaging in such conduct knew or ought reasonably to have known the conduct was unwelcome, would cause offence or humiliation to any employee, or would be reasonably perceived as placing a condition of a sexual nature on employment or on an opportunity for training or promotion or access to employment resources.

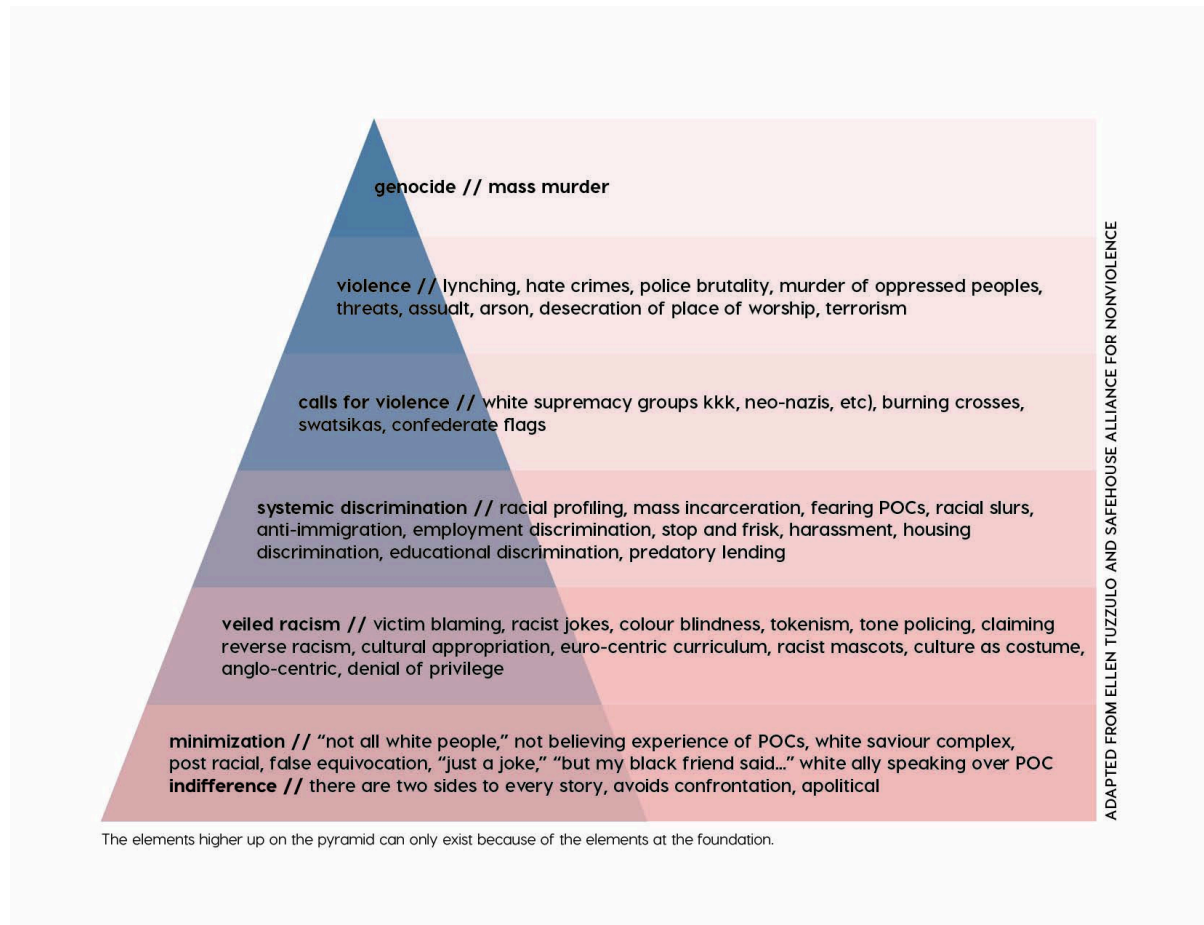
### **Discrimination**

*The Ontario Human Rights Code* states that every person has a right to equal treatment with respect to employment without discrimination or harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.

### **Bullying**

Bullying is repeated behaviour directed towards an individual or group of individuals that intentionally or unintentionally diminishes, undermines, or in any way dehumanizes that individual or group of individuals and creates a risk to health and safety.

Sometimes we can take for granted the impact of our words and actions, especially when we aren't always aware of our individual social location or that of the person we are in relationship with (proximity to privilege, experiences of marginalization, manifestations of trauma, mental health, etc). Below is the pyramid of white supremacy that can contextualize actions that people often don't realize can be received as harmful. Notice the bottom three tiers of the pyramid and commit to refraining from these behaviours.



## Disclosure and Conflict Resolution Procedures

To reiterate, the Company is repair-oriented and care-centred. We understand that bringing things forward, regardless of how small, requires bravery and emotional labour. We commit to receiving all disclosures of discomfort, harm or conflict with compassion and validation. We also want to believe that in most cases of discomfort, individuals do not intend to cause harm and that the harmful action often stems from lack of awareness. We hold both sides with the goal for mutual understanding and will aim to resource all parties with what they need to feel sufficiently cared for and equipped for growth and repair.

Should an employee or volunteer (the "complainant") feel discomfort from something someone says or does (ex. actions listed in the bottom two tiers of the the pyramid of white supremacy), and/or believe that they are subject to discrimination, harassment and/or bullying, the complainant should notify their supervisor. If the complainant's supervisor is the cause of the problem, the complainant should bring the matter to the attention of the Festival Director (Christopher Stanton [christopher@hftco.ca](mailto:christopher@hftco.ca)). If the Festival Director is the cause, the complainant should contact the Executive Director (Heather Kanabe [heather@hftco.ca](mailto:heather@hftco.ca)). If the Executive Director is the cause, the complainant should contact the president of the Board of Directors (David Rundle [d.e.rundle@gmail.com](mailto:d.e.rundle@gmail.com)). The complainant has a choice of either discussing the problem informally or submitting a formal written incident report (as has been made available to you, also available upon request). The complainant can request someone from or

outside the Company to act as a scribe as they recount the report. Any witnesses will also be invited to complete an incident report. The Company will perform such investigations as it considers necessary.

The complainant will receive fair treatment and respect throughout the complaint and investigation procedure. The complaint will be dealt with in a timely manner. The complainant will be informed of the outcome including, if the complaint is substantiated and how the Company intends to ensure that the discrimination, bullying or harassment does not continue (i.e. remedial measures). Information may need to be disclosed to protect workers, to investigate the complaint or incident, to take corrective action, or because it is otherwise required by law.

The offending party (the "respondent") will be treated respectfully and fairly, be informed of the allegations and be given the opportunity to respond to those allegations. The respondent's responses will be held in confidence except in so far as is necessary for the purpose of investigating the complaint or taking corrective action or where disclosure is required by law.

### **Disciplinary Action**

Any form of discrimination, bullying or harassment is considered to be serious misconduct. If, after a fair and thorough investigation, discrimination, bullying and /or harassment allegations are substantiated, the parties involved will be subject to corrective action appropriate to the circumstances up to and including termination of employment for cause, and appropriate remedial measures will be taken.

Any interference with the conduct of an investigation, or retaliation against a complainant, respondent or witness, may itself result in disciplinary action.

Additionally, if there is evidence of any form of retaliation against a person who has brought forward, in good faith, a complaint of discrimination, bullying and /or harassment, those actions may also result in corrective action for the offending party. If a person knowingly or recklessly makes false allegations discrimination, bullying and /or harassment then those actions may also result in corrective action for the person making such allegations.

Where the conduct involves, or may involve, criminal activity, the Company will comply with applicable law.

Employees and volunteers have a duty to disclose criminal activity.

### **Human Rights Commission**

Nothing in this policy shall be deemed to limit the right of an employee or volunteer to seek assistance from the Ontario Human Rights Commission.