

If it is appropriate, that person may act as a go-between to help bring the two of you together. Depending on the situation, the advice you get may allow you to approach the other person to attempt to resolve the problem.

You will be asked to give the details of your concern and will get advice as to whether or not it seems that your problem is one dealt with under the theatre's harassment policy. Some form of alternative dispute resolution, such as mediation, may be suggested.

By using the suggestions made in Steps One and Two, most harassment problems are resolved informally. However, if you feel that an informal process will not help resolve your problem, you always have the right to move directly to a formal complaint.

**If you are concerned about going to the theatre, contact the Equity Business Representatives who are trained to deal with harassment issues.**

### **Step Three Formal Complaint**

It is essential for you to put your complaint in writing at the formal stage. This gives you an opportunity to clearly and fully state your concerns.

Give the complaint to the person responsible for the theatre's harassment policy and ask them about the next steps. You should get an idea of how long the process will take.

An investigation into your allegations will take place.

The investigation will involve you, the respondent and any other people who can help the investigator understand what took place.

## **What is Equity doing about harassment?**

Equity has negotiated clauses in its agreements to establish procedures to deal with harassment. As well, Equity's policies all make reference to harassment and provide for a means of resolving issues. Equity's bylaws and procedures address harassment issues.

There are Equity staff who are specifically trained to help you through a harassment problem. If a conflict is not resolved elsewhere, a member may bring the problem to Equity for action.

This guide provides general principles and suggested actions. It is important to understand that there may be differences between what is suggested here and your situation.

- There may be a harassment policy already in place at the performing arts organization where you are working.
- The procedures used in the organization's policy may be different than what is provided herein.
- Human rights legislation may differ province to province.
- The particular details of the situation that you are dealing with may affect the resolution process.

**If you are unsure about what to do, always seek advice from an Equity Business Representative.**

#### **NATIONAL OFFICE**

44 Victoria Street, 12th Floor  
Toronto, ON M5C 3C4  
Tel: 416-867-9165  
Fax: 416-867-9246  
Members only: 1-800-387-1856  
Email: busrep@caea.com

#### **WESTERN OFFICE**

736 Granville Street, Suite 510  
Vancouver, BC V6Z 1G3  
Tel: 604-682-6173  
Fax: 604-682-6174  
Members only: 1-877-682-6173  
Email: woffice@caea.com

[www.caea.com](http://www.caea.com)



## **Responding to Discrimination and Harassment**

**Harassment and discrimination are contrary to the spirit of the performing arts and this theatre.**

**We strive to provide an environment that is free of harassment and discrimination and supportive of the dignity, self-esteem and fair treatment of everyone taking part in our activities.**

**We will not tolerate discrimination or harassment in our workplace or as part of any activities taking place under our auspices.**

**In the event that harassment or discrimination is alleged, every effort will be made to work with the people involved to find a fair resolution of the matter.**

Statement of principles for model policy adopted by Equity, PACT and AF of M, 1999

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## Prohibited Grounds

Human Rights Codes in Canada do not deal with every type of dispute. They are restricted to conflicts based on specific issues. The grounds listed below are the ones found in most Codes. Please check with your human rights commission if you are unsure if an area is covered.

***Age, ancestry, association, colour, creed, citizenship, dependence on alcohol or drugs, handicap (physical or mental) language, marital or family status, national or ethnic origin, place of origin, political belief, race, record of offences, religion, sex, sexual orientation, social condition.***

### Discrimination

Any action or behavior, that negatively affects the status of any employee or volunteer based on a prohibited ground.

### Harassment

Vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. For the purpose of this guide, harassment may include comment or conduct linked to the prohibited grounds initiated by one person towards another which causes humiliation, offence or embarrassment. Harassment requires a “course of conduct,” which means that a pattern of behaviour or more than one incident is usually required. However, single acts of sufficient severity may constitute harassment as well.

### Sexual Harassment

One or a series of comments or conduct of a gender-related or sexual nature that is known or ought to be known to be unwelcome/unwanted, offensive, intimidating, hostile or inappropriate, including unwelcome sexual contact

and remarks, leering, inappropriate staring, unwelcome demands for dates, requests for sexual favours and displays of sexually offensive pictures or graffiti. Comments and/or conduct do not necessarily have to be specifically sexual in nature but may be about the way you dress or express notions about how someone thinks men or women are supposed to look or behave. A single significant incident may be sufficiently offensive to be considered sexual harassment.

### Poisoned Work Environment

A hostile or offensive work environment occurs when harassing or discriminatory behaviours related to the prohibited grounds are sufficiently severe and/or pervasive and cause significant and unreasonable interference to a person’s work environment. A person may not be the direct target of these behaviours but feels the effects of this behavior in the workplace, resulting in unequal terms and conditions of employment. A poisoned environment cannot, however, be based solely on your personal views. There must be objective facts showing that the behaviour has resulted in a workplace where there are unequal or unfair conditions.

### Personal Harassment

Behaviour directed at an individual, not linked to the prohibited grounds, which has the purpose or effect of unreasonably interfering with the person’s work and/or creating an intimidating, humiliating, hostile or offensive environment.

Personal harassment does not include direction or evaluation of an individual in order to have the person improve his or her performance.

## Who is Responsible for Action on Harassment?

Everyone must start by taking responsibility for their own actions. Every Equity member has a responsibility to ensure that the performing arts are free from harassment. This means not allowing, condoning or ignoring harassment or discrimination.

Each performing arts company is responsible for establishing its own internal complaint resolution policy. This means that it is the employer’s responsibility to establish and maintain a workplace free from harassment and discrimination.

## Steps in the Complaint Resolution System

While harassment policies vary, the steps outlined below serve as a general guide for what you will need to do to address your issue.

### Step One

#### Informal – Individual Initiatives

If you can, ask the person causing the problem to stop! Let him or her know that the words or behavior were inappropriate; that you found it hurtful or that you were made uncomfortable.

Take note of the important details and if it repeats, take action.

### Step Two

#### Informal – Getting Help

If for any reason you are uncomfortable or afraid to talk directly to the other person, or that person is not willing to consider your concern, a good first step is to talk to an official of the theatre (remember they are responsible for what goes on in their organization). The person you talk to should be familiar with the theatre’s harassment policy and will be able to help you decide what to do next.