

# King's Theatre

## Respectful Workplace Policy

### STATEMENT:

King's Theatre is committed to providing a secure workplace that is free from intimidation, discrimination, harassment and violence. Every person has the right to expect to be treated fairly and with respect always. King's Theatre is committed to supporting and assisting persons subject to unwelcome verbal or physical conduct, and to taking appropriate action to stop such conduct.

### POLICY

Under the Nova Scotia *Human Rights Act*, every person has the right to be free from harassment, violence and discrimination. Such conduct will not be tolerated, condoned or ignored at King's Theatre. If a claim of harassment, violence or discrimination is proven, disciplinary measures will be applied up to and including termination of employment or in the case of a participant or patron, being banned from the events presented by King's Theatre.

King's Theatre has developed a comprehensive strategy to address harassment, violence and discrimination, including:

- providing training and education to make sure everyone knows their rights and responsibilities;
- providing an effective and fair complaints procedure;
- promoting appropriate standards of conduct at all times.

### SCOPE

This policy applies to all employees of King's Theatre, volunteers, contractors, and patrons to ensure a healthy and safe work environment during work hours and at all King's Theatre events. It will be the responsibility of each individual to ensure that if there is behaviour that is considered unacceptable to report the situation to the General Manager. If the situation involves the General Manager, then report the complaint to the Chair of the Human Resources Committee.

Anyone who feels they have been harassed or discriminated against can be assured that the information will be treated in a timely manner and with the strictest of confidentiality.

## DEFINITIONS

### Harassment

Harassment is defined as conduct that is abusive threatening, demeaning, or humiliating that can affect a volunteer/employee's dignity or psychological or physical integrity and results in a harmful work environment for the employee/volunteer. It may be a single incident or may continue over time. It includes any behaviour which is known, or which should be reasonably known, to be unwelcome.

Examples of harassment include:

- offending or humiliating someone physically or verbally;
- threatening or intimidating someone; or
- making unwelcome jokes or comments about someone;
- writing abusive comments including using email or social media to harass, threaten, or maliciously embarrass someone;
- Displaying or circulating racist, derogatory, offensive or sexually explicit materials.

### Discrimination

The *Nova Scotia Human Rights Act* defines discrimination as any unfavourable and/or unwelcome treatment of a person based on age, gender, race, colour, religion, creed, sex, sexual orientation, gender identity, gender expression, physical disability or mental disability, an irrational fear of contracting an illness or disease, ethnic, national or aboriginal origin, marital or parental status, economic status, political belief, affiliation or activity. Harassment is considered discrimination.

### Sexual and gender-based harassment

This entails offensive or humiliating behavior on the grounds of gender or sexual orientation. Although friendly gestures among co-workers may occur in the workplace, any unwelcomed activity by an individual may still be considered sexual harassment. Generally, sexual harassment is deliberate, unsolicited and one-sided.

Examples of sexual or gender-based harassment include:

- offensive or humiliating behaviour that is related to a person's sex;
- behaviour of a sexual nature that creates an intimidating, unwelcome, hostile or offensive work environment;

- inappropriate humour, innuendoes, or comments about members of a specific sex or gender;
- behaviour of a sexual nature that could reasonably be thought to put sexual conditions on a person's job or employment opportunities;
- unwelcome or aggressive gender-related comments about a person's physical characteristics, mannerisms, or clothing.

Violent behaviour may include:

- hitting a worker;
- throwing objects at a worker;
- sexual violence, or threats, whether conveyed verbally, in writing, or through behaviour.

## **MANAGEMENT AND/OR THE BOARD'S RESPONSIBILITIES:**

King's Theatre is responsible for:

- providing all employees and volunteers a harassment-free workplace.

The General Manager and Chair of Human Resources Committee are responsible for:

- the administration of this policy;
- reviewing this policy annually, or as required; and
- making necessary adjustments to ensure that this policy meets the needs of the King's Theatre.

They are also responsible for:

- ensuring that this policy is applied in a timely, consistent and confidential manner;
- determining whether or not allegations of harassment are substantiated; and
- determining what corrective action is appropriate where a harassment complaint has been substantiated.

Employees/Volunteers are responsible for:

- treating others with respect in the workplace;
- reporting harassment to the General Manager or Chair of the Human Resources Committee;
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

Employees/Volunteers/Contractors/Patrons can expect:

- to be treated with respect in the workplace;

- that reported harassment will be dealt with in a timely, confidential and effective manner;
- to have their rights to a fair process and to confidentiality respected during a harassment investigation; and
- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

### **Procedures for addressing concerns or complaints:**

#### Informal resolution procedure:

- When an incident occurs, tell the offending individual(s) that the behaviour is unwelcome and must stop immediately. Speak to him or her directly, or write him or her a letter (date it and keep a copy). In most cases this should put an end to the problem.
- Record the details of the incident, including when it happened and the name of anyone who may have witnessed the incident. It will help to remember the details accurately, should the harassment not stop.

#### Formal resolution procedure:

This procedure is consistent with the Complaint Resolution Policy of Kings Theatre (Appendix 7, Item 10 in the Governance Manual).

- The complaint is to be made to the General Manager, including the details outlined above.
- If the complaint involves the General Manager, the complaint is made to the Chair of the HR Committee.
- The General Manager and/or the Chair of the Human Resources Committee must inform the Chair of the Board immediately of any harassment complaint.
- The person receiving the complaint shall meet with the parties involved and attempt to mediate a mutually agreeable solution. This shall be detailed in writing and signed by the complainant and the alleged offender.
- The Chair of the Board is available for appeal in a situation where it has not been possible to resolve the situation.

- An outside mediator may be engaged if the resources within the Kings Theatre community are unable to arrive at a resolution. The Nova Scotia Human Rights Commission can be reached as follows:

<https://humanrights.novascotia.ca/contact-us>

## **Record Keeping**

Dealing with complaints is a formal process. A hard copy record of dealing with all complaints shall be maintained in the HR files of Kings Theatre. Because these interactions are confidential, a hard copy of the complaint resolution process shall be used. Only volunteers and staff who have signed a confidentiality agreement shall have access to these files.

## **Policy development and review**

This policy has been developed under the leadership of the HR Committee with the approval of the General Manager and Board of Directors (January 2019). The Board of Directors approved the policy in April 2019. All staff and a representative of our volunteers have received an in-service about the implementation of this policy (May 2019).

The Kings Theatre General Manager shall give new members of staff a copy of this policy as part of their orientation to the Theatre as part of their Training Period (See HR policy Item 4.4).

The HR Committee shall review this policy every two years and from time to time as required. The General Manager and Board of Directors must approve any revisions before they are finalized. The staff shall be informed of any changes to the policy.

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