



Manitoba Association of Playwrights Respectful Workplace Policy

GENERAL STATEMENT

Manitoba Association of Playwrights (MAP) is committed to providing safe and respectful working environments free from harassment, sexual harassment, bullying, discrimination, microaggressions, and other unwelcome behaviour (see Appendix A) for all employees, artists, arts workers (technicians, administrative, etc.), and volunteers. Conduct intended to undermine the dignity or self-esteem of any individual, and behaviours that create intimidating, hostile or toxic work environments, will not be tolerated. MAP employees will be subject to censure up to and including termination for engaging in this type of behaviour.

All individuals engaged with MAP are safe to speak up about inappropriate behavior. We will provide support for those who have experienced, witnessed, or been harmed through inappropriate behaviours. We will take prompt action to address inappropriate behavior and allegations of inappropriate behaviour.

Healthy behaviour is respectful, safe, and reciprocal. **Inappropriate behaviour** can be unilateral, controlling, disrespectful, harassing, abusive, or violent.

MAP is committed to a comprehensive strategy to create and maintain a respectful workplace, including:

- regularly monitoring MAP's organizational systems for systemic barriers;
- providing an effective and fair complaints procedure;
- promoting appropriate standards of conduct at all times; and
- managing conflict in a constructive and respectful way.

APPLICATION

The protections in this policy apply to all MAP employees, including full-time, part-time, and temporary, and employees (including artists) hired on contract, MAP members, MAP board members, workshop participants, consultants, volunteers, students, interns, apprentices, job and program applicants, renters in the MAP Studio, and any others who come into contact with MAP as an organization.

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

This policy applies to the MAP office, studio, library, and guest offices, as well as all work-related spaces, including MAP-related travel, at performances/presentations, workshops and events and any work and/or events that may take place online.

PROTOCOL

Our primary goal is to pre-emptively prevent discrimination, harassment, sexual harassment, and bullying from occurring. Where issues do arise, the protocol outlined in this policy will be followed to address allegations of inappropriate behavior, during which time we will support those who may have experienced or witnessed inappropriate workplace behavior.

This protocol will follow due process. We strive to treat all parties fairly. Those who have experienced inappropriate behaviour must feel free to bring their workspace issues forward. And those against whom allegations are made must have a full and fair opportunity to respond. We will hear both (or all) sides of a complaint, investigate or mediate as appropriate, and apply remedies as needed.

RESPONSIBILITIES AND EXPECTATIONS

We are all responsible for treating each other with respect and dignity, and each of us bears a responsibility to help identify and address issues. All parties are encouraged to consider both the impact and the intent of behaviours.

Prevention is the best remedy against inappropriate behaviour. If you're unsure whether your actions or words may be inappropriate or disrespectful, ask.

Speak up about inappropriate behaviour immediately, if you are comfortable doing so. Telling the person in the moment is often the most effective solution.

- Explain how it affected you and ask that person to stop.
- Be calm, respectful and discreet. The other person may not have intended harm or even be aware of the impact of their behaviour.

If a person approaches you about your own behaviour:

- Listen carefully. Respect the point of view and the person coming to you.
- Pause before responding if you are feeling emotional.
- Honest, direct dialogue often leads to resolution.

Further:

- Report incidents through the channels outlined in this policy as needed.
- All parties are expected to fully cooperate with any necessary investigations, while maintaining respect for the confidentiality and privacy of all parties involved.
- Allegations of reprisal or threat of reprisal, against persons making use of this policy or participating in its proceedings (retaliatory conduct) will not be tolerated.
- Allegations found to be frivolous, vexatious or made in bad faith are subject to censures.

MAP's Board of Directors, Executive Director, and other company leaders are committed to providing a workplace that models healthy behaviour and is free from discrimination,

harassment, sexualized harassment, workplace violence and other forms of inappropriate behaviour (see Appendix A). This commitment includes ongoing workplace harassment prevention training.

PROCEDURES for the party making a complaint

1. If you are comfortable doing so, tell the person causing offence, either in person or in writing.
2. If you are comfortable doing so, find someone to facilitate a conversation between yourself and the person causing offence, and to mediate if necessary.
3. If you have attempted to resolve the problem without success or are not comfortable addressing the problem on your own, bring the situation to the attention of the organization as soon as possible.
 - The person receiving the complaint should outrank the person of concern. Ex. If the complaint is about a Director, Actor, Dramaturg, another artist hired on a contract basis or a MAP Program Coordinator, bring the complaint to the attention of the Executive Director. If the complaint is about the Executive Director, bring the complaint to the attention of the Board President or another Board Member.
 - Provide all pertinent details in writing, including the identity of people involved and any witnesses, time, location, actions, evidence and preferred outcome. After making the complaint, you are expected to refrain from discussing the situation with anyone else.
 - MAP is responsible for prompt and thorough investigation, as well as necessary corrective actions and remedies, which may include censures and/or restorative justice.

N.B. Complaints must be received within one year of the incident or, if it was an ongoing situation, within one year of the last instance of the (alleged) inappropriate behaviour, as per the Manitoba Human Rights Code.

Anonymous complaints cannot be considered within a formal process. Any anonymous complaints received will be added to our Respectful Workplace Policy records.

Right to Seek Resolution Elsewhere

At any time, you may contact your professional association / union or a lawyer, or the Manitoba Human Rights Commission, for further information or to seek resolution.

If the incident takes place in a workshop in which Canadian Actors Equity Association's contracts are being used, you can call **Equity's Haven Hotline at 1-855-201-7823**.

In cases of assault, sexual assault or violence, you may wish to contact the police.

MAP and/or investigator GUIDELINES*

MAP will ensure necessary investigations are undertaken promptly, as objectively and thoroughly as possible, while maintaining confidentiality and privacy.

Be prompt: MAP will reasonably complete the investigation as soon as possible, within 60 days or less unless there are compelling reasons why a longer investigation is needed (e.g. there are multiple witnesses, a key witness is unavailable due to illness, etc.).

Be as objective as possible: The investigation shall be conducted by an individual not involved in the incident and not under the direct authority of the person causing offence.

Be thorough: Reasonable efforts shall be made to interview the person allegedly harmed (harassed, discriminated against, etc.), the alleged person causing offence, and any witnesses, as appropriate in the circumstances. When interviewing, we will ask specific questions about the incident or complaint. For example, what did the person see, hear or experience. Detailed interview notes will be collected and reviewed, including relevant documents from the person allegedly harmed, the person who allegedly caused offence, witnesses, and the employer.

Maintain confidentiality and privacy: Information about the incident or complaint, including information about the people involved, shall not be disclosed to any authority unless the disclosure is necessary to protect persons or is needed to investigate the incident or complaint, take corrective action and/or is otherwise required by law.

Hire an external mediator or investigator, if necessary: MAP may hire a neutral third party to mediate and/or investigate complaints. If the complaint is against the Executive Director or a Board Member, MAP will hire an external investigator.

Report Outcome: MAP will advise the Complainant (person making the complaint) and Respondent (person against whom the complaint was made) in writing of the outcome, including censures, penalties or other actions to address the situation.

POLICY ADMINISTRATION

MAP will review this policy and the procedures herein on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all workers and volunteers covered by this policy.

Enquiries about this policy and related procedures can be made to the MAP Board Representative, appointed each year at the first board meeting following the Annual General Meeting.

Last updated, board approved, and effective as of: **June 7th, 2021**

* Disclaimer: This is not legal advice. It doesn't replace applicable regulations or cover other legal obligations such as those under Canada's Criminal Code or any jurisdiction's particular Labour Code and Human Rights Code. You should obtain legal advice if you need help determining what constitutes compliance.

Appendix A: Inappropriate Behaviour TERMINOLOGY

Harassment means engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Harassment may include comment or conduct toward another person(s) causing humiliation, offence or embarrassment, or has the effect of unreasonably interfering with the person's work, and/or creates an intimidating or hostile environment. Repeated comment or conduct is ordinarily required to demonstrate harassment; however single acts of sufficient severity may also constitute harassment.

Harassment may include:

- physically intimidating behaviour and/or threats;
- inappropriate or insulting remarks, gestures, jokes, innuendo or taunting; ridiculing, belittling or humiliating another person; derogatory name-calling;
- unwanted personal/private queries or comments;
- posting materials, articles, graffiti, etc. (including online) that may cause humiliation or offence.
- Retaliating against an individual for filing a harassment complaint
- Filing an unfounded harassment complaint intended to cause harm

What is not harassing behaviour?

- expressing differences of opinion
- offering constructive feedback, guidance, or advice about work-related behaviour and performance;
- reasonable direction of the work / performance;
- work evaluations and disciplinary measures imposed for valid reasons
- making legitimate, good faith complaints about someone's conduct through this complaint procedure.

If someone is unsure if a behaviour constitutes harassment, they can refer to or contact the Manitoba Human Rights Code (Appendix B).

Bullying is a distinct form of harassment and may include: loud, abusive behaviour; shunning behaviours such as withholding information, ganging up, deliberate isolation from colleagues or exclusion from joint activities; and repeated delegation of demeaning tasks. Bullying can also be called Personal or Psychological Harassment.

Sexual harassment means engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome. Further, when a person makes a sexual solicitation or advance that is known or ought reasonably to be known to be unwelcome, their behaviour may constitute sexual harassment, particularly when a person is in a position to confer, grant or deny a benefit or advancement to a worker.

Sexual harassment may include:

- unwelcome remarks, jokes, innuendo or taunting about a person's body, attire, gender or sexual orientation;
- unwelcome enquiries or comments about a person's sex life or sexual preference;
- inappropriate comments about clothing, physical characteristics or activities;
- unwanted touching or inappropriate physical contact;
- leering, whistling or other suggestive or insulting sounds;
- posting or display of materials, articles, graffiti, etc. (including online) that is sexually oriented;
- requests or demands for sexual favours that imply promises and/or threats; or,
- reprisal or threat of reprisal for the rejection of a sexual solicitation or advance.

Discrimination is an action or a decision that treats a person or group badly for reasons described in federal or provincial human rights legislation. The Canadian Human Rights Act prohibits discrimination based on these “protected grounds”: race, national or ethnic origin, colour, religion, age, sex (including pregnancy and child-birth), sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability (including mental and physical disabilities) and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered. The Manitoba Human Rights Code adds political belief, political association and political activity as well as social disadvantage (due to homelessness/inadequate housing, low levels of education, chronic low income, underemployment or unemployment). MAP considers all of these grounds for discrimination unacceptable.

Discrimination 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, the fact that a discriminatory factor is among them violates this policy.

Please note: it is not discrimination if treatment is based on reasonable requirements or qualifications for employment or on a criminal record or criminal charges relevant to the employment.

Microaggressions include statements, actions, or incidents regarded as indirect, subtle, or unintentional discrimination against members of a marginalized group (ex. women, transgender, nonbinary; LGBTQ2S*; racialized; ethnocultural; people with disabilities) that may cause harm or distress over time. Microaggressions may contribute to an individual's experience of harassment, bullying and/or discrimination.

Toxic / Poisonous / Unwelcome Work Environments are situations where any or all of the above conditions can have the effect of poisoning or making the work environment harmful for everyone. A person does not have to be a direct target of harassing or discriminatory behaviour to be adversely affected by a negative environment.

Appendix B: REFERENCE DOCUMENTS

Manitoba Human Rights Code:

<https://web2.gov.mb.ca/laws/statutes/ccsm/h175e.php>

Canadian Human Rights Act:

<https://laws-lois.justice.gc.ca/eng/acts/h-6/page-1.html#h-256800>

Respectful Arts Workplaces Quick Reference Guide (MB):

<http://respectfulartsworkplaces.ca/sites/default/files/2019-02/QuickReferenceGuide-MB.pdf>