

## Code of Conduct Policy

See also:

Code of Conduct Reporting Process: [outsidethemarch.ca/the-mission](https://outsidethemarch.ca/the-mission)

Online Reporting Form: [outsidethemarch.ca/reportingform](https://outsidethemarch.ca/reportingform)

Outside the March creates memorable communal experiences for all audiences, with an emphasis on including those who may not normally find themselves at the theatre. We strive to apply this inclusive vision to every part of the organization: on stage, in rehearsal, in our office and everywhere in between. Every member of our company should be treated with respect and dignity and be free to contribute to our ongoing artistic mission.

Creating a healthy work environment means active communication between company members; fostering diversity in all our operations; working collectively to combat bias and stereotypes of all kinds; and encouraging clear, unambiguous, reciprocal consent in all workplace activities. Our aim is for these values to inform all of our company members' decisions. We want this commitment to go beyond written policy while recognizing that this is an ongoing, imperfect process.

The following lays out OtM's anti-harassment and non-discrimination policy. If you have questions, comments or concerns about this policy statement you can always contact our Managing Producer Katherine Devlin Rosenfeld ([katherine@outsidethemarch.ca](mailto:katherine@outsidethemarch.ca)) or use our online reporting form at [outsidethemarch.ca/reportingform](https://outsidethemarch.ca/reportingform).

Under the Ontario Human Rights Code, every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned or ignored at Outside the March. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of employment.

Outside the March is committed to a comprehensive strategy to address harassment and discrimination, including:

- regularly monitoring organizational systems for barriers relating to Code grounds;
- providing an effective and fair complaints procedure;
- promoting appropriate standards of conduct at all times.

### **This Code and the Artistic Process**

The nature of our work, both in rehearsals and performance, presents unique environments in relation to this Code. Staged physical interactions (intimacy, stage fighting and any kind of physical contact) and other kinds of staged interactions create environments where company members must work in close physical and emotional proximity. Outside the March is committed to maintaining a safe, open and professional work space, both on and off stage. Managers and

company leadership, including executive staff, directors, department heads and other supervisors have a responsibility to actively encourage and uphold this commitment.

### **Policy Objectives**

The objectives of this policy are to make sure that all company members are aware that harassment and discrimination are unacceptable practices and are incompatible with the values and culture at Outside the March.

### **Application**

Outside the March company members are defined as all employees (including full-time, part-time, temporary, probationary, casual and contract and independent contract staff), clients, Board members, associates, volunteers and stakeholders of any kind.

It is also unacceptable for company members to engage in harassment or discrimination when dealing with clients, or with others they have professional dealings with, such as staff or volunteers of partner organizations, audience members and service providers.

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. It also covers rates of pay, overtime, hours of work, holidays, shift work, discipline and performance evaluations.

This policy also applies to events that occur wherever the company conducts business such as rehearsals, performances, festivals and other company events.

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 (such as being in a parent-child relationship)

Relationship status (including monogamous, non-monogamous, married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship)

Disability (including injuries and any form of mental, physical, developmental or learning

disabilities or disorders)

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)

Association or relationship with a person identified by one of the above grounds

Perception that one of the above grounds applies

## **Definitions**

The following behaviour is prohibited:

**Discrimination:** means any form of unequal treatment based on a Code ground, 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, intimidating, embarrassing, humiliating, degrading or demeaning. Harassment includes behaviour based on a ground of discrimination identified by this policy or may include any other form of behaviour, including bullying, that a person knew or reasonably ought to have known would be unwelcome.

Usually, harassment can be easily distinguished from normal, mutually acceptable socializing. It is important to remember that it is the perception of the receiver that determines whether the potentially offensive behaviour is welcome or not, be it spoken, written, gestural, pictorial or through some other form of communication. Outside the March recognizes that physical, emotional or psychological coercion (including power imbalances) can preclude clear, unambiguous consent to behaviour.

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, text or other electronic means;
- Singling out a person for humiliating or demeaning “teasing” or jokes, either because they are a member of a Code-protected group or otherwise;
- 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;
- Belittling, demeaning or patronizing language, in person or via e-mail, text or other electronic means.
- 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 acceptable. The behaviour could still be considered harassment under this Code.

Sexual and gender-based harassment: sexual harassment is a form of harassment that can include but is not limited to:

- Gender-related comments about a person’s physical characteristics or mannerisms;
- Paternalism based on gender which a person feels undermines his or her self respect or position of responsibility;
- Unwelcome physical contact;
- Suggestive or offensive remarks or innuendoes about members of a specific gender;
- Propositions of physical intimacy;
- Gender-related verbal abuse, threats or taunting;
- Leering or inappropriate staring;
- Bragging about sexual prowess, questions or discussions about sexual activities;
- Offensive jokes or comments of a sexual nature about an employee or client;
- Rough and vulgar humour or language related to gender;
- Display of sexually offensive pictures, graffiti or other materials including through electronic means;
- Demands for dates or sexual favours.

Sexual Solicitation: this policy prohibits sexual solicitations or advances by any company member who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes managers and supervisors, as well as co-workers where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also not allowed.

Poisoned environment: a poisoned environment is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory, humiliating or intimidating work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a

poisoned environment.

### **Roles and Responsibilities**

All company members are expected to uphold and abide by this policy by refraining from any form of harassment or discrimination and by cooperating fully in any investigation of a complaint.

Company executive staff, department heads and members in positions of authority have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Supervisors are responsible for creating and maintaining a harassment- and discrimination-free organization, and should address potential problems before they become serious.

### **Condoning**

If a person in authority knows, or should reasonably have known, that discrimination or harassment may have occurred and fails to take appropriate action, the person in authority may be found to have condoned the discrimination or harassment and may be subject to sanctions under this policy.