

Code of Conduct Overview

Outside the March creates unforgettable immersive encounters—redefining the experience of theatre for a new generation of audiences. 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 as they contribute to our mutual 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 and we also recognize that this is an ongoing, imperfect process.

Our complete Code of Conduct includes our Code of Conduct Policy, the Reporting Process, and the Reporting Form, all of which can be found at outsidethemarch.ca/join-us/workwithotm/. Company members must read the entire Code of Conduct before signing the Overview.

If you’ve experienced or witnessed harassment or discrimination at Outside the March, here’s a summary of what you can do:

Step 0 – Maintain a proactively inclusive, safe work environment.

We encourage all our company members to uphold the above values and to be open, honest and proactive about their boundaries and level of comfort with any work-related activity.

Step 1 – Attempt Direct Conflict Resolution

Communicate. You can be your own advocate in creating a healthy work environment, though you’re not obliged to do so, especially if it could lead to safety risks or the escalation of the harassment or discrimination in question.

Step 2 – Consultation and Information

Talk with OtM’s Managing Producer, Safe Workplace Rep., Artistic Director or your Stage Manager (if you’re working on a show). They may take notes – you should too. This is a good way to get more information about our Code of Conduct and the reporting process. Taking this step doesn’t mean you’re submitting a complaint; conversely, you can skip straight to submitting a complaint without taking this step.

Step 3 – Submit a complaint

- A. You can fill out our online reporting form here: outsidethemarch.ca/reportingform
OPTION: If you need to tell us something and don’t want to be involved further, you have the option to submit anonymously. Please note that while providing for the sake of the complainant’s safety, submitting anonymously reduces the company’s ability to help the complainant and pursue consequences if there’s been a Code violation.
- B. Our Managing Producer and Safe Workplace Rep. will set up a conversation with the complainant that will inform the next steps. If your complaint is about the Managing Producer or the Artistic Director, the Safe Work Rep. may decide to hire a third party to manage the complaints process.

Step 3.1 – Formal Mediation

At any point in the complaint process, the complainant and respondent may be offered the opportunity for mediation.

Step 3.2 – Investigation

The Managing Producer and Safe Workplace Rep. or a third party will conduct an investigation to see if the Code of Conduct was violated.

Step 3.3 – Outcomes

If there was a violation of our Code of Conduct, a range of consequences, ranging from an apology to education and training to termination could be decided by the Managing Producer and Safe Workplace Rep with best efforts to take the complainant’s goals into account.

Have questions? Get in touch:

Managing Producer, Katherine Devlin Rosenfeld: katherine@outsidethemarch.ca

Artistic Director, Mitchell Cushman: mitchell@outsidethemarch.ca

Safe Workplace Representative, Eloise Ballou: eloiseballou@gmail.com

Code of Conduct Declaration

I, _____, have read, understood and hereby agree to abide by Outside the March’s complete Code of Conduct. I understand that adhering to the Code of Conduct is a condition of my employment or volunteer work and that a violation of the Code may be grounds for dismissal as a volunteer or termination as an employee.

Date

Company Member Signature

Outside the March

Code of Conduct Policy

See also:

Code of Conduct Reporting Process: outsidethemarch.ca/join-us/workwithotm/

Online Reporting Form: outsidethemarch.ca/reportingform

Outside the March creates unforgettable immersive encounters—redefining the experience of theatre for a new generation of audiences. In our artistic and operational work, and in every facet of our organization, we are guided by the core values of curiosity, connection, thrills, immersion and care. In order for the first four values to flourish, it is paramount that the final one, care, is employed at every juncture, and by every team member. It is only by us all working together to create a care-filled, respectful and safe environment, that everyone can feel free to explore their own curiosities, forge connections, experience the thrills of the process, and fully immerse themselves in the work.

We strive to apply this 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 as they contribute to our mutual artistic mission.

Creating a healthy work environment means active communication between company members; fostering diversity in all our operations; working collectively to combat bias, stereotypes, and discrimination 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) or use our online reporting form at 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 and when 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 reviewing processes and ways of working in relation to discrimination and harassment;
- 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 interactions between company members create

environments where company members must work in close physical proximity and emotionally dynamic situations. Outside the March is committed to maintaining a safe, open and professional workspace, both on and off stage. Managers and company leadership, including executive staff, Board members, 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 (parent or childless)
- 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 an 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

*Outside the March acknowledges that there are specific circumstances in which those who do not pass a vulnerable sector check are unable to work on specific projects with minors involved

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.

Race and ethnicity-based harassment is a manifestation of racism. Racism is prejudice, discrimination, or antagonism directed against a person or people on the basis of their membership in a particular racial or ethnic group, typically one that is a minority or marginalized, based on the belief that any ethnicity is superior.

Disability-based harassment is the manifestation of ableism. Ableism is the discrimination of and social prejudice against people with disabilities based on the belief that typical abilities are superior.

Sexual and gender-based harassment involves 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, based on the belief that one identity is superior.

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. To clarify further, all staff, artists, actors, and creative team are considered to be in a position to grant or deny a benefit to any person working with Outside the March as a mentee or in a primarily learning capacity (this includes: Interns, mentees, students); Therefore, no company members may sexually solicit, or have any kind of romantic or sexual involvement, with any person who works with the company primarily in a learning capacity.

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.

Reporting Process

See also:

Code of Conduct Policy: outsidethemarch.ca/join-us/workwithotm/

Online Reporting Form: outsidethemarch.ca/reportingform

It is our hope that the following reporting process presents a clear set of steps for all parties. If you have questions or suggestions for how this process can be improved, please contact Managing Producer Katherine Devlin Rosenfeld or fill out the online reporting form.

Contacts:

Managing Producer, Katherine Devlin Rosenfeld: katherine@outsidethemarch.ca

Artistic Director, Mitchell Cushman: mitchell@outsidethemarch.ca

Safe Workplace Representative, Eloise Ballou: eloiseballou@gmail.com

Introduction

The following is OtM's process for reporting incidents of harassment and/or discrimination in our workplace. The reporting steps below are not necessarily sequential. A complainant is not required to address the offending party before lodging a formal complaint, for example. Instead, these steps are meant to provide company members with an array of clearly delineated avenues for addressing any kind of infringement of OtM's Code of Conduct.

Unless otherwise noted, all Code of Conduct-related business, including consultation, complaints, internal investigation and internal mediation are handled jointly by Outside the March's Managing Producer Katherine Devlin Rosenfeld and our Safe Workplace Representative (Safe Workplace Rep.) Eloise Ballou. In the case of a complaint or Code-related infringement by the Managing Producer, business will be handled jointly by Outside the March's Artistic Director Mitchell Cushman and the Safe Workplace Rep.

Both the Managing Producer and Safe Workplace Rep., as well as any other advisors, investigators, mediators and persons receiving complaints, will, to the extent possible, protect the confidentiality and privacy of persons involved in a complaint, subject to the requirements of a fair investigation and resolution process. All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, will be securely maintained separately from personnel files. Complainants and respondents have OtM's assurance that all complaints will be handled in as sensitive, confidential and timely a manner as possible.

Definitions

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

Complainant: company member who has submitted a formal complaint.

Respondent: company member who is the subject of a formal complaint.

Reporting Steps

Step 0 – Maintaining a proactively inclusive, safe work environment.

The company encourages company members to be open, honest and proactive about their boundaries and level of comfort with any work-related activity, in rehearsal, performance or any other company-related context.

Step 1 – Attempt Direct Conflict Resolution

In the case of harassment, discrimination or any infringement on a member's level of comfort, they may explain, in person or in writing, to the offending person that the conduct is unwelcome, but are not obliged to do so. Indeed, each case is different. If addressing the person responsible could lead to an escalation of the harassment or discrimination, or to safety risks, company members should not be expected to have to directly interact with that person. If an individual feels they can safely make it known to the person responsible that the behaviour is unwelcome, of course, this may resolve the matter. However, they should never feel obliged to address their harasser against their better judgement.

Step 2 – Consultation and Information

Independent of or prior to filing a complaint, at any time company members may consult with a company representative to obtain information, discuss an incident or explore direct conflict resolution options. This is a good way to get more information about our Code of Conduct and the reporting process. Company members may also request the presence of a company representative in pursuing direct conflict resolution. Company representatives may include 1) the Managing Producer; 2) The Safe Workplace Rep.; 3) the Artistic Director; 4) the head of Stage Management for complaints in a production context.

Consulting with an advisor does not mean that a complaint is being lodged, nor does it preclude submitting one. Company representatives will create a written record of the consultation and will inform the Managing Producer and Safe Workplace Rep. (or the Artistic Director and Safe Workplace Rep. in the case of an incident involving the Managing Producer). Company representatives will to the utmost extent possible maintain the confidentiality of the company member.

In some circumstances Outside the March will take action even when a formal complaint has not been filed. That being said, the company won't necessarily take action based on a consultation, and in all cases, the company's actions will be guided to the utmost extent possible by the goals of the inquiring company member.

Members of Canadian Actor's Equity Association (CAEA) may also consult with the following resources:

HAVEN Helpline: 1-855-201-7823 The Harassment, Anti-Racism and Violence Emergency Network (HAVEN) Helpline is a bilingual and confidential reporting line, open 24/7, for Equity members and non-members to report abuse of power, bullying, discrimination (including, but not limited to, acts of ableism, ageism, racism, or sexism), harassment or sexual harassment, reprisal or violence, caused by a member of Equity while working under one of Equity's agreements and engagement policies. This service may also be used to report historical incidents.

NOT IN OUR SPACE: <https://www.caea.com/Features/Not-In-Our-Space> Not in OUR Space! is a national anti-harassment and respectful workplace program working with engagers across disciplines, developed by Equity. It seeks to ensure safe working conditions for all professionals working in live performance across the country.

Step 3 – Submitting a complaint

At any time, individuals can submit a complaint using the reporting form below. Once submitted, the form will be sent to the Managing Producer and the Safe Workplace Rep., who will promptly coordinate a conversation with the complainant.

The conversation will help inform any future action and will to the utmost extent possible take into account the complainant's goals. It is our hope to make this process as clear and unbiased as possible as we navigate the delicate nature of our community/work environment and the unique nature of each situation.

If further steps are to be taken, the Managing Producer and Safe Workplace Rep. will meet with the respondent and provide a copy of the complaint and an opportunity to respond.

In the case of a complaint or Code-related infringement by the Managing Producer, in all reporting steps below the Managing Producer is to be replaced by the Artistic Director (the reporting form below includes an option to alternatively send to the Artistic Director and Safe Workplace Rep.). In any case directly involving the Managing Producer or Artistic Director, the Safe Workplace Rep., with consideration of the complainant's goals, may also determine that it is appropriate to hire a third party to manage the complaints process.

The online reporting form includes an option to submit anonymously in case the complainant wishes to inform the company of some pertinent piece of information but does not want to be involved further. While provided for the sake of the complainant's safety, submitting anonymously prevents the company from directly helping the complainant and severely reduces the company's ability to pursue consequences if there's been a Code violation.

Step 3.1 – Formal Mediation

Where appropriate, the Managing Producer and Safe Workplace Rep. may offer the parties an opportunity to mediate the complaint at the expense of Outside the March. No person will be required to undertake mediation. Mediation may be conducted by a neutral and expert third-party mediator. Mediation may take place at any stage during the complaint process.

Step 3.2 – Investigation

The Managing Producer and Safe Workplace Rep. may decide to conduct an investigation themselves or may hire an expert external investigator depending on the nature and severity of the complaint. The Managing Producer and Safe Workplace Rep. may decide to temporarily suspend the respondent during the investigation.

The investigators are responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint. The investigators will interview the complainant, the respondent(s), and relevant witnesses suggested by the complainant and respondent(s), as well as gather documents relevant to the matters in the complaint. All staff of the organization are required to cooperate with the investigator. The investigator will, wherever possible, complete the investigation within 30 days of receiving the assignment. At the conclusion of the investigation,

the investigators will prepare a written report summarizing the allegations and the investigation results.

As per the CAEA Canadian Theatre Agreement (CTA), for all complaints that are brought to OtM by an Equity member, or at the specific request of a non-member, OtM will provide to Equity a summary report of the actions and findings. The CTA states that the CAEA will treat any information in the report as confidential.

Step 3.3 – Outcomes

Based on the findings of the investigators, the Managing Producer and Safe Workplace Rep. will decide whether the Code has been violated. If the Code has been violated, the Managing Producer and Safe Workplace Rep. will determine the appropriate consequences for the respondent(s). The Managing Producer and Safe Workplace Rep. may consult with the complainant about the nature of those consequences. In the case of a violation by the Managing Producer or Artistic Director, the Safe Workplace Rep. may decide to involve the Board in determining outcomes. Consequences may include:

- Prompt for a written or verbal apology
- Counselling, to be paid for by OtM
- Education and training, to be paid for by OtM
- Verbal or written reprimand
- Suspension with pay
- Suspension without pay
- Termination of employment.

In determining the appropriate consequences, the Managing Producer and Safe Workplace Rep. will take a restorative justice approach: taking into account the nature of the violation of the Code, its severity, whether the individual has previously violated the Code and the complainant's goals. Where a violation of the Code is found, the Managing Producer and Safe Workplace Rep. will also take any steps necessary to repair the effects of the discrimination or harassment on the complainant and to prevent any further recurrences of harassment or discrimination within the organization. The Managing Producer and Safe Workplace Rep. will be responsible for monitoring the outcome of the complaint.

The complainant and the respondent(s) will each be provided with a copy of the investigation report, and with the Managing Producer's decision regarding outcomes. Where a complainant is dissatisfied with the outcome of the complaint, they will be reminded of their rights under the Ontario Human Rights Code; CAEA members will be referred to their association.

Representation

The people involved in an internal complaint resolution process may have someone represent them if they wish, during mediation and/or investigation. Representatives may include union stewards or a colleague. Complainants and respondents are entitled to seek representation of their choice, including legal counsel, during the complaints process, at their own expense. In order to mitigate bias and potential reprisal, complainants and respondents may, within reason, register concern about the other party's chosen representation with the mediator and/or investigator.

Reprisal

Every person has a right to claim and enforce their right to a workplace free of harassment and discrimination. No person shall be negatively treated for bringing forward a complaint, providing information related to a complaint, or helping to resolve a complaint. It is a violation of OtM policy to discipline or punish a person because they have brought forward a complaint, provided information related to a complaint, or otherwise been involved in the complaint resolution process. Reprisal may be the subject of a complaint under this procedure, and persons engaging in reprisal are subject to disciplinary measures, up to and including termination of employment.

Documentation

Every person who believes they have experienced harassment or discrimination, as well as every person who has been notified of a complaint against them, is advised to create and keep written notes about the events at issue and to maintain any relevant written documentation.