

Theatre Prospero Association

Code of Conduct

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Overview

Theatre Prospero is committed to providing an environment that is free from harassment, bullying, discrimination, and other unwelcome behaviours. All artists, arts workers, volunteers, stakeholders, clients, and audience members are to be treated with respect, dignity, and inclusiveness to contribute to a workplace environment free from harassment. This Code of Conduct is intended to protect the dignity, well-being and self-esteem of these aforementioned individuals. Any behaviour that creates an intimidating, hostile, or toxic work environment will not be tolerated.

Contact Regarding Theatre Prospero Code of Conduct

If you would like to speak with a staff member at Theatre Prospero regarding the Code of Conduct, please contact our Artistic Director, Mark Henderson (ad@theatreprospero.ca), General Manager, Jennifer Wanke (generalmanager@theatreprospero.ca), or the Board of Directors (board@theatreprospero.ca).

Legislation

All Theatre Prospero workers are required to protect the company's good adherence to the law by complying with all safety, equity, and environmental laws. All workers are expected to be ethical and responsible when interacting with one another and when dealing with company finances, products, partnerships, and public image. Workers are expected to treat Theatre Prospero's property with respect and care and create workplace free from harassment and discrimination.

Who Does This Code of Conduct Apply To?

Everyone. All persons working for or associating with Theatre Prospero are expected to abide by this policy and refrain from harassment, bullying, and discrimination. Full cooperation in any investigation of a harassment or discrimination complaint is mandatory.

Board members, administrative and artistic leadership, production directors, and managers and stage management have the responsibility to act immediately on allegations of harassment or discrimination. Those within supervisory and leadership positions must create and maintain a harassment and discrimination-free organization and promptly address ongoing, emergent and potential problems.

Theatre Prospero Expectations

All workers should fulfil their job duties with integrity and respect towards their colleagues, stakeholders, Theatre Prospero's artists, arts workers, volunteers, clients, audience members, and the general community. Employees are expected to interact with one another in a friendly and collaborative manner. They should remain open for communication and dialogue with their colleagues and supervisors as well as Theatre Prospero's stakeholders, artists, arts workers, volunteers, clients, and audience members.

All Theatre Prospero employees, artists, arts workers, and volunteers should anticipate fair and respectful treatment from their colleagues, whether they are working in person or remotely. Workers should expect those they work with to recognize the personal and physical boundaries of others. Those working for and within the company are never expected to conduct work in non-official environments in which they may feel uncomfortable or at personal risk, such as but not limited to private hotel rooms, vehicles, or homes. They will never be expected to work alone with individuals who make them uncomfortable or who threaten their safety. If required to engage in any form of physical contact or sensitive situations, the company and all workers (actors, dancers, choreographers, etc.) must ensure that such actions are consensual, and are strongly encouraged to speak out against any unwelcome interactions.

Supervisors and managers are expected to delegate duties to their team members while taking the latter's competences and workloads into account. Team members are expected to follow their leaders' instructions and complete their duties in a timely manner, where possible. Where not, they should advise their leaders and colleagues, and work towards a solution with them that compromises neither the company, the mission at hand, nor anyone's well-being. Theatre Prospero encourages more senior arts workers to mentor newer ones.

All Theatre Prospero employees, artists, arts workers, and volunteers are entitled to a workplace free from harassment, discrimination, microaggressions, bullying, and violence in all forms. Transparent communication, mutual respect, and encouragement throughout the creative process helps to foster a safe and productive work environment. All Theatre Prospero employees, artists, and volunteers are strongly encouraged to report any incidents of harassment, discrimination, or bullying occurring within the company. Subsequent investigations can be expected in a timely and thorough manner.

Rehearsals and performances involving culturally-specific content will be conducted with advance consultation, care, sensitivity, and respect. This can mean that a cultural consultant is hired to give advice and perspective. However, artistic decisions will remain in the purview of the primary creator and the creative team. If the creative team is led by a member from the group whose cultural tradition is integral to the work, no cultural consultant shall be required, unless requested specifically by that leader.

What is Discrimination?

Discrimination is an action or decision that mistreats an individual or group according to the federal or provincial human rights legislation. It may take obvious forms or occur in subtle ways.

Discrimination may be based on:

- Race
- National or ethnic origin
- Colour
- Religious beliefs
- Age
- Sex
- Sexual orientation
- Gender identity or expression
- Marital status
- Family status
- Mental or physical disability
- Financial Status

What are Microaggressions?

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

What is Bullying?

Bullying is classified as behaviour that psychologically or physically hurts, manipulates, or isolates a person. It can involve a singular or repeated incident or a pattern of behaviour that is intended to intimidate, offend, degrade, abuse, or humiliate a particular person or group of people. While bullying is a form of aggression, the actions can be both obvious and subtle. It is also qualified as the assertion of power through aggression by those in a position of influence or authority.

If you are not sure an action or statement could be considered bullying, you can use the "reasonable person" test. Would most people consider the action unacceptable?

What is Harassment?

Harassment is engaging in a course of vexatious comments or conduct that is known or ought to be reasonably known as unwelcome. Harassment includes comments or conduct toward another person or persons causing humiliation, offense, or embarrassment. It interferes with a person's work and/or creates an intimidating or hostile environment. Repeated comments or conduct is ordinarily required to demonstrate harassment; however, single acts of sufficient severity may also constitute harassment.

Examples of harassment include:

- Physically intimidating behaviour such as intentionally encroaching on another's personal space
- Threats
- Inappropriate or insulting remarks, gestures, jokes, innuendo, or taunting
- Ridiculing, belittling, or humiliating another person, including derogatory name calling
- Unwanted personal and private queries or comments
- Posting materials, photographs, articles, graffiti, etc. (offline and online) that may humiliate or offend

What is not harassing behaviour?

- Offering constructive feedback, guidance, or advice about work-related behaviour and performance
- Reasonable direction of tasks and performance assessments including statements that a person or persons' quality of work is not of an acceptable standard (provided the assessor communicates acceptable standards and refrains from disrespectful and/or degrading comments)
- Making legitimate and non-aggressive complaints about someone's conduct through a complaint procedure

What is Sexual Harassment?

Sexual harassment is 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 as unwelcome. When a person makes a sexual solicitation or advance that is known or ought reasonably to be known as unwelcome, their behaviour constitutes 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 such as kissing, patting, hugging, or pinching
- Leering, whistling, or other suggestive or insulting sounds
- Unwelcome posting or display of sexually explicit materials, photographs, articles, graffiti, etc. offline and online
- Requests or demands for sexual favours that imply promises and/or threats
- Reprisal or threat of reprisal for the rejection of a sexual solicitation or advance

What is a toxic work environment?

Situations where any or all of the above conditions have the effect of poisoning or making the work environment harmful for everyone. A person does not have to be a direct target of harassment or discrimination to be affected by a toxic work environment.

Procedure For Reporting A Complaint Or Concern

If you feel subject to harassment and/or microaggression, you are encouraged to address the specific issue(s) with the alleged offender and/or a superior if you feel safe to do so. You and your superior and/or the alleged offender will determine how to move forward respectfully and ensure that the behaviour is not repeated. Should this not come to pass to your satisfaction, you may seek redress under the harassment procedure.

Keep a record. Write down dates, times, any witnesses, what was said or done, when, and by whom. Documentation is extremely important, especially if the alleged offender does not stop or if the issue requires a formal complaint.

Should you choose not to directly engage the deemed harasser or bully and do not yet wish to make a formal complaint, you may raise the issue with a colleague more senior or equal to the person that you deem to be the harasser. For example, if the deemed harasser is an actor and you are an actor, you may address the situation with the Stage Manager. If the deemed harasser is a director and you are an actor, you may address it with the artistic director via stage management or directly. The superior must indicate verbally and in writing to the alleged offender that they must stop the offensive behaviour. A record of the complaint must be made in writing even if a formal complaint is not made.

If you are not comfortable communicating directly with the alleged offender, or if you have and the behaviour has continued, you are encouraged to submit a complaint through email to Theatre Prospero's Artistic Director (ad@theatreprospero.ca), General Manager (generalmanager@theatreprospero.ca), or the Board of Directors (board@theatreprospero.ca).

NOTE REGARDING CONFIDENTIALITY: If requested by the complainant and lawfully possible, steps will be taken to keep the complainant's identity confidential. Should you choose not to identify yourself during the reporting of the incident we will not be able to contact you, and this may limit our ability to enforce the policy to the fullest extent possible.

What Happens After a Complaint/Concern Has Been Received

A detailed investigation will be conducted, which may include the artistic director and/or other senior staff and /or board member(s) interviewing the complainant, the alleged offender(s), and any other person who may provide information. Information received will be held in the strictest confidence possible. Alleged offenders will be informed that a complaint has been received; however, the complainant will remain anonymous unless otherwise discussed.

Investigation Of Complaints and Concerns

Upon submitting a complaint or concern, the complainant will be replied to in a timely manner. Reports will be handled on a case by case basis, beginning with a conversation between the complainant and a two-person panel. The complainant will receive an opportunity to choose between a selection of two different staff or board members or other governing bodies to form the panel.

Theatre Prospero hopes to make this process as comfortable and unbiased as possible as we navigate the delicate nature of our community/work environment and each situation's uniqueness. The investigation may include, but is not limited to, the following:

- Further conversations with the complainant to gather more information
- Gathering external third party information/verification
- Contacting the accused to discuss the complaint.

Once the investigation is completed, the panel will provide the accused, their superiors, the board, and the complainant with a written report of recommendations to address the complaint, which may include, but not be limited to, the following:

- Disciplinary action towards the person responsible for the offense, including but not limited to reprimand or demotion
- Requirement to provide a formal apology
- Suspension, termination, or removal of the offending individual from their role or position
- Discussion with the aggressor regarding expected and appropriate workplace behaviour and responsibilities
- A written agreement, signed by the accused, to abstain from the offending behaviour
- Implementation of internal policies and/or measures to prevent the occurrence(s) from happening again

If the complainant/accused wishes to appeal the outcome of the investigation, they can do so with written explanation. It will be upon the board's discretion to determine further actions.

Theatre Prospero Investigation Guidelines

Theatre Prospero will ensure necessary investigations are undertaken promptly, objectively, and thoroughly while maintaining confidentiality and privacy.

Promptness: Theatre Prospero will reasonably complete the investigation as soon as possible and within 30 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.).

Objectivity: The investigation shall be conducted by an individual not involved in the incident and not directly reporting to the offender.

Thoroughness: Reasonable efforts shall be made to interview the person allegedly harmed (harassed, discriminated against, etc.), the person reportedly causing offense, and any witnesses as appropriate in the circumstances. During the interview, specific questions will be asked about the incident or complaint. For example, what did the allegedly harmed person see, hear, or experience? Detailed interview notes, including relevant documents from the complainant, alleged offender, witnesses, and employer will be collected and reviewed.

Confidentiality and Privacy: Information about the incident or complaint, including details about the people involved, shall not be disclosed to the appropriate 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.

Clarity of Outcome: Theatre Prospero will advise the complainant and accused individual of the outcome in writing, including penalties or other actions to address the situation.

Theatre Prospero will aid and support the complainant's reporting to police.

False complaints are not tolerated, a breach of this policy, and grounds for dismissal as allowed by law.

Policy Administration

Theatre Prospero will review this policy and procedures on an annual basis or as required. Necessary adjustments will ensure that it meets the needs of all workers and volunteers covered by this policy.

Effective As Of: September 22, 2022

*This Code of Conduct is a living document and will be periodically updated.

Resources

[Not In Our Space!](#) - Canadian Actors' Equity Association

[RespectfulWorkplaces.ca](#) - Cultural Human Resources Council

[Canadian Creative Industries Code of Conduct - readthecode.ca](#)

[A template for developing an Anti-Harassment Policy](#) - Canadian Human Rights Commission

[Policy to Prevent Harassment and Promote a Safe Environment](#) - National Theatre School [\[Complete Policy\]](#)

[Artist Producer Resource: Creating a Harassment Policy](#) - Generator (ON)

[Bullying and Harassment](#) - ActSafe Safety Association (BC)

For further information, consult your provincial Occupational Health and Safety Act, applicable labour laws, etc.