

LES GRANDS BALLETS

WORKPLACE HARASSMENT POLICY

POLICY AIMED AT PREVENTING AND COUNTER HARASSMENT, BULLYING, AND VIOLENCE IN THE WORKPLACE

This policy was passed by the Board of *Les Grands Ballets Canadiens* on May 28, 2019.

FORWARD

1. The goal of this policy is to assert the commitment of *Les Grands Ballets Canadiens* (hereinafter referred to as the “Company”) to maintain a workplace that’s free from harassment, whether psychological or sexual, and provide a work environment that’s harmonious and promotes the self-esteem and dignity of everyone who works at the Company, no matter their position. This policy also outlines the Company’s principles for action when a harassment complaint is made or a situation of harassment is reported.
2. Knowing that these are damaging to an individual’s health and well-being, the Company will not tolerate any form of harassment, bullying, or violence, at any time or place, whether it be physical or virtual, including in cyberspace. The Company recognizes every individual’s right to respect, dignity, and the protection of their physical and psychological integrity, as well as their right to work in an environment that promotes health, safety, mutual trust, and respect.

SCOPE

1. Prevention is both a collective and individual responsibility. This means employees, unions, spectators, tenants, other clients, and suppliers, as well as their representatives, are all part of this scope of responsibility. The Company therefore expects everyone to collaborate in the implementation and enforcement of this policy. For the purpose of this policy, Personnel members include: employees from all levels of organization at the Company, including directors, board members, managers, unionized and non-unionized employees, self-employed workers, students, and volunteers.
2. This policy will be applied to all activities wherein a member of Personnel provides a service or is considered work, whether that be on site at the Company, telecommuting, or at any other place where a person is providing a service, including in communications in cyberspace (e.g. meetings, training, travel, social activities organized by the Company, etc.).

GOALS

To this end, this policy has the following goals:

- ✓ Promote and maintain a work environment that’s gratifying, harmonious, and free from any form of harassment, bullying, or violence.
- ✓ Foster respect and human dignity. Protect the physical and psychological dignity of everyone in both working and interpersonal relationships.
- ✓ Help bring awareness, information, and training to the Company in order to prevent and put a stop to all acts of harassment, bullying, and violence.
- ✓ Encourage all members of Personnel to get involved in the fight against harassment, bullying, and violence.
- ✓ Establish a frame of reference as well as set up mechanisms to prevent, identify, and resolve situations of harassment, bullying, and violence in order to cease all acts and limit any negative effects.
- ✓ Present the support offered to complainants as well as those targeted by a complaint of harassment, bullying, or violence.

- ✓ Foster complaint resolution via internal procedures that are equitable and confidential.

DEFINITION OF HARASSMENT IN THE WORKPLACE

The *Act respecting labour standards* defines psychological harassment as such:

“Any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions, or gestures, that affects an employee’s dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour in the form of such verbal comments, actions, or gestures of a sexual nature. A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment.”

Five conditions must be met to determine if harassment is present:

- ✓ vexatious behaviour (that is, abusive, humiliating, or hurtful);
- ✓ verbal comments, gestures, or behaviours that are hostile or unwanted;
- ✓ repetitive in nature, except for a serious isolated act;
- ✓ affects the person’s dignity (that is, self-respect and self-worth) or integrity (that is, their physical, psychological, or emotional well-being);
- ✓ a harmful work environment.

This definition includes all forms of harassment, notably sexual harassment, abuse of power or authority, moral or psychological harassment, and repetitive mockery of a person’s physical being, as well as harassment related to any of the grounds outlined in Article 10 of the *Charter of human rights and freedoms*. These include race, colour, sex, gender identity or expression, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap, or the use of any means to palliate a handicap.

Examples of behaviour that is forbidden at all times and may be considered, depending on circumstances, to be harassment, bullying, or violence (partial list only):

- ✓ comments or actions intended to shun, demean, ridicule, or intimidate;
- ✓ threats, denigration, humiliation, malicious mockery, repetitive insinuation, baseless rumour or accusation, exclusion, blackmail, or undue pressure;
- ✓ discriminatory or degrading suggestions or actions about a person’s physical or intellectual ability;
- ✓ physical aggression, no matter how slight, including pushing, shaking, or hitting an individual, throwing an object at someone, or intentionally destroying someone’s belongings;
- ✓ abuse of power; excessive, unjustified, and/or abusive surveillance of a person’s comings and goings, including following or reaching an individual;
- ✓ taking advantage of one’s status or position of power or official or non-official authority to threaten, negatively influence, or have a negative impact on various work aspects, compromising employment, or negatively impacting performance;

- ✓ inappropriate or derogatory comments which can be interpreted as bullying, an attack, insult, harassment, or blackmail, when the person targeted is considered to be at work;
- ✓ the use of content to intimidate or hurt others, violate their privacy, or damage their reputation or image (notably through cyberbullying);
- ✓ repeated remarks, comments, allusions, jokes, or insults about a person's sexual character at or in the performance of work;
- ✓ repeated physical or verbal advances or propositions, either abusive or unwanted, of a sexual nature;
- ✓ touching or gestures with a sexual connotation; displaying degrading or pornographic material;
- ✓ threats, reprisals, promotion refusals, firing, or any other practice related to a refusal to consent to sexual favours.

Note that *Harassment in the workplace* must not be interpreted as interpersonal conflict, a situation inherent or personal to the person in question (such as work-related stress), personal or professional constraints, or the Company's normal exercise of management rights (managing absenteeism, disciplinary measures, work organization, etc.).

POLICY STATEMENT

1. The Company disapproves of and will not tolerate any form of *Harassment in the workplace*, as outlined in the *Act respecting labour laws* as well as the *Charter of human rights and freedoms*, including any form of sexual or psychological harassment or harassment related to discrimination, as well as, in certain circumstances that can be linked to work, behaviour on social media. Such behaviour will be deemed unacceptable and may be subject to administrative or disciplinary measures based on the seriousness of the actions, up to and including dismissal or discharge in accordance with the rules in force.
2. For example, behaviour that is violent, threatening, an abuse of power, bullying, or any form of retaliatory measures against anyone who reports incidents related to harassment as described above, may be considered harassment.
3. With this policy, the Company agrees to take reasonable action to:
 - a. Provide a work environment free from any form of harassment.
 - b. Protect people's dignity and psychological integrity.
 - c. Promote respect between individuals.
 - d. Promote a work environment that's harmonious and guided by collaboration, mutual respect, and civility.

4. The Company is committed to taking all reasonable measures to release this policy in French and English in order to ensure it is accessible to all Personnel by:
 - a. Presenting it to members of staff.
 - b. Displaying the policy in a public place that's accessible to Company employees.
 - c. Providing a copy to anyone who requests it.
 - d. Making the policy available on the Company's intranet.
 - e. Ensuring that every employee, self-employed worker, and volunteer who works regularly or intensively at the Company has signed the policy.
 - f. Distributing it in any other way, upon request.
5. The Company is committed to taking all reasonable measures to prevent or, as the case may be, cease situations of harassment by:
 - a. Putting a procedure in place to manage reporting and complaints, outlined below.
 - b. Taking the appropriate measures to ensure a climate of mutual trust so that Personnel can know the subject of their complaint or preoccupation without fear of reprisal, unless the complaint is frivolous or hassling.
 - c. Acting promptly and in keeping with procedures in place whenever a situation that may signal *Harassment in the workplace* is reported.
6. If a member of Personnel reports or files a harassment complaint, the Company may, if needed, request a more comprehensive inquiry in order to shed light on the events.

PROCESSING REPORTINGS AND COMPLAINTS

All members of Personnel who feel they are the target of or witness to any inappropriate gestures or behaviour related to harassment in the workplace can report this to their immediate or direct supervisor or the HR director in complete confidentiality, in order to ask for advice or to intervene in order to quickly remedy the situation.

When possible and if deemed appropriate, the person who feels to be the target of any inappropriate gestures or behaviour related to harassment in the workplace, can first inform the person concerned that the gestures or behaviour is undesirable and that he or she must put an end to it. The person is required to note the date and details of the incident(s) as well as any steps he or she took to try and remedy the situation.

If this initial intervention is not advisable, or if the person notified rejects or ignores the report, and the behaviour in question continues, the person targeted shall report the situation to his or her immediate supervisor, HR Director, or Executive Director and, in complete confidentiality, request an intervention to quickly remedy the situation.

If the inappropriate gestures or behaviour still persists after it has been reported or if the person who feels to be the target of this behaviour does not feel it will be taken care of quickly, he or she must lodge a formal complaint.

Reporting or filing a complaint

- Must be done by the person who believes to be subject to *Harassment in the workplace* or by anyone who is a witness, by communicating with one of the people the company has designated for this role.
- The report is made by identifying all behaviours deemed problematic.
- The alleged behaviour and details of the incidents must be written down with as much detail as possible so that all parties can proceed to a quick and effective intervention.
- As much as possible, the reporting must be done in writing. However, the Company understands that a verbal declaration may be preferable for the person reporting.
- A complaint must be made in writing and must include all elements of the reporting.

Persons designated by the Company to manage reportings and complaints:

- Marie-France Daigneault, Human Resources Manager, 450-806-2614 or ext.270
- Marc Lalonde, Executive Director, ext. 252

PRINCIPLES OF INTERVENTION

The Company is committed to:

- Taking care of the complaint or reporting as soon as possible
- Maintaining the dignity and privacy of all concerned parties, that is the person who lodged the complaint, the subject of the complaint, and any witnesses
- Protecting the confidentiality of the intervention process
- Offering all concerned parties the opportunity to hold a meeting, with their consent, in an attempt to rectify the situation
- Conducting an objective investigation quickly, as needed, or conferring responsibility to an external source. The persons in question will then be informed of the conclusion of this procedure.
- Since any person has two years to submit a complaint as per the *Act respecting labour standards*, if the investigation does not enable the Company to establish that there was unacceptable behaviour, all material proof will be kept for two years and then destroyed.
- Making use of all reasonable measures to resolve the situation, including notably all disciplinary measures that apply to each case.

Any person who is found in default of this policy will be subject to severe disciplinary measures, which will take into consideration the severity of the breach, the consequences incurred, and all other factors that may impact the sanction, notably the person in question's past record.

Falsely reporting or delivering a false claim with the intention of inflicting harm may be subject to severe disciplinary measures in keeping with all other breaches to this policy.

When it comes to the handling and resolving of a situation that falls under *Harassment in the workplace*, no one shall suffer prejudice or be subject reprisals by the Company.

In the event of discrepancies in interpretation between the French and English versions of the policy, the French shall prevail.

EVALUATION AND REVISION

The Company is responsible for ensuring the understanding, respect, and use of the policy's tools. The Company will review the policy annually to ensure it corresponds to any changes within the organization and that it continues to meet all applicable laws.

I HEREBY CONFIRM THAT I HAVE READ AND UNDERSTAND THIS POLICY ON _____.

MEMBER OF PERSONNEL'S SIGNATURE

MEMBER OF PERSONNEL'S NAME