

## **Sexual Discrimination/Harrasment**

### **The Policy Statement**

Transformation Theatre, Inc. is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. Transformation Theatre, Inc. shall operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

### **Definition of sexual harassment**

Sexual harassment is an unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

- Physical conduct
  - Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favours
- Verbal conduct
  - Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Insults based on the gender of the worker
- Sexual advances
  - Repeated and unwanted social invitations for dates or physical intimacy
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)
- Non-verbal conduct
- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Anyone can be a victim of sexual harassment, regardless of their gender and of the gender of the harasser. Transformation Theatre, Inc. recognises that sexual harassment may also occur

between people of the same gender. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Transformation Theatre, Inc. recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. Anyone, including employees of Transformation Theatre, Inc., clients, customers, casual workers, contractors or visitors who sexually harasses another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within Transformation Theatre, Inc. premises or outside, including at social events, business trips, training sessions or conferences sponsored by Transformation Theatre, Inc..

### **Complaints procedures**

Should a case of sexual harassment occur, it should be reported to the Artistic Director as soon as possible and/or at the comfort of the victim.

If the complaint includes the Artistic Director, the case should be reported to the Board of Directors.

Once the case is reviewed by the board of directors, the complainant has the choice to accept the board's disciplinary action, or pursue further legal action against the accused.

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. Transformation Theatre, Inc. recognises that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser, he/she can approach one of the designated staff members responsible for receiving complaints of sexual harassment. This includes the Stage Manager, the Artistic Director and the Board of Directors. When a designated person receives a complaint of sexual harassment, he/she will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome they want
- ensure that the victim understands the company's procedures for dealing with the complaint
- discuss and agree the next steps: on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework

Transformation Theatre, Inc. recognises that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. Transformation Theatre, Inc. understands the need to support victims in making complaints.

### **Sanctions and disciplinary measures**

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

1. verbal or written warning
2. suspension or dismissal

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

### **Implementation of this policy**

Transformation Theatre, Inc. will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the company. Every year, Transformation Theatre, Inc. will require all employees to attend a refresher training course on the content of this policy.

### **Monitoring and evaluation**

Transformation Theatre, Inc. recognises the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Supervisors, managers and those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the company will evaluate the effectiveness of this policy and make any changes needed.