



Common Ground Arts Society Safer Spaces and Anti-Harassment Program

NOTES

- a. The template for parts of this policy is derived from the Canadian Human Rights Commission;
- b. Definitions of harassment, sexual harassment, and violence use wording provided by Alberta Occupational Health and Safety (updated May 2018);
- c. Dealing with harassment or possible harassment can be difficult and stressful. Our policy aims to share the administrative and procedural responsibilities between the Festival Director, Managing Producer, and Board of Directors. They are encouraged to work collaboratively on any procedures and processes outlined throughout, and seek additional support from outside resources and organizations when necessary; and
- d. The Festival Director, Managing Producer and Board of Directors may choose to strike a special committee to process harassment or possible harassment issues which could include but is not limited to Festival Director, Managing Producer, Board of Directors, Staff, Volunteers, or Members. The make up of this committee may depend on the circumstances of the events.

QUESTIONS?

Enquiries about this policy and related procedures can be made to the Festival Director, Managing Producer, and/or the Board of Directors.

CONTACT

Festival Director: whittynjason@commongroundarts.ca

Managing Producer: macbrock@commongroundarts.ca

Board of Directors: board@commongroundarts.ca

Common Ground Arts Society:

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Following is information on our Safer Spaces and Anti-Harassment program, including:

- Our commitment
- Artistic expression in safer spaces
- Definitions
- Anti Harassment Policy
- Policy procedures
- Responsibilities and expectations
- Examples
- Resources



OUR COMMITMENT

Common Ground Arts Society (CGAS) and Found Festival foster unique artistic experiences that offer creative collisions between artists and audiences in unconventional and non-traditional spaces.

We believe in creating safe spaces that allow for creative risk. We commit to upholding open, supportive, receptive, and collaborative spaces and experiences that welcome all members of our community including artists, volunteers, staff, board members, and patrons.

We honour the vulnerability of the artistic process, and the beauty of the exchange between artists and audiences. We commit to sustaining a safe space by:

- being mindful that our community resides on Treaty Six land, and that we are all Treaty people;
- embracing all forms of diversity;
- creating a respectful, safe environment free from harassment, violence, discrimination, bullying, abuse, and solicitation;
- ensuring all artists, volunteers, staff, board members, patrons, and/or community members are treated with respect and dignity;
- providing opportunities for everyone to contribute to, participate in, and/or witness the creative process whenever possible and appropriate;
- giving individuals and groups who are speaking or performing focus and respect;
- assuming positive intent from others, but listening and learning when the impact of our actions may not match our intent;
- respecting physical, mental, emotional, and spiritual boundaries;
- using inclusive language, and listening and learning when language used may have been exclusive;
- engaging in ongoing conversations about how to make our spaces more inclusive;
- calling in and/or putting an immediate stop to activities or behaviors that discriminate on the grounds of race, colour, place of origin, gender, age, marital status, religious beliefs, citizenship, mental and physical abilities, sexual orientation, or any other prohibited grounds within the Alberta Human Rights Act;
- resolving discriminatory or harassment reports in an appropriately timely manner within the best ability of the organization in a way that centers the survivor and their needs; and
- engaging the support, guidance, and learnings of professional organizations and appropriate external bodies when necessary.



ARTISTIC EXPRESSION IN SAFER SPACES

Safe spaces allow for creative risk. Freedom of artistic expression is a vital component to the fabric of our community. We strongly support the spirit of our artistic community and Found Festival by providing artists opportunities to showcase their work without censor. We support artists and the choices they make on stage.

The creative work we engage in as creators and presenters is empowering, provocative, and impactful. Artistic content may sometimes include language, characters, situations, and other elements that may be perceived as inappropriate, offensive, or triggering. By purchasing a ticket, audiences are opting to participate in an artistic experience, including a diverse exploration of stories, vantage points, and delivery. Artists may not extend this artistic policy beyond a performance. At no time may artistic expression or freedom violate any local, provincial, or federal law. When possible, each show or event produced by CGAS will provide content warnings and ratings. Reports related to misconduct occurring during a performance or in relationship to the marketing and publicity of a show will be investigated with an understanding of the context and social cues.

DEFINITIONS

- **Consent:** A voluntary, ongoing, active, and conscious agreement to engage in the activity in question. It is the responsibility of the person/people pursuing an activity to obtain clear, voluntary consent from the other, and to recognize that consent can be withdrawn at any time. Agreement or a “yes” that is obtained through pressure, coercion, force, threats, or by inducing intoxication, impairment, or incapacity is not voluntary consent. Silence or ambiguity do not constitute consent. Additionally, there is no consent when:
 - it is given by someone else;
 - the person is unconscious, sleeping, or lacks the capacity to consent;
 - it was obtained through the abuse of a position of power, trust, or authority;
 - the person does not indicate “yes,” says “no,” or implies “no” through words or behaviours; and/or
 - the person changes their mind and withdraws their consent.
- **Disclose/Disclosure:** A verbal or written report by any person to a member of the CGAS community that they have experienced abuse, harassment, or misconduct. CGAS may initiate an investigation and resolution process and will honour any requests for anonymity by the person making the report.
- **Report:** A written report or statement alleging abuse, harassment, or misconduct by any person to CGAS staff or board for the purpose of initiating an investigation and resolution process.
- **Discrimination:** A distinction, whether intentional or not, based on a characteristic or perceived characteristic that has the effect of imposing on an individual or group of individuals burdens, obligations or disadvantages that are not imposed on others, or of withholding or limiting access to opportunities, benefits and advantages available to other individuals in society.
- **Harassment:** Conduct or comment, either one time or repeating, that:
 - is demeaning, intimidating, threatening, or abusive;
 - causes offence and should have reasonably been expected to offend;
 - serves no legitimate purpose for the environment;
 - is a reprisal or threat of reprisal against an individual for rejecting a solicitation or advance; and
 - undermines authority or respect in the environment, limits opportunities for advancement, or creates an intimidating, hostile or offensive environment.
 - **Harassment:** Harassment includes conduct or comments, or the creation of a negative psychological and/or emotional environment that humiliates, excludes, or isolates an individual or group by focusing on their race, colour, place of origin, gender, age, marital status, religious beliefs, citizenship, mental and physical abilities, sexual orientation, or any other prohibited grounds within the Alberta Human Rights Act. Harassment also includes bullying, which is a form of aggression that may include physical, verbal, or emotional abuse. It can include persistent, offensive, abusive, intimidating or insulting behavior, abuse of power, and/or unfair sanctions which make the individual feel threatened, humiliated, and/or vulnerable.
- **Sexual Violence:** Any sexual act or act of a sexual nature, or act targeting sexuality, whether physical or psychological, committed without consent. This includes, but is not

limited to sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, distribution of intimate images, inducing intoxication, impairment or incapacity for the purpose of making another person vulnerable to non-consensual sexual activity, and other analogous conduct.

- **Sexual Assault:** Any form of sexual contact without consent. This can include unwanted or forced kissing, fondling, grabbing, touching, vaginal or anal penetration, or oral sexual contact.
- **Solicitation:** Any comment, behaviour, or act that can be perceived as soliciting sexual favours, or placing sexual conditions onto any persons involvement in an activity, event, promotion, or employment (paid or unpaid) opportunity.
- **Retaliation:** Taking, attempting to take, or threatening to take any adverse action or retribution of any kind against anyone involved in a report of harassment, abuse, or misconduct process. This includes, but is not limited to, intimidation, pressuring, harassment made in person, electronically, or through third parties.

ANTI HARASSMENT POLICY

CGAS is committed to fostering a harassment-free environment where all members and employees are treated with respect and dignity. The Canadian Human Rights Act protects individuals from harassment based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender, marital status, family status, disability, or pardoned conviction.

Harassment at any CGAS activity (including but not limited to Found Festival) is not tolerated. Members who are found to have harassed another individual may be subject to disciplinary action. This includes any member who: interferes with the resolution of a harassment report; retaliates against an individual for filing a harassment report; or files an unfounded harassment report intended to cause harm.

APPLICATION

This policy applies to all members of CGAS, including artists, volunteers, board of directors, full and part-time, casual, contract, permanent, and temporary staff. This policy also applies to job applicants.

This policy applies to all behaviour that is in some way connected to work, including during off-site meetings, training, and on business trips.

FILING A REPORT

If you have been witness to or have been bullied, harassed, discriminated against, abused, threatened, or assaulted, there are three ways to submit a report:

1. **Contact the Festival Director, Managing Producer and/or Board of Directors directly**, and submit a verbal or written report. If the report is made verbally, the Festival Director, Managing Producer, and/or Board of Directors will record the details provided by the member.

Contact:

Festival Director: whittynjason@commongroundarts.ca



Managing Producer: macbrock@commongroundarts.ca

Board of Directors: board@commongroundarts.ca

2. **Submit a report online:** <https://commongroundarts.ca/found/accessibility/>. This report may be submitted anonymously; or
3. **Submit a verbal or written report to an external third party** appointed by CGAS who is not affiliated with the organization and/or event at the time that person is appointed.

Found Festival Contact: Ainsley Hillyard (ainsley@goodwomen.ca)

[PLEASE NOTE: THIS WILL BE UPDATED FROM EVENT TO EVENT]

The member should be prepared to provide details such as what happened; when it happened; where it happened; how often; and who else was present (if applicable).

Reports should be made as soon as possible or when a member feels comfortable to do so.

In conjunction, the Board of Directors, Festival Director, and Managing Producer will tell the person that the harassment report has been made against, in writing, that a harassment report has been filed. The letter will also provide details of the allegations that have been made against them.

Every effort will be made to address harassment reports within 30 days. The Festival Director, Managing Producer, or Board of Directors will advise both parties of the reasons why, if this is not possible.

Every effort will be made to resolve harassment reports within 60 days.

If either party to a harassment report believes that the report is not being handled in accordance with this policy, they should contact the Board of Directors, Festival Director, or Managing Producer.

MEDIATION

Wherever appropriate and possible, the parties to the harassment report will be offered mediation prior to proceeding with a harassment investigation.

Mediation is voluntary and confidential. It is intended to assist the parties to arrive at a mutually acceptable resolution to the harassment report.

The mediator will be a neutral person, agreed upon by both parties. The mediator will not be involved in investigating the report.

In order to act as a neutral person, a member must not currently or previously be under investigation for harassment.



Each party to the report has the right to be accompanied and assisted during mediation sessions by a person of their choosing.

INVESTIGATION

If mediation is inappropriate or does not resolve the issue, a harassment investigation will be conducted. All investigations will be handled by an individual who has the necessary training and experience. In some cases, an external consultant may be engaged or a special committee may be struck for this purpose.

The investigator will interview the person who made the report, the person the report was made against and any witnesses that have been identified. All people who are interviewed will have the right to review their statement, as recorded by the investigator, to ensure its accuracy.

The investigator will prepare a report that will include:

- a description of the allegations;
- the response of the person the report was made against;
- a summary of information learned from witnesses (if applicable); and
- a decision about whether, on a balance of probabilities, harassment did occur.

This report will be submitted to the Festival Director, Managing Producer, and the Board of Directors. Both parties to the report will be given a copy.

SUBSTANTIATED REPORT

If a harassment report is substantiated, the Festival Director, Managing Producer, and the Board of Directors will decide what action is appropriate.

Remedies for the member who was harassed may include: an oral or written apology; the study and introduction of policy and procedural changes to correct and remedy future similar incidents from occurring.

Corrective action for the member found to have engaged in harassment may include: a reprimand; a suspension; and/or termination of membership.

Both parties to the report will be advised, in writing, of the decision.

OTHER REDRESS

A member who is not satisfied with the outcome of the harassment report process may file a discrimination complaint with the Canadian Human Rights Commission.

PRIVACY AND CONFIDENTIALITY

All parties to a harassment report are expected to respect the privacy and confidentiality of all other parties involved and to limit the discussion of a harassment report to those that need to know.



CGAS members, and all individuals involved in the harassment report process, will comply with all requirements of the Personal Information Protection Act (PIPA) to protect personal information.

RESPONSIBILITIES AND EXPECTATIONS

CGAS is responsible for providing all members a harassment-free environment.

The Board of Directors, Festival Director, Managing Producer are responsible for:

- ensuring that this policy is applied in a timely, consistent, and confidential manner;
- determining whether or not allegations of harassment are substantiated;
- determining what corrective action is appropriate where a harassment report has been substantiated;
- the administration of this policy;
- reviewing this policy annually, or as required;
- making necessary adjustments to ensure that this policy meets the needs of the organization; and
- depending on circumstances, contacting appropriate external bodies for advice, guidance, or help (including but not limited to Edmonton Police Service, Sexual Assault Centre of Edmonton, Human Rights Commission.)

The Board of Directors, Festival Director, Managing Producer and staff are responsible for:

- fostering a harassment-free work environment and setting an example about appropriate behaviour;
- communicating the process for investigating and resolving harassment reports made by members;
- dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment report has been made;
- taking appropriate action during a harassment investigation, including separating the parties to the harassment report, when appropriate; and
- ensuring harassment situations are dealt with in a sensitive and confidential manner.

Members are responsible for:

- treating others with respect;
- recognizing humans as unique individuals who deserve autonomy of thought and feeling, and when needed, centering or amplifying marginalized voices;
- reporting harassment to the Festival Director, Managing Producer, or Board of Directors; and
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

Members can expect:

- to be treated with respect;
- that reported harassment will be dealt with in a timely, confidential, and effective manner;
- to have their rights to a fair process and to confidentiality respected during a harassment investigation; and



- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

EXAMPLES OF HARASSMENT

Examples shared from the Canadian Actors Equity Association & PACT: Not in Our Space... program

- An actor is struggling with a particular scene and keeps dropping the same line. The director yells "Stupid!" at the performer every time. Bullying is a prevalent form of personal harassment.
- A conductor comments about how attractive the lead in the production is and shows colleagues cell phone pictures pointing out how good the singer looks in tight, black pants. Sexual harassment affects all genders.
- An assistant stage manager reports that the co-directors have been smoking illegally in the bathroom. Although they never discover who filed the report, the co-directors make the work experience miserable for everyone - taunting individuals with loud, abusive and bullying behaviour - causing one actor to take a sick day due to stress. A toxic work environment affects everyone in a production.

Examples shared from the Canadian Human Rights Commission:

- A colleague repeatedly makes fun of your hijab
- A manager regularly makes inappropriate comments about your physical appearance
- An employee threatens your safety following a heated discussion
- A supervisor rubs your shoulders despite your repeated objections

REFERENCES AND RESOURCES

- Canadian Human Rights Commission - A template for developing an Anti-Harassment Policy: <https://www.chrc-ccdp.gc.ca/eng/content/template-developing-anti-harassment-policy>
- Government of Canada - Is It Harassment? A Tool to Guide Employees: <https://www.canada.ca/en/treasury-board-secretariat/services/healthy-workplace/prevention-resolution-harassment/harassment-tool-employees.html>
- Canadian Human Rights Commission - Your Guide to Understanding the Canadian Human Rights Act: <https://www.chrc-ccdp.gc.ca/eng/content/your-guide-understanding-canadian-human-rights-act-page1>
- Alberta Human Rights Commission - Education and Engagement: <https://www.albertahumanrights.ab.ca/education/Pages/education.aspx>
- Canadian Actors Equity Association & Professional Association of Canadian Theatres - Not In Our Space: <http://www.caea.com/EquityWeb/MemberServices/not-in-our-space/default.aspx>
- Canadian Women's Foundation: <https://www.canadianwomen.org/the-facts/sexual-assault-harassment/>



- Occupational Health and Safety Alberta: <https://www.alberta.ca/workplace-harassment-violence.aspx>
- Personal Information Protection Act (PIPA): <https://www.servicealberta.ca/pipa-overview.cfm>

REVIEW

Common Ground Arts Society will review this policy and procedures on an annual basis, or as required, and will make necessary adjustments to ensure that it meets the needs of all members.

ENQUIRIES and CONTACT

Enquiries about this policy and related procedures can be made to the Festival Director, Managing Producer or the Board of Directors.

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Managing Producer: macbrock@commongroundarts.ca

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