

PROPOSED TO ADD NEW SECTION TO BYLAWS:

11. Anti-Harassment Policy

11.1 Policy Statement

CineVic Society of Independent Filmmakers is committed to fostering a safe and harassment-free organization and workplace where all society members, employees, and non-members interacting with CineVic or participating in CineVic-supported events, programs, and productions, are treated with respect and dignity. Anyone who is found to have harassed another individual in these circumstances may be subject to disciplinary action. This includes anyone who: interferes with the resolution of a harassment complaint; retaliates against an individual for filing a harassment complaint; or files an unfounded harassment complaint intended to cause harm.

This policy is intended to align with the *BC Human Rights Code*, *Canadian Human Rights Act*, and *Canada Labour Code*, which protect employees from harassment or discrimination based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity, marital status, family status, or disability. The *Criminal Code* protects everyone from violence including physical and sexual assault.

11.2 Application

This policy applies to all society members, employees, and non-members interacting with CineVic or participating in CineVic-supported events, programs, and productions, including: full-time, part-time, casual, permanent, and temporary employees and contractors; job applicants; volunteers; attendees at society events; and anyone renting equipment from the society.

This policy applies to all behaviour that is directly related to the society, including during film production, events, off-site meetings, training, business trips, and society-related communications.

This policy does not apply to portrayals of behaviour depicted in audio-visual content created through artistic expression.

11.3 Definitions

Harassment includes any inappropriate conduct or comment by a person towards another individual, that any reasonable person knows or reasonably ought to know, could cause feelings of humiliation or intimidation. It can also include behaviour that detrimentally affects the overall work environment.

Prohibited grounds for discrimination in accordance with the *BC Human Rights Code* include race, colour, ancestry, place of origin, religion, marital status, family status, disability, gender, sexual orientation, age, criminal conviction, and political belief.

Inappropriate behaviours do not need to fall under these prohibited grounds in order to be considered bullying or harassment.

Examples of inappropriate behaviour include:

- verbal aggression, insults, threats, derogatory remarks, yelling, or slurs;
- circulation of disrespectful or offensive written materials, notes, emails, text messages, jokes, cartoons, videos, or pictures;
- gestures that demean, ridicule or torment an individual;
- offensive or unwanted behaviour of a sexual nature and/or related to a person's sex, gender identity, or sexual orientation;
- inappropriate touching;
- excessive use of profanity;
- social exclusion or isolation;
- deliberately impeding someone's work or purposefully giving wrong information.

Reasonable actions taken by an employer or manager relating to the management and direction of staff, society members, or other individuals (e.g. providing constructive or negative performance feedback; imposing corrective disciplinary action; requiring re-work) are not considered bullying or harassment, nor are interpersonal conflicts unrelated to the society, unless the behaviour is threatening or abusive.

11.4 Responsibilities and Expectations

CineVic is responsible for providing a harassment-free workplace to all society members, employees, and non-members interacting with CineVic or participating in CineVic-supported events, programs, and productions.

The Executive Director and Board of Directors are responsible for:

- the administration of this policy including review and revision as required;
- ensuring that this policy is applied and harassment/complaint situations are dealt with in a timely, consistent, sensitive, and confidential manner;
- fostering a harassment-free work environment and setting an example about appropriate workplace behaviour;
- communicating the process for submitting, investigating, and resolving harassment complaints;
- dealing with harassment situations immediately upon becoming aware of them, whether or not a harassment complaint has been made;
- taking appropriate action during an investigation, including separating the parties to the complaint, when appropriate;
- determining whether or not allegations of harassment are substantiated; and
- determining appropriate corrective action where a harassment complaint has been substantiated.

Society members, employees, and non-members interacting with CineVic or participating in CineVic-supported events, programs, and productions are responsible for:

- treating others with dignity and respect in society and workplace matters;
- reporting harassment to the society; and
- cooperating with a harassment investigation and respecting the confidentiality related to the investigation process.

Society members, employees, and non-members interacting with CineVic or participating in CineVic-supported events, programs, and productions can expect:

- to be treated with respect in the society and the workplace;
- that reported harassment will be dealt with in a timely, consistent, sensitive, and confidential manner;
- to have their rights to a fair process and confidentiality respected during a harassment investigation; and
- to be protected against retaliation for reporting harassment or cooperating with a harassment investigation.

11.5 Procedures for Addressing a Harassment Complaint

11.5.1 Filing a Complaint

If society members, employees, and non-members interacting with CineVic or participating in CineVic-supported events, programs, and productions feel they are being or have been harassed, they should take the following steps:

- 1) Keep a written record of each incident of harassment when it occurs.
- 2) If they are comfortable doing so, speak to the offending individual directly. Tell them that their behaviour is unwelcome and ask them to stop.
- 3) If the offending behaviour does not stop, or if they are not comfortable talking to the offending individual directly, they may file a harassment complaint by contacting the society representative they feel most comfortable reporting to: Vice-President, President, or Executive Director.
- 4) The complaint may be verbal or in writing. If the complaint is made verbally, the society representative will record the details provided.

The person making the complaint 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). Complaints should be filed as soon as the person making the complaint is comfortable and capable of doing so.

The society representative who received the complaint will inform the Board of Directors and/or Executive Director, and the person(s) that the complaint has been made against, in writing, that a harassment complaint has been filed. The letter will also provide details of the allegations that have been made against them. The society representative will work with the Board of Directors and/or Executive Director to follow these procedures

and take appropriate action, with the aid of a neutral third party mediator if necessary or requested.

Every effort will be made to resolve harassment complaints within 30 (thirty) days. The society representative or mediator will advise both parties of the reasons why, if this is not possible.

If either party to a harassment complaint believes that the complaint is not being handled in accordance with this policy, they should contact the society President.

11.5.2 Mediation

Wherever appropriate and possible, the parties to the harassment complaint 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 complaint.

The mediator will be a neutral third-party, agreed upon by both parties. The mediator will not be involved in investigating the complaint. Each party to the complaint has the right to be accompanied and assisted during mediation sessions by one person of their choosing.

11.5.3 Investigation

If mediation is not appropriate, not requested, 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. A neutral third-party may be engaged for this purpose.

The investigator will interview the person who made the complaint, the person the complaint 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 includes:

- a description of the allegations;
- the response of the person the complaint 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 provided to the Board of Directors and both parties to the complaint.

11.5.4 Substantiated Complaint

If a harassment complaint is substantiated, the Board of Directors and Executive Director will decide what action is appropriate.

Remedies for the individual who was harassed may include: an oral or written apology; compensation for lost wages, employment benefits, or opportunities (if applicable).

Corrective action for the individual found to have engaged in harassment may include: a reprimand; a suspension of privileges; a revoking of membership; prohibition of participation in society programs or attendance at society events; required training in sensitivity, anti-harassment, anti-oppression, or anti-discrimination; and/or dismissal.

Both parties to the complaint will be advised in writing of the decision, remedies, and corrective action.

11.5.5 Other Redress

If the person who initiated the complaint is not satisfied with the outcome of the harassment complaint process, they may file a discrimination complaint with the Canadian Human Rights Commission or pursue another external grievance mechanism.

11.6 Privacy and Confidentiality

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

CineVic, as well as all individuals involved in the harassment complaint process, will comply with all requirements of British Columbia privacy legislation to protect personal information.