

Cine-Vic Society of Independent Filmmakers Bylaws

1. Membership Policy

Membership is open to anyone who demonstrates filmmaking or videography ability/techniques or interest in developing this ability in the art and craft of filmmaking and videography. Further, membership is open to those who are interested and actively support independent filmmaking and video making, and who will participate in and support the development of CineVic. Memberships are valid for a period of one year from date of approval by the board of directors.

1.1 Memberships

Community Membership (CM)

(\$30 + 2 volunteer hours or \$60 per year)

Benefits:

Discounts on workshops and room rental.

Access to on-premises CineVic facilities.

Access to online members' networking resources.

Access to some designated equipment intended to assist with advancing to Production Membership.

Accumulate and utilize CineCredits.

Full voting privileges.

Eligibility to sit on Board of Directors.

Requirements:

2 volunteer hours.

This membership is intended for students or low-income individuals who self-identify from traditionally underrepresented communities, who are on a learning path to further explore the craft of filmmaking.

General Membership (GM)

(\$60 + 4 volunteer hours or \$120 per year)

Benefits:

Discounts on workshops and room rental.

Access to on-premises CineVic facilities.

Access to online members' networking resources.

Access to some designated equipment intended to assist with advancing to Production Membership.

Accumulate and utilize CineCredits.

Full voting privileges.

Eligibility to sit on Board of Directors.

Requirements:

4 volunteer hours.

Production Membership (PM)

(\$110 + 7 volunteer hours or \$220 per year)

Benefits:

Discounts on workshops and room rental.

Access to on-premise CineVic facilities.

Access to online members' networking resources.

Access to all production equipment on and off premises.

Accumulate and utilize CineCredits.

Full voting privileges.

Eligibility to sit on Board of Directors.

Requirements:

7 volunteer hours.

Must be able to demonstrate ability to use equipment in a competent, appropriate, and safe manner.

Must submit a copy of a film or media artwork on which the prospective member served in a key creative role. The work must show the prospective member's competency with film/video equipment.

Honourary Membership (HM)

Honourary Members are those who have demonstrated distinguished membership or long standing service at CineVic or within the Canadian independent filmmaking community, one who personifies the spirit of CineVic, its mandate and constitution. Honourary Members will have voting privileges. Honourary Memberships are bestowed by motion by the Board of Directors, and are valid for the lifetime of the recipient.

1.2 Prospective Members

All prospective members must complete a new member application and questionnaire form, and submit for approval by the Board of Directors.

1.3 Renewing Members

Renewing Members are not required to complete an application form, but must provide CineVic with current contact information upon renewal. Renewing Members do not require approval from the Board of Directors and are not required to complete the new member volunteer requirements. A membership that has lapsed for longer than 12 months is no longer eligible for renewal; to reactivate the membership, the individual must fulfill new member requirements and procedures.

1.4 Member Responsibilities

A member is considered to be in good standing if they:

- Have performed all required volunteer hours for their membership level.
- Respect the society's bylaws, policies and procedures.
- Pay annual dues in a timely fashion.
- Respect equipment rental agreements, and all other agreements put forth by the society.
- Act with good conduct toward other members within the society.
- Do not steal property or finances from the society.
- Do not bring the society into disrepute with personal misconduct or dangerous behaviour on productions using CineVic resources or for a CineVic sanctioned event.

1.5 Member Expulsion

Members may be expelled or suspended by a vote of 75% of the Board of Directors if the member has: contravened any of the society bylaws, policies, or procedures; endangered the interest/reputation of the society; endangered the safety of its members; and/or is otherwise considered to be not in good standing.

1.6 Membership Procedures

Prospective members must complete a new membership application and questionnaire form, and pay the fees associated with their membership level. CineVic staff will coordinate scheduling of volunteer hours with the prospective member. Names of new members are presented to the Board of Directors for approval. If for any reason the membership is not accepted, all fees paid will be refunded to the prospective member. Prospective members who are under the age of 18 must include parent/guardian contact information on the membership application form. Staff will review all submissions and make recommendations to the Board of Directors.

2. Equipment Access Policy

2.1 Access to Equipment

CineVic makes available a variety of film and video production equipment for rent to three types of RENTERS: MEMBERS, NON-MEMBERS, and SOCIETY-SPONSORED EVENTS. Each type of renter has different equipment privileges as outlined below.

Renters or the individuals operating the equipment on behalf of the renter must be able to demonstrate ability to use equipment in a competent, appropriate, and safe manner to CineVic staff before the items are removed from CineVic.

CineVic stipulates that rental of some items requires proof of insurance (please see current rental catalogue for restrictions on individual equipment items).

MEMBERS of the society in good standing may rent at member rates for independent film and video productions in which they retain a majority of the production control and copyright. Member rates are for equipment used exclusively on the member's production, and equipment must remain under the immediate supervision of either the renting member or another Cinevic member in good standing working on the renting member's production. Members must provide proof of insurance for items which require it.

NON-MEMBERS of the society may rent at non-member rates. Non-members must provide valid credit card information and a copy of government-issued identification as security, and also provide proof of insurance for items which require it. CineVic offers its equipment at non-member rates to outside productions merely to help further its mandates to its membership and the non-commercial public at large.

SOCIETY-SPONSORED EVENTS must designate an authorized representative to sign out, pick up, and return equipment on the behalf of the organizing entity. All equipment must be under the immediate control, supervision, and direction of the representative while it is signed out.

CineVic reserves the right to suspend membership without refund if rental fees are in arrears, or for non-compliance with any terms and conditions of the equipment access policy. CineVic also reserves the right to suspend any member's or renter's access to equipment due to lack of competence, misuse or neglect of equipment. Appeals may be made in writing to the CineVic Board of Directors.

2.2 Liability

CineVic cannot assume responsibility or liability or make representation for the performance of its rental equipment.

The RENTER assumes full responsibility and liability for all rental equipment while it is in their care.

The RENTER shall maintain immediate control, supervision, and direction of the equipment and may not lease or loan the equipment to any other person, production or organizations.

The RENTER discharges CineVic from all damages whatsoever, resulting from the performance and/or malfunction of all equipment, whether or not there is fault or negligence on the part of CineVic, and must sign a liability waiver prior to the equipment leaving CineVic premises.

The RENTER is prohibited from taking the equipment from the ground in an airplane or boat without the prior consent from CineVic staff.

Liability insurance is the RENTER's responsibility. CineVic is liable for loss of and damage incurred to equipment while equipment is on CineVic premises only. In the event of any loss of or damage to equipment while equipment is in RENTER's care, the RENTER agrees to compensate CineVic for any losses that the renter's insurance does not cover, up to full replacement value.

Acceptance by CineVic of returned equipment does not constitute a waiver of the RENTER's responsibility for damage or loss. The renter remains liable for the equipment until such time as CineVic staff have examined the equipment and confirmed it is in good working condition.

2.3 Equipment Rental Procedure

1. Equipment requests must be submitted to CineVic staff at least 72 hours in advance of the desired rental time. The renter must indicate the project title, their own position, which items of equipment will be needed, and dates for pickup and return. CineVic staff or Board of Directors has the right to approve or deny any rental. Any rentals that are longer than three weeks will require prior approval from the Board of Directors.
2. Prior to renting equipment, renters must be able to demonstrate ability to use equipment in a competent, appropriate, and safe manner.
3. Renters must confer with CineVic staff to schedule pickup and return times for rentals.
4. All renters must read and sign an equipment rental agreement and liability waiver before receiving equipment. Any minors renting equipment must have their legal guardian sign the agreement and waiver.

5. When checking out equipment, renters are responsible for the careful inspection of each piece of equipment before it leaves the office, as the renter accepts full liability should there be any damage or malfunction after it has left the premises. If a piece of equipment becomes inoperable, no attempt should be made to repair it without consent of CineVic staff. All equipment items must remain in their original packing cases during transportation and storage.

6. Renters are responsible to return all equipment in the same condition as it went out, and at agreed upon times.

7. Renters may not rent equipment for the use of others. Violation of this rule may result in renter being barred from future rentals, and/or membership suspension or expulsion without refund.

8. The rental of CineVic equipment at member rates constitutes a form of assistance to the filmmaker by CineVic, and as such CineVic must be fully acknowledged and credited in the film or video production receiving such assistance. The CineVic logo must appear in tail credits for all productions renting equipment at member rates. Logos are available at www.cinevic.ca. The filmmaker must give CineVic a copy of the finished film for the film library in a timely fashion to ensure future rental privileges, along with production information including title, date of production, key creative talent, and contacts for exhibition/distribution and copyright holder. Non-members renting equipment at non-member rates must not reference CineVic in their production credits without prior approval.

2.4 Fees

All rental fees are due in full and in advance. Any member with outstanding fees will be considered a member not in good standing and may be suspended. No rentals will be made to anyone with outstanding fees due.

There will be a \$15 late fee for equipment that is not returned on the date agreed upon, in addition to a charge equal to 200% percent of the daily rental rate for each day late.

If the equipment is not used for the full rental period, the renter will only be charged for the number of days it was used, provided that it is returned under the supervision of CineVic staff at the end of that number of days. The renter is liable for all damages or malfunction (other than normal wear and tear). Equipment that is returned in a soiled condition will be subject to a \$10 cleaning fee per item. Renters whose lighting kit rentals are returned with one broken bulb will be exempted from having to replace the bulb.

Further broken bulbs will incur a fee equal to the replacement cost of each bulb.

3. Facilities Access Policy

CineVic offers access to in-house equipment for rental access by members only. CineVic also offers office/multipurpose space for use by members at discount member rates. There will be a \$15 per day charge for late key returns.

Only staff and members in good standing may access keys for after-hours use. All members and staff must abide by the following procedure for key privileges:

1. Arrange with CineVic staff to pick up keys at least one day before access is needed, and return keys on a specified date within one week after access.
2. Sign a key waiver form, including specified date for return of keys.
3. CineVic staff will verify and indicate the date that keys are returned on key waiver form.

4. CineVic Library Resources

CineVic offers a varied selection of scripts, books, magazines, film reels and videos for loan to all its members. CineVic also encourages its members to donate productions of their own to the library.

4.1 Library Access Policy

CineVic library resources are available to the general public. There is no fee charged on use of the library material; however, if material is not returned or returned damaged, there may be a charge imposed.

4.2 Library Access Procedure

1. Bring material to the office staff for sign out procedure.
2. Items are loaned for 4 weeks, whereupon material is to be returned.
3. If not returned, it is the office staff's duty to contact the individual with a reminder to return material.

5. CineCredits

A CineCredit is a form of compensation acknowledging time or effort spent by a current CineVic member in good standing volunteering for the society

above and beyond the initial membership requirements, or volunteering on other member productions where the Producer(s) are current CineVic member(s) in good standing and retain full creative/artistic control and copyright in the production.

5.1 CineCredits Policy

- One hour of volunteer time shall earn one CineCredit, which will be accepted as the equivalent of \$15 (fifteen dollars).
- Members may not receive CineCredits for volunteer hours for which they also receive monetary payment.
- Producers may not earn CineCredits for volunteering on their own productions.
- CineCredits may be used for payment of equipment rental or office/room rental.
- Initial membership volunteer hours do not qualify for CineCredits.
- CineCredits are non-transferable.
- CineCredits may not be earned or redeemed retroactively; the individual must be a member in good standing on both the dates that volunteer hours are worked and the dates on the rental invoice.
- A maximum of 50 CineCredits may be earned per member per production.
- A maximum of 500 CineCredits may be held in a member's account at any one time.
- The first \$15 fifteen dollars per \$1,000 of any equipment or room rental (before taxes) can not be paid by CineCredits.
- For recurring room rentals, the \$15 minimum cash charge will apply once per invoice. A maximum of four room bookings are allowed on one invoice.
- If a membership lapses for more than 12 months, the member's CineCredits will expire. CineVic members may apply to the board for an exemption to this rule for reasons of hardship or other reasonable barriers to member usage. Decision of the board on whether or not to grant exemptions is final.

5.2 CineCredits Procedure

1. CineCredits earned on member productions will be tracked by the production's Lead Producer and submitted to CineVic staff within two weeks of the production's completion.
2. Use of CineCredits for rentals will also be recorded into the member database by CineVic staff.
3. If a Producer is delinquent in submitting volunteer CineCredit hours on behalf of their crew members on a production, the Producer's

membership privileges may be suspended until a list of volunteer CineCredit hours are submitted.

4. If a member's volunteer hours are not reported by a delinquent Producer, the member may submit proof of their volunteer work on the production (such as call sheets and/or email communications) to CineVic staff, who will either approve or reject the hours, or bring to the Board of Directors.

6. Sponsorship

All proposals for CineVic sponsorship such as in-kind equipment rental must be submitted in writing to the Executive Director one month prior to the event or film production, and several months in advance for fundraising activities. The proposal must include at minimum: name of the applicant, a description of the project, equipment list and rental dates, full budget of project, and dollar value of CineVic sponsorship. Additional supporting materials are welcomed and encouraged. The proposal will be accepted, rejected, or presented to the Board of Directors by the Executive Director.

7. Events & Programs

CineVic offers workshops, lectures, screenings, and programs throughout the year, accessible by both members and the community at large.

8. (repealed)

9. Board of Directors Roles, Duties, and Responsibilities

It is important that Board members understand their fiduciary responsibilities and their corporate liability for the Society. Directors on not-for-profit organizations serve on a voluntary basis in a part-time capacity, often without the benefit of professional (legal and financial) advice. Sometimes important decisions can be made in a limited time frame without a complete understanding of the issues. This bylaw outlines some of the critical issues regarding liability of CineVic Society of Independent Filmmakers' Board of Directors.

Directors are not allowed to receive CineCredits in exchange for time spent carrying out their duties on the Board of Directors. This is in accordance with the B.C. Gaming Commission standards which states that a Director is too

influential and therefore is not to receive remunerations or considerations for work he/she is performing voluntarily.

Board of Director meetings are held monthly, and should follow Robert's Rules of Order.

The Board of Directors shall be composed of no less than 4 and no more than 7 directors.

9.1 Role:

To represent the Society to the best of their abilities and work to further the Society's mission and mandate.

9.1.1 Executive:

(a) President: Elected chief officer of the Society. Chairs all Board of Director meetings. Works closely with the Executive Director with regard to major decisions and actions made on behalf of the Society. Represents the Society to the filmmaking community and community at large.

(b) Vice-President: Assumes Presidential responsibilities when the President is unavailable. Chairs the Human Resources committee, and acts as the first point of contact for staff and membership human resources concerns. Coordinates a yearly performance review of the Executive Director.

(c) Secretary: Responsible for the recording and timely distribution of the official Board of Director Meeting minutes and for scheduling and notifying Directors of all Board of Directors meetings.

(d) Treasurer: Monitors, reviews, and reports on all revenue and expenditures on behalf of the society. Works with the Executive Director to create the annual budget.

9.1.2 Past President:

Acts as advisor to the Executive and Directors at Large.

9.2 Duties of Directors:

9.2.1 Duty of Care and Diligence

Ask questions about the operation and management of the organization, read minutes and reports in advance of meetings.

9.2.2 Duty of Skill

Use professional skills and experience at their disposal.

9.2.3 Duty of Prudence

Be cautious and manage financial risk to the organization.

9.2.4 Duty of Trustworthiness

Trusteeship of the membership fees, donations and grants received by the organization.

9.2.5 Conflict of Interest

Declare and abstain from topic.

9.2.6 Duty to Speak in One Voice

When a decision is made by the majority of Board members, all members are expected to support the decision even though they may have cast a dissenting vote.

9.3 Responsibilities

To ensure compliance of the Society's bylaws and mandate through quality control of operations, communications, and all endeavors of the Society.

9.3.1 To the Society and its Membership

- a) To act honestly, in good faith and in the best interest of the Society
- b) To avoid conflict of interest
- c) To exercise care and diligence in a "trusteeship" role
- d) To maintain confidentiality about personnel and financial information of the organization and its clients and members
- e) To follow sound administrative practices:
 - i. Make decisions at formal meetings.
 - ii. Keep minutes of all meetings, recording the names of dissenting Directors where decisions are contentious. The minutes should also describe discussion surrounding major decisions.
 - iii. Keep up-to-date financial records which are presented to the Directors on a regular schedule.
 - iv. Delegate authority in clear written policies

9.3.2 To Government

- a) To ensure that proper taxes are paid (EI, CPP, GST, etc.).
- b) To follow safety guidelines (WCB).
- c) To ensure that there are no contraventions of the Criminal Law.

9.3.3 To the Employees, Contractors, Members, and Volunteers

- a) Comply with Employment Standards Act.
- b) To adhere to the B.C. Human Rights Code.

9.4 Liability

9.4.1 Of Individual Directors

A Director is not likely to be held liable individually for a decision made by the Board of Directors. Therefore, it is important to ensure that actions as a Board member on behalf of CineVic Society of Independent Filmmakers result from approval and authorization by the Board in the form of a resolution. A Director has no authority to act individually outside that which has been agreed upon by the Board of Directors as a whole.

There are generally three ways in which Directors may incur personal liability:

1. Statutory Liability: Are those required by statues, such as dealing with employees, the workplace and taxation. Directors may be personally liable for unpaid wages, benefits, and severance.
2. Contractual Liability: If Directors fail to get the approval of the Society before entering into contracts, they can be personally responsible for resulting contractual obligations.
3. Tort Liability: Covers civil wrongs such as negligence causing personal injury, assault and defamation. In practice, Directors are usually not sued for such wrongs unless it could be proven that they are involved personally in the commission of the Tort.

9.4.2 Of the Organization

Cine-Vic Society of Independent Filmmakers is the legal entity which can enter into contracts and agreements and can sue and be sued in court. CineVic Society of Independent Filmmakers can be held liable for the actions of its employees during work hours even though the Board of Directors have no direct control over the following actions:

- Actions which are outside the purpose of the organization.
- Criminal activity or for breaking other laws (ie. Failure to file income tax returns or the annual report).
- Losses to the organization resulting from a breach of duty.

9.5 Advisory Board

Members of CineVic’s Advisory Board may be selected by the Board of Directors and the Executive Director for their experience and expertise in the media arts, arts management, financial or legal affairs. Advisory Board members are not voting members of the Board of Directors and are not expected to attend Board of Directors Meetings. Members of the Advisory board will be called on from time to time to advise the Staff or Board of Directors of the Society.

Advisory Board members do not receive CineCredits for their work on the Advisory Board.

The Advisory Board will consist of between three and twelve members. The term of appointment is indefinite and members may step down at any point.

9.6 Term of Office of Directors

The term of office for each member of the Board of Directors shall be for two (2) years. The two-year term shall begin immediately following the general meeting at which the director joined the board. A director may serve for a maximum of three (3) consecutive two-year terms, whether partial or completed. Directors who have served three (3) consecutive two-year terms, whether partial or completed, may re-join the board after two (2) years of absence from the board. In the event that a director is unable to complete their two-year term, a replacement director may be appointed by the Board of Directors to serve on an interim basis for the remainder of the term.

10. Executive Director Role and Responsibilities

Selected by the Board of Directors and designated to carry out the work of CineVic Society of Independent Filmmakers to further the Society’s mission and mandate by carrying out the following duties and responsibilities:

- Preparation of grant proposals
- Development of solid strategic alliances
- Create and implement fundraising initiatives

- Effective and efficient management of daily operations
- Network and raise the profile of the Society to the membership, media arts community, and community at large
- Establish strong relationships within the organization as well as with members and the media arts community, and the business community at large
- Develop and implement fiscal budgets and forecasts, create monthly financial reports
- Timely reporting of information and issues to the Board of Directors
- Implementation of Board of Director recommendations
- Establish daily, weekly, monthly, quarterly task lists for each position, including housekeeping duties
- Assist the Board with the development of the strategic plan
- Ensure policies and procedures are properly enforced
- Assure effective delivery of services
- Use sound judgment to accept, reject, or forward to the Board of Directors any proposals for events, workshops, screenings, fundraising, etc.
- Signatory on behalf of the Society
- Perform timely banking and bill payments
- Authority to authorize spending up to \$1,500 per month on behalf of the Society (with the exception of equipment purchases)
- Authority to hire, promote, transfer, terminate employment, and handle disciplinary matters in accordance with legislation, the Society Bylaws, and Human Resources policy
- Responsible for performance evaluation of CineVic staff every 6 months
- Establish management practices which include all employees' constructive input and actions
- Establish group and individual accountabilities for self and all staff, related to the strategic plan
- Set SMART goals to achieve strategic plan initiatives; review monthly with Board
- Establish a schedule for staff that is flexible around events and workshops, as well as individual staff needs
- Ensure that all safety standards are adhered to
- Maintain individual skills, keeping up-to-date with the latest in non-profit management and fundraising techniques
- Any other such duties as may be required by the board or the position from time to time

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 or sponsored 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 the person knew or reasonably ought to have known, 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.

12. Safe Workplace Policy

Employee health and safety is of utmost importance to CineVic Society of Independent Filmmakers. All employees are expected to take matters related to health and safety in the workplace seriously, and to conduct themselves with due care and attention while at work. CineVic complies with all regulatory and legislative workplace health and safety requirements, including Worksafe BC coverage and all current public health mandates from the British Columbia provincial government.

12.1 Accidents and Injuries

At least one staff member will have occupational first aid training. CineVic will cover the cost for an occupational first aid course for at least one designated staff member.

In the event of minor accidents or injuries happening on the CineVic premises, a first aid kit is available in the washroom cabinet, and a fire extinguisher is available on the wall near the front entrance. During events or programs taking place in an external venue, the location of a first aid kit and fire extinguisher will be communicated to staff and/or other CineVic representatives such as members, contractors, or volunteers.

All incidents at CineVic, regardless of severity, must be reported to a staff member and/or the designated first aid attendant. This will ensure that any official reporting is filed, if required, and ensure that any potential workplace hazards are addressed. Anyone who witnesses an accident should ensure their colleague is safe, assist as able and where necessary, and then report the incident. Anyone involved in an accident requiring medical attention or time off work should first and foremost take care of the health issue, such as through seeking medical attention, and then report the incident when able to do so.

12.2 Security

CineVic provides some in-person services to both our members and the general public, at both our office space and external third-party venues. We also occasionally provide use of our facilities to other parties that require a meeting space. As such, we have a frequent presence of non-CineVic personnel within our office space and external venues.

It is everyone's responsibility to be proactive with security at the CineVic office and events. In some cases a security company will be contracted for certain events. Anyone witnessing suspicious activities should immediately

report it to a staff member or other CineVic representative. Such activities may include, but are not limited to:

- unidentified person(s) attempting to gain unauthorized access to facilities or equipment;
- an unescorted or unaccompanied visitor anywhere on our premises;
- any person who appears to be hiding something or is acting nervous, anxious, secretive, or defensive without provocation;
- any person making unusual or repeated requests for sensitive or important society-related information;

- any person claiming to be a representative of a utility or other service company, but cannot produce adequate identification.