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Folk Music Ontario Respectful Workplace Policy

Policy Statement

Definitions (Source: Ministry of Labour, Equity)

Harassment: Engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. In matters of gauging alleged negative workplace behaviours, the impact of the behaviour will be of primary importance, rather than the intent behind the behaviour. Harassment may also be defined as a form of discrimination as set out in federal or provincial human rights legislation, which prohibits discrimination and harassment based on certain protected grounds.

Worker/Participant & Deemed Workplace: Means any person employed by Folk Music Ontario and any person or entity that is a member, or any person who may otherwise participate in any event, or activity sponsored in whole or in part, by *Folk Music Ontario*. Participation may mean either a volunteer, a contractor, a sponsor, a supplier or provider of services of any kind or nature to FMO. A person or entity as described herein, shall be deemed to be a “worker/participant” within a designated workplace for the purposes of this policy. A designated workplace shall be deemed to be any space occupied, rented, or used as a permanent or temporary location that is under the authority or the control in whole or in part of *Folk Music Ontario*.

Identification and Implementation

Identification:

- 1.0 No one shall harass any other participant at Folk Music Ontario at events or activities that are sponsored in whole or in part by FMO and therefore within a designated workplace.
- 1.1 No one shall use their position of power in a manner that is reasonably considered by others inappropriate or unwelcome.
- 1.2 Every participant shares responsibility for reporting any harassment of which he or she is aware.

Implementation:

- 2.0 FMO only acknowledges written complaints. Following receipt of a complaint, FMO will respond as soon as reasonably possible as dictated by the seriousness of the complaint and the circumstances.
- 2.1 The complainant shall identify the individual(s) involved, the circumstances, witness information and provide any related documentation. The complainant shall be informed in writing that FMO has received a complaint.
- 2.2 If in the opinion of the Executive Director and the President the complaint warrants further consideration, the matter shall be referred to the Board of Directors for direction or other action as determined by the Board. Where exigent circumstances exist, the President shall select a committee of not less than three (3) Directors to review the matter and render a report.

- 2.3 All harassment complaints will be considered 'confidential matters'. The Executive Director, the Board of Directors, or a delegated committee of the Board shall be the only individual's privy to the complaint pending the final review of the complaint. All harassment complaints shall be reviewed by the Board of Directors within an 'in camera' session of the Directors meetings.
- 2.4 The Executive Director, and the President shall determine the scope of, and the means through which the complaint is to be reviewed and dealt with. Following the review by Executive Director, and the President, the President shall submit their recommendations to the Board for consideration. The Board may thereafter; take no action, reserve matters to obtain further information, refer the matter to an outside investigator, or strike a complaint committee composed of not less than three (3) members of the Board and one Director appointed as the Chair of the complaint committee. The complaint committee Chair shall be responsible for undertaking a review of the complaint and shall ensure all steps and actions taken by the complaint committee are documented, including but not limited to any taped interviews. The Chair shall provide a written report to the President, within thirty (30) days following the creation of the complaint committee, or such other time as determined by the Board.
- 2.5 The President shall report to the Board of Directors the findings of the complaint committee and the Board shall receive the report. The President, and the complaint committee Chair may make recommendations to the Board in relation to any matter arising from the review. Following a review of the complaint committee report, the Board of Directors may undertake any steps or procedures deemed necessary in their absolute discretion. The President shall then inform the complainant in writing (or any other affected party as is determined by the Board) of the outcome of the review together with the recommendations of the Board within thirty (30) days following the decision of the Board. The complainant shall not be entitled to receive copies of the review materials, and such reviews and reports shall be considered the property of the FMO.
- 2.6 Following six (6) months after the Board of Directors has communicated its decision on the matter of the complaint; the Board of Directors may require all records, reports, e-mails and related review material be destroyed, except as set out in paragraph 3.0.

Repercussions:

- 3.0 Violation of this policy may lead to disciplinary action including legal action, termination of participation, loss of membership, volunteer status, and employment.
- 3.1 Where the decision of the Board may affect an individual's employment rights or benefits arising from FMO employment, all records, reports, e-mails and related review material shall not be destroyed for a period not less than two (2) years from the chosen action date and shall be preserved as confidential file.
- 3.2 Members of the public committing harassment will be made aware of FMO's policy, and to the extent possible, prohibited from FMO events.

Confidentiality:

- 4.0 FMO recognizes the sensitive nature of harassment complaints and all complaints will be kept confidential to the extent that it is possible to do so. Out of respect for the relevant individuals, it is essential that the FMO Directors, Officers, employees, volunteers, complainant, respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards.
- 4.1 Failure to respect confidentiality may impact FMO's ability to complete an investigation.

Non-Retaliation:

- 5.0 If the Board determines that there are sufficient grounds to believe that anyone has engaged in reprisal or threats of reprisal against individuals who make use of this policy or who participate in proceedings as part of the response process, FMO may undertake such action as deemed appropriate by the Board,

including but not limited to the disciplinary proceedings provided for in its by-laws, including loss of membership.

Communications:

6.0 All participants will be made aware of the policy through FMO's website and other communications.

FMO supporting policies:

7.0 Folk Music Ontario Equality Statement

7.1 The Ontario Ministry of Labour Health and Safety policies specific to Violence & Harassment in the Workplace.