



# PEGGY BAKER DANCE PROJECTS

## Workplace Anti-Harassment/Violence Policy

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# 1. Workplace Anti-Harassment/Violence Policy

**Please note:** this document is to be read in conjunction with the “Peggy Baker Dance Projects’ Universal Shared Space Values and Agreements” Document. We invite project teams to take the agreements document and tailor it to the needs of the group as part of your orientation process.

The management of Peggy Baker Dance Projects is committed to the prevention of workplace harassment and violence and will take all necessary steps to protect our Workers from workplace harassment and violence from all sources. Investigation into instances of harassment and violence will centre the needs of the complainant. The investigation process is trauma-informed; and findings from investigations may lead to restorative justice processes followed resulting in healing for all involved as well as other standard remedies.

## Scope

This policy applies to PBDP’s employees (including artistic and administrative staff, and stage managers); to our contractors (including providers of management, production, and creative services, as well as performers and instructors); our Board of Directors; our volunteers; our professional development course participants; and our audiences.

The definition of a workplace for PBDP is any land, premises, location or thing at, upon, in or near which a Worker works. This could be an office, rehearsal hall, theatre venue, event space, online space, and others.

The definition of a Worker for the purpose of this policy can include employees, independent contractors, interns, and volunteers.

Definition of Complainant: the Worker who lodges a complaint of workplace violence or harassment

Definition of Respondent: the Worker against whom the complaint is lodged.

## Workplace Harassment, including Sexual Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a Worker in a workplace that is known, or ought reasonably to be known, to be unwelcome.

Harassment may consist of unwelcome or offensive behaviour that contributes to a hostile work environment or that can cause an employee to feel uncomfortable or threatened.

This includes:

- a peer or colleague engaging in a course of vexatious comment or conduct against a Worker in a workplace because of race, disability, sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; and/or

- making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the Worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.
- Verbal or abuse or bullying.

### **Workplace Violence**

Workplace violence is defined in the Ontario Health and Safety Act as the exercise or attempted exercise of physical force by a person against a Worker, in a workplace, that causes or could cause physical injury to the Worker, or a statement or behaviour that it is reasonable for a Worker to interpret as a threat to exercise physical force against the Worker, in a workplace, that could cause physical injury to the Worker. This definition of workplace violence is broad enough to include acts that would constitute offences under *Canada's Criminal Code*.

Examples of workplace violence under this definition may include but are not limited to:

- Threatening behaviour – shaking fists in front of a Worker or pushing a Worker.
- Physical attacks – including hitting, shoving, pushing, kicking, biting, pinching.
- Verbal or written threats – any expression of intent to inflict physical force that could cause physical injury; or any involving body language or behaviours that leave little doubt in the mind of the recipient that the perpetrator intends to cause physical injury.

Everyone working for Peggy Baker Dance Projects will receive information and instruction on the contents of the policy, the violence prevention program, and procedures for reporting complaints of harassment and/or violence. Everyone will adhere to this policy, and everyone is responsible for ensuring that measures and procedures are followed.

All Workers are encouraged to raise any concerns about workplace harassment and/or violence and to report any violent incidents or threats. Management pledges to investigate and deal with all incidents and complaints of workplace harassment and violence in a fair and timely manner, respecting the privacy of all concerned as much as possible.

Signed:



Peggy Baker, Artistic Director  
Date: December 2020

## 2. Workplace Harassment and Violence Prevention Plan

### 1. Roles and Responsibilities:

#### Shared Responsibilities:

- Everyone involved with Peggy Baker Dance Projects shares a responsibility to ensure the preservation of a productive, safe, anti-racist and peaceful art-making environment; and for creating and maintaining an environment free of workplace harassment, violence and abuse.
- Every effort must be made to work toward the resolution of complaints by all those affected.
- Anyone who witnesses workplace harassment, violence or abuse is responsible for bringing it to the attention of one of the following individuals, called **Reporting Managers** for the remainder of this document:
  - Peggy Baker, Artistic Director
  - Meredith Potter, Manager & Senior Producer
  - Jenny McCowan, Producer
  - Steven Smits, Associate Producer
  - Jacqueline Mackey, Board Chair
  - Kathrina Nhan, Board Member
- Anyone who witnesses workplace harassment, violence and abuse is also responsible for participating in the investigation of the complaint.

#### Management Responsibilities

Peggy, Meredith, Steven, Jenny, and employed stage managers are responsible for understanding what constitutes harassment or violent behaviour and communicating to Peggy Baker Dance Projects Workers (which includes employees, contractors, Board, volunteers, participants and audiences) that workplace harassment, violence and abuse will not be condoned or ignored. Peggy, Meredith, Steven and Jenny will make every effort to prevent workplace harassment, violence and abuse by:

- Being role models with respect to appropriate conduct at work and promoting a nonviolent workplace.
- Assessing specific risks for each engagement and reviewing/revising the assessment as is necessary but at a minimum, annually.
- Communicating this policy, prevention program and reporting procedure to everyone who works with and for Peggy Baker Dance Projects.
- Implementing workplace arrangements and appropriate procedures that minimize the risk of workplace harassment, violence and abuse, including domestic violence, that may result in physical or mental injury in the workplace.
- Monitoring the effectiveness of this program and applicable procedures on an ongoing basis and recommending changes as required.
- Encouraging and providing opportunity for participation in education and training programs offered by third parties such as PACT, CAEA, TAPA, CHRC etc. for themselves

and for Workers at Peggy Baker Dance Projects.

- Taking all complaints of harassment, violence and abuse seriously and promptly and diligently investigating any alleged incident.
- Implementing any follow-up actions as required by this program.
- Keeping detailed confidential records of any incidence of workplace harassment, violence and abuse and investigations.
- Documenting all issues to provide an annual reports to the Board of Directors; and to create transparency in the event of an issue that causes significance workplace disruption and/or harm to the organization's reputation.

### Worker Responsibilities

All Workers share the responsibility to create a workplace that is free from harassment, violence and abuse. Each Worker is responsible for understanding what constitutes workplace harassment, violence and abuse and conducting themselves in accordance with the spirit and intent of the policy. Worker responsibilities include:

- Being a role model with respect to appropriate conduct at work and promoting a nonviolent workplace.
- Providing input to the Annual Risk Assessment, PBDP Workplace Safety Agreements and Shared Space Values documents during Project orientation.
- Co-operating with the Reporting Manager in meeting the requirements of this program to investigate and resolve matters arising under the program.
- Abiding by the requirements of this program and applicable procedures.
- Reporting any incidents of workplace harassment, violence and abuse that have been experienced or witnessed in accordance with the applicable procedures. This includes domestic violence that may result in physical or mental injury in the workplace.
- Participating in training as required.
- Seeking support and assistance from community services when experiencing stress or other personal difficulties that may contribute to workplace violence.
- Participation in any complaint process, including investigations, and keeping all disclosures confidential.

Peggy Baker Dance Projects recognizes that a Worker experiencing domestic abuse may be reluctant for safety and other reasons to disclose the problem to a Reporting Manager. Peggy Baker Dance Projects encourages disclosure in order to ensure the Worker's safety and that of their co-Workers.

Although Peggy Baker Dance Projects respects a Worker's need for confidentiality and self-determination, a Worker is responsible for disclosing any situation which threatens the safety of the workplace. A Worker must inform a Reporting Manager if they have applied for, or obtained, a restraining order that lists a location used/rented by Peggy Baker Dance Projects as being a protected area, or that requires a person to remain a certain distance away from the Worker at all times including during the work day.

When the Reporting Manager is notified of the potential of a domestic violent situation in the Workplace, they shall take specific steps to protect the individual Worker and co-Workers:

- accommodate the Worker in alternative work arrangements (schedule flexibility, changes in hours, transfer of location, etc.)
- assist in locating information on available counseling resources.

## **2. Workplace Violence Risk Assessment**

The overall responsibility for coordinating the risk assessment process shall rest with Peggy, Meredith, Steven and Jenny, and shall be updated annually. The Risk Assessment will involve four steps as follows:

1. Examination Internal Documentation
2. Solicit Input from Workers
3. Complete Workplace Violence Risk Assessment
4. Annual Report on Workplace Violence

## **3. Training and Prevention**

- All Workers will be provided information on the policy and program with respect to workplace harassment, violence and abuse.
- Based on the Workplace Risk Assessment, management may determine that the potential exposure to workplace harassment, violence and abuse necessitates the need to develop specific skills and knowledge, ranging from reviewing relevant safety tips to scheduling classroom training or arranging for specialized training.

## **4. No Reprisal**

Reprisals against Workers who have made good faith complaints or provided information regarding a complaint or incident of workplace harassment, violence and abuse are prohibited. Persons who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of- or provided information about- an incident of workplace harassment, violence and abuse.
- Intentionally pressuring a person to ignore or not report an incident of workplace harassment, violence and abuse.
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace harassment, violence and abuse.

A Worker who makes a false complaint or otherwise abuses the reporting procedure may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

### 3. Workplace Harassment and Workplace Violence Reporting Procedures

#### Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of workplace harassment and/or violence, including identifying information about any individuals involved, will not be disclosed unless disclosure is necessary to protect Workers, to investigate the complaint or incident, to take corrective action, or otherwise as required by law.

While the investigation is on-going, the Complainant, the Respondent(s) and any witnesses should not discuss the incident or complaint or the investigation with each other, other Workers, witnesses, or members of the general public unless necessary to obtain advice about their rights. The investigator may discuss the investigation and disclose the incident or complaint-related information only as necessary to conduct the investigation.

#### 3.1 Reporting Workplace Harassment (See 3.2 below for Reporting Violence)

Report a workplace harassment incident or complaint to one of the following individuals, called **Reporting Managers** for the remainder of this document:

Peggy Baker, Artistic Director  
Meredith Potter, Manager & Senior Producer  
Steven Smits, Associate Producer  
Jenny McCowan, Producer  
Jacqueline Mackey, Board Chair  
Kathrina Nhan, Board Member

Workers can report incidents or complaints of workplace harassment verbally or in writing. When submitting a written complaint, please use the Workplace Harassment Complaint Form (see attached). When reporting verbally, the Reporting Manager will fill out the complaint form on behalf of the Complainant and the Complainant will need to sign the form that is a true account of events.

The report of the incident will include details of what happened including date(s), frequency and location(s) of the alleged incident(s) plus:

- a. Any supporting documents the Worker who complains of harassment may have in their possession that is relevant to the complaint.
- b. List any documents a witness, another person or the alleged harasser may have in their possession that is relevant to the complaint.

An incident or a complaint of workplace harassment should be reported as soon as possible

after experiencing or witnessing an incident.

## **Investigation of Harassment Complaints**

### Commitment to Investigate

Management will ensure that an investigation appropriate in the circumstances is conducted when a Reporting Manager becomes aware of an incident of workplace harassment or receives a complaint of workplace harassment.

### Harm Intervention Prior to Investigation

Peggy Baker Dance Projects commits to immediately taking necessary action to reduce or eliminate continued harm after receiving a complaint. This could take the form of reallocating rooms on tour; suspending rehearsals; or continuing to pay the Complainant, the Respondent, or both but not requiring them to attend work while the complaint is investigated. Decisions regarding harm reduction will be made by Peggy in consultation with the Complainant, Meredith, Steven and Jenny.

### Who Will Investigate?

Management will determine whether an internal or external investigator will conduct the investigation into the incident or complaint of workplace harassment.

### Timing of the Investigation

The investigation must be completed in a timely manner and generally within 14 days or less unless there are extenuating circumstances warranting a longer investigation (i.e. illness, complex investigation).

### Investigation Process

The person conducting the investigation, whether internal or external to the workplace will, at minimum, complete the following:

- i. The investigator must ensure the investigation is kept confidential and identifying information is not disclosed unless necessary to conduct the investigation. The investigator should remind the parties of this confidentiality obligation at the beginning of the investigation.
- ii. The investigator must thoroughly interview the Complainant and Respondent, if the Respondent is a Worker of the employer. If the Respondent is not a Worker, the investigator should make reasonable efforts to interview the Respondent.
- iii. The investigator will communicate to Workers that they may choose to have union/association (such as Equity, CADA, ADC, IATSE if applicable, i.e. if the Worker is an existing member of an association) representation during interviews.
- iv. The Respondent must be given the opportunity to respond to the specific allegations raised by the Complainant. In some circumstances, the Complainant should be given a reasonable opportunity to reply.
- v. The investigator must interview any relevant witnesses employed by the employer who may be identified by either the Complainant, the Respondent or as necessary to conduct a



thorough investigation. The investigator must make reasonable efforts to interview any relevant witnesses who are not employed by the employer if there are any identified.

- vi. The investigator must collect and review any relevant documents.
- vii. The investigator must take appropriate notes and statements during interviews with the Complainant, Respondent, and any witnesses.
- viii. The investigator must prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of the Complainant, the response from the Respondent, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether workplace harassment was found or not.

#### Results of the Investigation

- i. Upon completion of the investigation, the Complainant and Respondent will be advised, in writing, of the conclusions reached and whether any action has been taken or will be taken as a result of the investigation.
- ii. Should the investigation not substantiate the complaint, then the Management will advise both the Complainant and the Respondent.
- iii. Should the investigation substantiate the complaint, appropriate action will be taken. Appropriate action may include (but not be limited to): a Restorative Justice process that focuses on the needs of the complainant; a requirement for a formal apology from the harasser; a recommendation for counselling for those involved, a mediation meeting with both parties; discussion with the harasser regarding expected and appropriate workplace behaviour and responsibilities, and/or disciplinary action, up to and including termination. The determination of a resolution process will be at the sole discretion of Management, after consultation with the Complainant.
- iv. Complaints that are found to be made in bad faith may result in disciplinary action against the Complainant. The severity of the action will depend on the seriousness and impact of the complaint.
- v. A copy of the complaint, and formal responses, witness statement(s), investigator's notes, and the final report (including the conclusion) shall be kept in a secure file, for a minimum of one (1) year.

### **3.2 Reporting Workplace Violence**

All Workers have the obligation under the Act to report incidents of workplace violence and abuse that are experienced or witnessed to a Reporting Manager. If a Reporting Manager is involved in the workplace violence, the Worker shall contact an alternate Reporting Manager. In all cases, the Worker shall follow the reporting procedures as outlined below.

Workers can report incidents or complaints of workplace violence verbally or in writing. When submitting a written complaint, please use the Workplace Violence Complaint form (see attached). When reporting verbally, the Reporting Manager will fill out the complaint form on behalf of the Complainant and the Complainant will need to sign the form that is a true

account of events.

The report of the incident will include details of what happened including date(s), frequency and location(s) of the alleged incident(s) plus:

- a. Any supporting documents the Worker who complains of violence may have in their possession that is relevant to the complaint.
- b. List any documents a witness, another person or the respondent may have in their possession that is relevant to the complaint.

An incident or a complaint of workplace violence should be reported as soon as possible after experiencing or witnessing an incident or receiving a threat of violence.

#### Complaints that Pose an Immediate Risk of Physical Injury

- The Worker or the Reporting Manager shall immediately call 911 police/emergency services. If a Worker initiates contact with the police, the Worker shall notify a Reporting Manager immediately.
- If required, the Manager shall arrange for a safe place for the Complainant to work that is as near as reasonably possible to their usual work site; or send the Worker home if appropriate.
- If the police are not involved, the Manager may arrange for an alternate place for the Respondent to work that is as near as reasonably possible to their usual work site, or send the Worker home if deemed appropriate for their safety or the safety of others.
- A Workplace Violence Incident Reporting Form shall be completed by the Complainant, or the Reporting Manager on behalf of the Complainant.
- In a situation where the police are contacted, no other investigation should proceed until the police complete their investigation.

#### Complaints that do not pose an Immediate Risk of Physical Injury

- A Worker who experiences workplace violence or abuse or who has concerns regarding possible incidents of workplace violence (the Complainant) shall report the incident to a Reporting Manager.
- The Reporting Manager shall review the complaint and consider whether an informal resolution to the complaint is possible.
- The Reporting Manager must complete a Violence Incident Reporting Form within two days of the incident/concern being reported to them.

#### Informal Resolution

A Reporting Manager who receives a complaint of Workplace Violence, which appears the Complainant determines to be capable of resolution informally, shall use reasonable efforts to assist the Complainant in effecting informal resolution within seven (7) days of receiving the complaint.

- The Manager assesses the immediate risk, gathers information and documents the concern within three (3) days of receiving the complaint. The parties should receive a copy of the

complaint and have the opportunity to respond in writing.

- Efforts at informal resolution should include individual meetings with the parties as appropriate. The Worker/s may request union/association representation at the meeting if they are members. The parties may decide to meet as a group to resolve the issue.
- The Reporting Manager may request expert assistance from members of the Peggy Baker Dance Projects Board.
- If informal resolution is not possible then the Reporting Manager shall initiate the formal investigation process.

The Reporting Manager will consult with the Complainant and Peggy Baker as to what remedial action, if any, should take place in the workplace while the investigation is taking place.

#### Formal Investigation

- Management shall appoint an investigator within seven (7) days of receiving a request for a Workplace Violence investigation and the investigation shall proceed expeditiously and on a confidential basis.
- One of two types of investigators may be appointed:
  - internal investigator (i.e. alternate management representative not named in the complaint or trained investigator)
  - third-party investigator.
- The investigator will be responsible for establishing the facts, including interviews with the Complainant, Respondent and any witnesses.
- The Complainant, Respondent and witnesses may be called upon with minimal advance notice to ensure the confidentiality and timeliness of the investigation process.
- The investigation will include interviews of the Complainant, the Respondent and any witnesses.
- The Complainant, Respondent and witnesses will be provided a copy of the information they provided during the course of the investigation.
- Any of the parties may request union/association representation during the investigation process.

#### Investigative Process

- Management appoints an investigator within 7 days of receiving the request for an investigation, but will strive for a faster appointment
- The investigator interviews the Complainant
- The investigator interviews any witnesses identified as having knowledge of the incident
- The investigator interviews the Respondent to obtain the Respondent's response to the allegations in the complaint
- It may be necessary for the investigator to re-interview the Complainant, Respondent or witnesses
- The investigator will prepare and submit a report summarizing the facts and findings within 30 days – but preferably much faster – of initiating the investigation and conclude whether there is evidence to substantiate a finding of violation of the policy/program .

- Copies of the investigator's report will be distributed to the following recipients:
  - the Peggy Baker Dance Projects Board Chair
  - the Complainant
  - the Respondent
  - representatives of the union(s)/association(s) of which the Complainant and/or Respondent are members
- Based on the investigator's findings, the Management shall determine whether further action is warranted (i.e. initiate action), and if yes, consult with the Complainant about the nature of the action the Complainant is seeking. They will notify the Complainant and Respondent in writing of the outcome and next steps within 10 days of receiving the investigator's report.
- As applicable, a copy of the outcome will be provided to the union(s)/association(s) of which the Complainant and Respondent are members.
- Where a complaint is lodged by more than one Complainant or is against more than one Respondent, the Complainant or Respondent, as the case may be, shall receive only the portions of findings applicable to their specific complaint/response.
- Any of the parties may request a formal review of the decision of the investigator by submitting either additional evidence or demonstrating other grounds for review in writing to Management within 7 days of receiving the findings of the investigator. The Peggy Baker Dance Projects Reporting Managers will review the findings and the request, and determine if a new investigation is warranted.

## **Violent Incident Follow-up**

### Worker Support

Workers who experience an incident of workplace violence that is a traumatic incident will be offered the option of speaking with professional counsellors to be provided at the expense of Peggy Baker Dance Projects.

### Remedial Action and Prevention Plan

Following a violent incident Management shall:

- review the incident;
- outline what remedial actions are necessary to prevent or minimize the impact of repeat occurrences;
- identify new or previously undefined risks and reassess the incident; and
- review employee training and education programs and determine if they are adequate or if additional training should be provided.

### Notice of an Injury as a Result of Workplace Violence

Management must inform the Peggy Baker Dance Projects Board immediately in the event of an incident of workplace violence that results in injury or death. In addition, Management must:

- Complete the WSIB Form 7 - Employers Report of Injury/Disease and submit it to WSIB as

soon as possible.

### **3.3 Record-Keeping of Complaints of Harassment and Violence**

The employer (human resources or designated person) will keep records of the investigation, both electronic and hard copies, including:

- a) a copy of the complaint or details about the incident;
- b) a record of the investigation including notes.

## 4.1 More Definitions

Definitions associated with workplace violence do not supersede the criminal code or any other legislative definitions. The following definitions of workplace violence cause or have the potential to cause the individual trauma/harm/injury/illness or the belief that their physical and or psychological health and safety are at risk:

**Assault:** Any intent to inflict injury on another, coupled with an apparent ability to do so; any intentional display of force that causes the victim to fear immediate bodily harm; any actual assault.

**Bullying:** A form of repeated, persistent and aggressive behaviors directed at an individual or individuals that are intended to cause or ought to be known to cause fear and distress and or harm to another person's body, feelings, self-esteem, or reputation. Bullying can include social isolation (silent treatment), rumors, personal attacks of one's private life and/or personal attributes, excessive or unjustified criticism, verbal aggression, withholding information or job responsibility, trivial fault finding, or negative physical contact.

**Conflict:** PBDP recognizes that conflicts are diverse. By providing more than one process for resolution, PBDP hopes to offer flexibility and the appropriate opportunity to resolve conflicts with positive outcomes.

**Domestic Violence/ Personal Relationship Violence:** Sometimes also referred to as Intimate Partner Violence or Family Violence. It is a pattern of coercive behavior that is used by one person to gain power and control over another. It may include, but is not limited to, physical violence, sexual harassment, emotional and psychological intimidation which may be expressed through verbal abuse, stalking, use of electronic devices to harass, and economic control. Domestic violence/personal relationship violence occurs between current or former intimate partners and can occur in any personal relationship regardless of sexual orientation, gender identity, age, race, economic status, educational background or religious belief.

**Workplace Harassment:** Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; or, workplace sexual harassment. Harassment is the unsolicited or unwelcome interaction, which directly or indirectly affects or threatens to affect a person's job security, prospects of promotions or earnings, working conditions or opportunity to secure a position. Harassment can be verbal, physical, or psychological. It may be a single or series of acts such as behaviors or comments which intimidate, discredit, ridicule, humiliate, belittle, prevent expression, deny or distance an individual. The act does not need to be intentional in order to be considered offensive or intimidating and therefore harassment. The test to determine whether harassment has occurred is two-fold:

- 1) Whether a person knew or ought to have known that the behavior would be considered unwelcome or offensive by the recipient.
- 2) The recipient found the behaviour offensive

**Workplace Sexual Harassment:** Engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

**Near Miss:** An act of striking out, but missing the target or failing to injure.

**Physical Attack:** An act of aggression resulting in a physical assault or abuse with or without the use of a weapon. Examples include hitting, shoving, pushing, punching, biting, spitting, groping, pinching or kicking the victim, unwelcome displays of affection or inciting another or an animal to attack.

**Psychological Abuse:** A course of repeated and vexatious action conducted by an individual or group that is known, or ought reasonably to be known, to be unwelcome and that could reasonably be regarded as intending to intimidate, provoke fear or diminish an individual's dignity or self-worth or that intentionally inflicts psychological trauma/harm/injury/illness on another.

**Sexual Assault:** Is defined in the Criminal Code but is generally understood as the use of power to threaten or violate another through sexual behaviours; to force one individual to touch, kiss, fondle or have sexual intercourse with another against their will.

**Threat:** a communicated intent (verbal or written) to inflict physical or other harm on any person or to property by some unlawful act. A direct threat is a clear and explicit communication distinctly indicating that the potential offender intends to do harm, for example, "I am going to kill you." A conditional threat involves conditions, for example, "If you don't leave me alone, I will put you right through that wall." Implied threats (Intimidation), usually involve body language (e.g. towering over someone), or behaviors (e.g. staring someone 'down'), that leave little doubt in the mind of the victim that the perpetrator intends to harm (even if they don't plan to follow through). Intimidations are meant to instill fear in the hope that the person being intimidated will 'give in' to what the intimidator wants.

**Verbal Abuse:** The purposeful use of vexatious comments that are known, or that ought to be known, to be unwelcome, embarrassing, offensive, threatening or degrading to another person, (including swearing, insults, condescending language, racism, sexism, homophobia or any kind of discriminatory remarks) which causes the person to believe their health and safety are at risk.

**Workplace Violence:** The exercise of physical force by a person against a WA personnel, in a workplace, that causes or could cause physical and/or psychological trauma/harm/injury/illness or that gives a person reason to believe that s/he or another person is at risk of physical and or psychological trauma/harm/injury/illness. This includes, but is not limited to, any actual or attempted assault (including sexual assault and physical attacks), domestic violence/personal relationship violence, threat, verbal, psychological or sexual abuse or harassment. Violence can be experienced either

directly or indirectly (e.g. impact of witnessing an assault). Sexism, homophobia, racism, ableism and other practices of marginalization may exacerbate the risk of workplace violence.

## 4.2 Resources on Anti-Harassment/ Anti-Violence

Ontario Ministry of Labour:

<https://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php>

Respectful Workplaces in the Arts:

<http://respectfulartworkplaces.ca/training-resources-on-harassment>

Canadian Alliance for Dance Artists:

[https://cadaontario.wildapricot.org/psd\\_14\\_discrimination\\_personal\\_harassment/](https://cadaontario.wildapricot.org/psd_14_discrimination_personal_harassment/)

Not in our Space! A program of Canadian Actors' Equity Association

(Please note Peggy Baker Dance Projects is not a signatory to any CAEA agreements)

<https://www.caea.com/Features/Not-In-Our-Space>

Canadian Code of Conduct for the Performing Arts:

<http://respectfulartworkplaces.ca/sites/default/files/2019-06/Code%20of%20Conduct%20LPA%20booklet.pdf>

Infrastructure Health and Safety Association:

[https://www.ihsa.ca/Topics\\_Hazards/Workplace\\_Violence\\_Harassment.aspx](https://www.ihsa.ca/Topics_Hazards/Workplace_Violence_Harassment.aspx)

## 4.3 Service Providers Short list for external investigations

MacLeod Law Firm

<https://macleodlawfirm.ca/news/the-truth-about-workplace-investigations/>

HR Proactive Inc.

<https://www.harassmentinvestigation.ca/>

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