

**Armstrong Acting Studios  
Workplace Harassment and Discrimination Policy  
(the “Policy”)**

**Policy Statement**

**Armstrong Acting Studios (“AAS”)** is committed to maintaining a Workplace environment that is free from Harassment and Discrimination, and that is supportive of the dignity and fair treatment of its Employees, Clients and Guests. AAS will not tolerate any form of Harassment or Discrimination as defined in this Policy, the ***Human Rights Code*** (“Code”) or the ***Occupational Health and Safety Act*** (“OHS”). In the event that Workplace Harassment or Discrimination is alleged, every effort will be made to work with the individuals involved to find a fair, reasonable, and timely resolution of the matter. This Policy applies to all AAS Employees, Clients and Guests.

**Definitions regarding this Policy**

**Clients:** any person enrolled in an AAS class or workshop, or participating in a coaching from AAS.

**Complainant:** anyone who makes a Complaint to AAS, pursuant to this Policy and related Procedure.

**Complaint:** a written allegation of behaviour that is believed by the Complainant to contravene the Policy.

**Discrimination:** any intentional or unintentional act, conduct, standard or policy which creates a distinction between certain individuals or groups based on one or more of the prohibited grounds as defined in the ***Human Rights Code*** (the “Code”) and results in negative, adverse or differential treatment, which may include imposing extra burdens or denying benefits. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices, or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. It may be obvious, or it may occur in very subtle ways.

Note: The Prohibited Grounds of the Code are listed below.

**Employee/ Worker** means a person under the employ of AAS either on a full-time ongoing basis or on a less than full-time, and/or temporary basis, including instructors, teaching assistants, co-op students on placement, interns and operations staff.

**Frivolous:** without importance or lacking in substance, factual basis, or proper seriousness.

**Guests:** contractors or other providers of service to AAS, AAS visitors and guests. AAS Employees are not included in the definition of Guests for the purpose of this Policy and related Procedure.

**Incident:** behaviour or a situation of potential Workplace Harassment or Discrimination of which AAS becomes aware in any way other than a direct, written Complaint.

**Investigation:** the steps taken that are appropriate in the circumstance to determine whether the Complaint or Incident reported has, on the balance of probabilities, occurred.

**Parties to a Complaint:** the Complainant and Respondent identified in the written complaint.

**Prohibited Grounds:** grounds on which a person has a right to freedom from Harassment and Discrimination in employment according to the Code, including:

- Age
- Ancestry
- Citizenship
- Colour
- Creed (including religion, Indigenous practice, spiritual belief)
- Disability
- Ethnic origin
- Family status (including parent-child relationship, elder care)
- Gender expression
- Gender identity
- Marital status (includes same-sex partnership, cohabitation, widowhood, separation and divorce)
- Place of origin
- Race
- Record of offences
- Sex (including pregnancy, breast feeding)
- Sexual orientation
- a conviction for which a pardon has been granted or a record suspension has been ordered
- Other grounds protected by the Code or applicable legislation.

**Reprisal:** any act of retaliation or threat of retaliation for making a good faith report of Workplace Harassment or Discrimination or participating in the Complaint resolution process (including being a witness) under this Policy.

**Respondent:** the person(s) against whom a Complaint has been made, pursuant to this Policy and related Procedure.

**Vexatious:** without reasonable or probable cause or excuse.

**Workplace:** the AAS Studios and any other premises or location at which an AAS sanctioned-event occurs.

**Workplace Harassment:** 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. Single acts of sufficient severity may constitute harassment. Workplace Harassment includes but is not limited to Workplace Sexual and Gender-Based Harassment.

## **Workplace Sexual and Gender-Based Harassment:**

- a) 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
- b) 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

## **Behaviour Within The Workplace**

AAS Employees are expected to proceed in their daily duties in a manner that upholds the dignity of their profession, and to exhibit a commitment to learning, an enthusiasm for teaching, and a concern for the well-being of their fellow Employees, Clients, Guests, and the Studio.

The following are examples of behaviour that is considered harassment, and will not be tolerated:

- use of profane, sexist, racist, or obscene language (unless referencing dialogue from sides)
- unwelcome remarks, jokes, name-calling, or insults made verbally or in writing that are demeaning.
- the display of racist, sexist, pornographic, or otherwise offensive pictures or material.
- miming of a sexual act.
- advances that are unwelcome or ought reasonably be known to be unwelcome, including touching, flirtation, propositions, requests for sexual favour or other verbal or physical conduct of a sexual nature
- intimidating, insulting, offensive, or berating behavior, regardless of the intended outcome (i.e. 'bullying' a client into an emotional state for a better take)
- belittling, demeaning, bullying or aggressive behavior
- isolating or making fun of a client or studio employee
- unwanted touching / touching of any kind without specific verbal permission (i.e. 'may I adjust your hair for this selftape?')
- remarks of a sexual nature about persons at the studio
- comments on appearance (i.e. weight, body shape)
- being told what your type is (funny fat girl, etc.)
- comments on sexual orientation, gender identity, or ethnicity
- imitating the accent of an actor's ethnic background
- inappropriate personal questions, regardless of intended outcome (i.e. 'have you been naked with a man before?' 'Are you a virgin?' etc.)
- inquiring after a client's romantic status, and/or offering or asking for private contact info.

All of the above also applies to communications between Employees, Clients and Guests via e-mail, phone, or text.

## **Employee Behaviour Outside The Workplace**

Behaviour that is inappropriate inside the Studio is equally inappropriate outside of the Studio. In addition, in order to uphold professional boundaries.

- Employees should exercise caution if they develop a friendship with a Client, and make very clear the terms of the relationship, as they might be misunderstood by the Client. The Studio strongly advises against pursuing additional interactions outside of official AAS engagements.
- Employees should not pursue friendships outside the Workplace with a Client while they are presently enrolled in an AAS course. Nor can the Studio be held responsible for any mentorship offered outside of the scope of AAS enrolment, involvement or coaching session.
- If an Employee requires a 1:1 or private meeting with a Client for any reason, the Studio Manager should be made aware (in writing, via email) of both the meeting and the purpose it is required, and must take place in the studio or via AAS Formal Zoom Communication.

Employees will not:

- discuss AAS internal affairs or business details with Clients;
- involve Clients in their own personal problems;
- involve a Client in any interpersonal difficulties that the Employee might have with any other Employee, Client or Guest of AAS;
- become involved in any situation with a Client or group of Clients that is inconsistent with the role of an educator (i.e. getting drunk or using prohibited substances.)
- participate in a sexual or romantic relationship with a current client of the studio.

Relationships with former Clients of AAS within the last 12 months are strongly discouraged, and should be brought to the attention of the Owner, so that they may gauge the level of distance and appropriateness in relation to past power dynamic imbalances.

## **Behaviours That Do Not Constitute Harassment**

- Respectful expressions of differences of opinion
- Offering constructive and authorized feedback about behaviour while in the learning environment (i.e., 'I don't see adequate preparation has gone into your work today', 'save the chat for a break, other actors are working')
- Filing a formal complaint against someone
- Consent-based interaction in which the instructor (who has introduced the exercise) and actor (who is adhering to the consent-based exercise) are equally responsible for shared respect within the class exercise.

## **Conflicts of Interest**

If a pre-existing relationship might cause a conflict of interest between an Employee and a Client (for example, if the Employee is a relative, spouse, close friend, or is or was in a relationship with the Client), the Studio Manager should be made aware of the nature of the relationship *prior* to services being offered by AAS to the Client.

## **Complaint Process**

All Employees, Clients and Guests of AAS, regardless of position, must be dedicated to the prevention of Harassment, and are expected to adhere to the policies set out herein - without exception.

All Complaints will be investigated in a fair and timely manner. Complainants will in no way be penalized for reporting an incident or participating in a workplace harassment investigation.

### **Options For AAS Employees:**

Harm can often be done unintentionally. In these instances, it is encouraged that any Employee who experiences Harassment at AAS make it known to the alleged harasser that the behavior is offensive, unwelcome, contrary to studio policy, and must cease. Informing the offending individual directly is not mandatory, and if the Employee is not comfortable or the behaviour does not cease, they are encouraged to inform the Studio Manager.

If the Employee chooses to file a Complaint, then the Studio Manager will commence an Investigation into any circumstances which they believe may constitute a violation of AAS Policy. Employees must fully cooperate with any investigation.

If the Complainant files a Complaint, AAS will ask what the desired outcome is (i.e., an apology, a mediated meeting)

The Studio Manager will prepare a report on the findings of the Investigation. The Parties to the Complaint will be advised of the results of the Investigation in writing, which will include any corrective action that has been taken or that will be taken as a result of the Investigation.

If the Employee does not feel comfortable reporting an Incident(s) to the Studio Manager, Artistic Director, or Owner, they are encouraged to contact ACTRA Toronto.

If the Studio Manager is the Respondent in a Complaint, the Complainant should notify the Artistic Director or Owner of such Incident.

If the Artistic Director is the Respondent in a Complaint, the Complainant should notify the Owner of such Incident.

If the Owner is the Respondent in a Complaint, the Complainant may choose to notify the Artistic Director, the Studio Manager, at which point AAS will seek internal resolution which may include suspension of all teaching privileges.

In any instance if the Complainant feels it necessary, they always have the right to go to ACTRA Toronto with such Incident and/or consult the Ontario Human Rights Legal Support Centre.

### **For AAS Clients:**

The link to an [Incident Report Form](#) will be included in the Class Notice email sent to Clients registered for any course at AAS. The Form will allow Clients to report an Incident anonymously if they wish. The Form will be received by the Studio Manager and Artistic Director.

The Studio Manager may commence an Investigation into any circumstances which they believe may constitute a violation of studio policy. Employees must fully cooperate with any Investigation.

The Studio Manager will prepare a report on the findings of the Investigation. The Complainant (if known) and the Respondent will be advised of the results of the Investigation in writing, which will include any corrective action that has been taken or that will be taken as a result of the Investigation.

### **Investigation Procedure:**

#### **Timelines**

When the Studio Manager receives a Complaint it will be investigated in a fair and timely manner, generally within 90 days or less unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation. The investigation will be conducted in such a way as to maintain the confidentiality and impartiality to the extent possible under the circumstances, as set out in more detail below.

The time limit for filing a formal complaint with AAS is 1(one) year from the incident taking place.

Depending on the severity of the Complaint, the Respondent, if an Employee, may be suspended for the period of the investigation. If the Respondent is a Client, they may be migrated or removed from class, or temporarily denied services at AAS.

During the period of the Investigation, the Complainant, the Respondent and any witnesses will be instructed not to discuss the Complaint, the Incident, or the Investigation with other Employees or witnesses unless necessary to obtain advice about their rights.

If an Investigation discloses evidence that a Respondent who is an Employee has violated AAS policy by engaging in harassment of any kind, the situation will be reviewed to determine the appropriate action against the Employee. This may include a letter of reprimand, an apology, discipline, separation of the harasser from the complainant, demotion (i.e. loss of Resident Coach status), suspension, or termination of employment.

The Studio Manager will abide by the following guidelines during an Investigation, all of which will be included in the subsequent report:

- identity of the Complainant(s) and contact information (if known)
- identity of the Respondent(s), position, and contact information (if known)
- identify of witnesses (if any) or other person(s) with relevant information to provide about the incident (if any) and contact information (if known)
- details of what happened including date(s), frequency and location(s) of the alleged incident(s)
- any supporting documents the Complainant may have in their possession that are relevant to the Complaint (emails, text messages, photographs, etc.)
- list of any documents a witness, another person, or the Respondent may have in their possession that are relevant to the complaint.

Subjects of any Investigation will be informed of the allegations at the outset of the Investigation in writing. If appropriate, the Respondent will have an opportunity to respond to the complaint in writing, and that response will be included in the final report of the Investigation.

Following the investigation, the Studio Manager may take corrective and/or disciplinary action, pending the agreement of the Artistic Director and/or Owner.

The Complainant and Respondent will be notified of the outcome of the investigation in writing and/or a mediated meeting within ten calendar days of the investigation being concluded.

If the Respondent is a Client, Guest or member of the public (i.e. parent of a Client, significant other of a Client), AAS may deal with the incident(s) by modifying service (not allowing them to work with a particular instructor or coach), or refusal of all future service, depending upon the circumstances.

### **Confidentiality**

Depending on the desired outcome, the Studio Leadership Team can make best efforts to hold confidentiality, understanding that confidentiality and anonymity do not hold the same definition. As a principle of fairness in a formal complaint proceeding is that the accused (Respondent) must be able to knowingly address the details of a formal complaint lodged against them, which involves informing them of the identity of the Complainant/s and/or specifics of the Complaint. Anyone agreeing to be part of any formal complaint process cannot have a guarantee they will remain anonymous to the Respondent.

While the investigation is ongoing, the Complainant, the Respondent and any witnesses should refrain discussing the incident or sharing details of the complaint or investigation with anyone unless necessary to obtain advice about their rights.

## **Record Keeping**

A record of the Complaint and/or details about the Incident will be kept in both softcopy and hardcopy. The record will include:

- all information gathered during the investigation;
- copy of witness statements (if taken);
- copy of the investigation report;
- copy of the results of the investigation that were provided to the employee who reported harassment and the alleged harasser;
- copy of any corrective action taken.

Records will be kept for at least one year from the conclusion of any Investigation.

## **Reprisals**

Reprisals against individuals, acting with good intentions, who report or provide information about incidents of harassment, will not be tolerated. The Studio Manager will take reasonable and practical measures to prevent and respond to reprisals. Reprisals may include:

- any act of retaliation that occurs because a person has complained or provided information about an incident of harassment.
- intentionally pressuring a person to ignore or not report an incident of harassment.
- intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint.

## **Right to Withdraw a Complaint**

A Complainant has the right to withdraw a Complaint at any stage of the process. However, AAS may continue to act on the issue identified in the Complaint as required by this Policy or as otherwise required by law.

## **Unsubstantiated, Frivolous, or Bad-Faith Complaints**

If an Employee, in good faith, discloses or files a Complaint that is not supported by evidence gathered during the Complaint resolution process, that Complaint will be unsubstantiated and therefore dismissed.

Complaints that are found following the Investigation to be frivolous, may result in disciplinary action, up to and including termination of employment.

Any Employee found to have made a false, malicious or bad-faith Complaint, or for any other vexatious purpose, will be subject to disciplinary action up to and including termination of employment.



## **Additional Resources**

Nothing in this Policy is intended to prevent a Complainant from pursuing the processes available through the Code, the OHSA, or criminal prosecution. Employees may also contact the Ontario Human Rights Legal Support Centre and/or ACTRA Toronto to address workplace harassment.

<http://www.hrlsc.on.ca/en/home>

(416)597-4900

<https://www.actratoronto.com/harassment/sexual-harassment-resources/>

(416)928-2278

## **Questions, Queries, and Clarifications**

If anyone, at any point, is unsure whether a potential or current situation / relationship / occurrence might be questionable in terms of it possibly going against policy— they are required to IMMEDIATELY seek clarification or counsel from either the Studio Manager or Artistic Director.

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