

Edmonton Folk Music Festival Harassment Policy



The Edmonton Folk Music Festival considers the festival to be the workplace of the volunteers, staff, performers concessionaires, crafters and contractors on the festival site.

1. What is harassment?

Sexual and workplace harassment

Workplace and sexual harassment are both unwanted and offensive. They both leave the person feeling demeaned, intimidated or embarrassed. They go beyond the bounds of normally accepted behaviour. While one has sexual overtones, the other is a form of discrimination resulting from prejudice. Harassment can take many forms, from the subtle to the overt. It may occur once or many times. Harassment is offensive, degrading, inappropriate, threatening, and illegal. **It is a violation of the Human Rights, Citizenship and Multiculturalism Act.**

Harassment occurs when the behaviour is one-sided and not wanted by the victim. The victim may be male or female, of any ethnic or religious background, of any age, mental or physical ability. The harasser may also be of any ethnic or religious background, age, gender, mental or physical ability. The harasser ought reasonably to have known that the behaviour would be unwelcome. The behaviour may occur in any situation involving the volunteer, staff or performer relationship.

Harassment may include threats of loss of volunteer position. The harasser may make these threats specifically or may imply them. The harasser may not actually threaten or have any physical contact,

but may create an intimidating, hostile or offensive work setting for the victim.

Harassment usually involves one person who tries to exercise perceived power over others. The harasser may be a performer, staff, board member, coordinator, a fellow volunteer or anyone else on the festival site including members of the public. The victim may be any of these as well.

Sexual Harassment is unwelcome behaviour of a sexual nature. It is one type of harassment in the workplace. The Supreme Court of Canada defines sexual harassment in the workplace as “**unwelcome conduct** of a sexual nature that detrimentally affects the work environment or leads to adverse job-related consequences for the victims of the harassment”.

Examples of sexual harassment

- suggestive remarks or gestures;
- compromising invitations or requests;
- verbal abuse;
- display of sexually offensive materials;
- unwelcome leering or whistling;
- sexual jokes which cause awkwardness or embarrassment;
- unwelcome enquiries or comments about an individual's sex life;
- unwelcome remarks about a person's physical attributes or appearance;
- touching, patting, pinching or other unwelcome physical contact;
- outright demands for sexual favours;
- physical assault or indecent exposure.

What is seen as sexual harassment by one person may not be by another. Just because the harasser is treating one of your fellow volunteers the same way and that person doesn't mind, doesn't mean you aren't being harassed. This is why it is important for you to let the harasser know that you do not welcome the behaviour,

and that it makes you feel uncomfortable. If the behaviour persists despite your objections, then it is sexual harassment.

Good natured flirting or jesting which **both** parties find acceptable, or a romance to which **both** parties willingly consent, are not considered to be sexual harassment.

Workplace harassment includes harassment of a person due to their race, ethnic background, religion, physical or mental capabilities, or gender. **Sexual harassment is a form of workplace harassment.** It is possible for a person to experience both types of harassment at the same time. For example, a person who is being sexually harassed may be treated that way because of his or her race.

Workplace harassment does not include the legitimate exercise of an individual's supervisory authority.

Examples of workplace harassment

- unwelcome remarks, jokes or taunting about a person's race, religious beliefs, colour, gender, physical or mental disability, marital status, age, ancestry or place of origin;
- refusing to converse or work with an employee based on any of the above-noted grounds;
- insulting gestures or practical jokes based on any of the above-noted grounds;
- display of racist or offensive pictures or materials;
- any unwelcome behaviour toward a person because of the race, religious beliefs, colour, gender, physical or mental disability, marital status, age, ancestry or place of origin of someone with whom they associate;
- unwelcome enquiries or comments about an individual's personal life;



- unwelcome remarks about a person's physical attributes or appearance; and
- physical assault.

Ethnic jokes

Sometimes people tease each other back and forth about their ethnic background. No offense is meant by the teasing, and none is taken. Often, though, the jokes only go one way. Sometimes, members of a group that is being made fun of tolerate and just laugh off the comments. However, most often jokes and other comments about specific groups are offensive. They reinforce negative stereotypes, and contribute to ethnic or racial discrimination.

2. What to do if you are being harassed.

It is natural to feel embarrassed, intimidated or guilty. You may think that if you just ignore the harassment, or give non-verbal cues that you don't welcome it, it will stop. However, it is important to verbalize your concerns. Harassment rarely goes away on its own – in fact, it usually gets worse.

In many cases, the person does not intend to harass you. Some people use the guise of good-natured teasing to isolate someone who is different. What they consider good-natured teasing may hurt or embarrass the other person. In those cases, it is important to **let the person know** you do not appreciate their behaviour.

Immediately inform the harasser that his or her behaviour is unwelcome and unwanted. Do so before witnesses, if possible. If the situation makes this difficult, ask your Coordinator to represent you.

Once you inform the harasser that the behaviour is unwelcome he or she will normally stop. If you've tried to resolve the situation on your own with no success, you now need to get someone else involved. Contact your Coordinator or the Manager of Volunteers.

Make a written record of the dates, times and nature of the behaviour, and the names of any witnesses. If the harassment consisted of verbal remarks, try to write down the exact words used. Also, record what you did to stop the behaviour or show disapproval. Do this as soon as possible after the harassment occurs, so the details are still fresh in your memory. Once you have noted things down, sign and date your account of the incident. Keep a copy of this written record.

You may still be able to resolve the complaint informally with the help of your Coordinator and/or the Manager of Volunteers. This may be as effective as a formal complaint and is less time consuming and less visible. Severe situations of harassment, however, may call for an immediate formal complaint, which would then involve the Volunteer Committee. You are the best person to decide which route to take. Discuss this with your coordinator and/or the Manager of Volunteers.

Informal complaint

Contact your coordinator. If the harasser is your supervisor, advise the Manager of Volunteers. Provide them with a copy of the written record. They will advise you of your options and ask you how you would like to proceed. You may request them to resolve the complaint informally by intervening on your behalf. A formal investigation will not take place. The Coordinator and/or the Manager of Volunteers will encourage the parties involved to discuss the situation, either face to face or through them, and come to an agreement.

Formal complaint

You may wish to file a formal written complaint immediately with the Manager of Volunteers and the Volunteer Committee. They will start an immediate investigation into the incidents of harassment. Members of the Volunteer Committee along with the Manager of Volunteers & the coordinator will meet with the complainant(s) and the harasser(s) separately to obtain each person's version of the incidents. They will give each person a chance to respond to the allegations made against them. A report will then be prepared for the committee via the Manager of Volunteers.

The sooner you make a complaint, the easier it is to establish facts and resolve the situation.

In extreme cases, harassment may be an assault. In that event you can also lay a complaint with the police.

If you are experiencing harassment, please note that all information collected in the process will be held in confidence. Only those people directly involved in the process will have access to the information collected. Moreover, they will receive only as much information as they need to receive. This would include the complainant, and the alleged harasser, any witnesses, and others involved in resolving the complaint.

Note: If your harasser is a coordinator, you must make your complaint to the Manager of Volunteers. In the case of a staff member or performer, the Producer will become involved.



3. What to do if someone accuses you of harassment.

Make sure you understand the exact behaviour that is making the person uncomfortable. Apologize, and stop the behaviour **immediately**. If you think there has been a misunderstanding about the behaviour between you and the person, ask your Coordinator to work with you to resolve the situation on an informal basis.

Each person reacts differently to certain situations. What is harassment to one person may not be to another. In cases such as this, the person who is uncomfortable with the behaviour has a responsibility to let you know their feelings. However, you also need to notice how an individual reacts to your behaviour. Look for body language that indicates the person is uncomfortable with what you are doing or saying. If you are unsure of their reaction, **ask** the person if your behaviour is unwelcome.

Situations of more obvious harassment (such as touching of a more sexual nature or physical assault) will be viewed on the basis that you ought reasonably to have known your behaviour was unwelcome.

The results of the behaviour, rather than the intentions behind them, are what matter. If your behaviour is unwelcome by the victim, and causes the person to feel uncomfortable, embarrassed or degraded, then it is harassment. **Please refer to the examples of both sexual & workplace harassment.**

How to make sure you don't offend someone

There are some comments and behaviours that are obviously offensive. There are others that you may not realize are degrading, embarrassing or insulting. As well, what is considered offensive may vary from person to person. The easiest way to find out what offends a particular person is to **ask them**. If you are unsure about a certain term or gesture, ask them how they feel about it.

4. What are the obligations of a coordinator/staff/board member?

You have an obligation to provide a harassment-free environment.

You can be held responsible if it is determined that sufficient actions to prevent the harassment were not taken.

What can coordinators/staff/board members do to prevent harassment?

- Be a role model. Never engage in or condone behaviour that could be interpreted as harassment.
- Watch for signs that harassment is taking place. Rumours, sudden turnover or skipped shifts, decreased motivation and poor job performance may indicate that harassment is taking place.
- Respond to complaints promptly and with appropriate confidentiality.
- Take steps to protect a volunteer who makes a complaint in good faith from retaliation.

5. What are the obligations of a volunteer/ coordinator/ staff/board member?

If you see what you believe to be harassment taking place, discuss your concerns with the recipient of the behaviour. **Ensure that they want something done about it.** Be supportive and understanding if the person discusses the situation with you. Encourage them to take steps to stop the offending behaviour. If the person is too intimidated to take action, offer to accompany them in taking the matter forward to the coordinator or Manager of Volunteers. If you have relevant information, be willing to share it. This will help the victim if an investigation takes place.

In instances that involve crude language, jokes, name-calling or leering, the harasser's behaviour is apparent to more people than just the victim. Tell the harasser that you consider their actions inappropriate. This gives them the opportunity to stop behaving in that manner, and may prevent a formal complaint being made against them.

If you have witnessed harassment, and a formal investigation is conducted into the incident(s), you will be interviewed by the investigator to find out what you saw. You may also be asked to give a statement to the Volunteer Committee.

Every volunteer should be aware of the Edmonton Folk Music Festival policy on sexual and workplace harassment.



Complaints not requiring investigation.

It is recognized that some complaints will be made under circumstances in which an investigation is not required. Circumstances under which the festival may choose not to investigate a complaint are as follows:

- A) Frivolous; a complaint intended merely to harass or embarrass.
- B) Vexatious; complaint that has no basis in fact or reason, with its purpose to bother, annoy and embarrass the festival.
- C) Bad Faith; filing the complaint with intentional dishonesty or with intent to mislead.
- D) Second-hand Complaint; presenting rumour, innuendo, the complainant has not come forward and the event did not happen to you.

Reasons for not investigating complaints by reason of the above definitions must be explained in written format to the complainant and advise them of the ability to appeal to the Volunteer Committee.

All complaints disposed through this section must be reported to the board via the Volunteer Committee.

Remember ... preventing harassment is everyone's responsibility.

Sources

Sexual And Workplace Harassment Information Booklet: Government of Alberta Personnel Administration Office

Sample Harassment Policy: Alberta Human Rights and Citizenship Commission

Developing And Implementing Effective Harassment And Sexual Harassment Policies: Alberta Human Rights and Citizenship Commission

Preventing Violence and Harassment at the Workplace: Alberta Human Resources & Employment

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