

Images Festival

DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT, AND HUMAN RIGHTS POLICY AND PROCEDURES

NORTHERN VISIONS INDEPENDENT VIDEO AND FILM ASSOCIATION ("IMAGES FESTIVAL")

Draft: November 2020
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PURPOSE

The purpose of this policy is to ensure that employees, volunteers, and associates of Images Festival are aware that harassment and discrimination are unacceptable practices and are incompatible with the standards of this organization, as well as being a violation of the Ontario Human Rights Code.

SCOPE

The right to freedom from discrimination and harassment extends to all employees, including permanent and fixed-term full-time/part-time, independent contractors, and project employees, as well as volunteers and community participants, co-op students, interns, and apprentices.

It is also unacceptable for employees and volunteers of Images to engage in harassment or discrimination when dealing with partners, sponsors, or with others they have professional dealings with, such as suppliers or service providers.

This policy applies at every level of the organization and to every aspect of the workplace environment and employment relationship, including recruitment, selection, promotion, transfers, training, salaries, benefits and termination. The workplace environment is not limited to our physical office space: it extends to any space, physical or virtual, within which we work, and includes communication platforms (including email, telephone, Zoom, or Slack), as well as our many gallery, cinema, and event spaces used for festival or other programming and events.

POLICY STATEMENT

Images is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities.

Under the Ontario Human Rights Code, every person has the right to be free from harassment and discrimination.

Any person who falls under the scope of the policy and who is found to be in violation through engaging in discrimination and/or harassment will be subject to disciplinary action, up to and including discharge from employment or their volunteer placement.

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If the person in violation of the policy is a community participant (i.e. advisor, consultant, volunteer, etc.), there will be disciplinary actions, which may include being asked to end their involvement with Images.

No staff member or volunteer will be subject to reprisal for reporting on, or being a witness to, discrimination or harassment.

DEFINITIONS

Discrimination: Any form of unequal treatment based on a protected ground under the Ontario Human Rights Code, whether imposing extra burdens or denying benefits. Discrimination may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways (i.e. microaggressions). Even if there are many factors affecting a decision or action, if discrimination is one factor, the action is a violation of this policy.

Harassment: A course of comment or conduct that is known, or ought reasonably to be known, to be unwelcome or unwanted. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on any protected ground identified by this policy.

Sexual and gender-based harassment: A specific form of harassment based on gender and sex, including gender identity, expression, sex, and sexual orientation.

Poisoned environment: Comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status.

ONTARIO HUMAN RIGHTS CODE

This policy prohibits discrimination or harassment based on the following grounds, and or any combination of these grounds:

- Age
- Creed (religion)
- Sex (including pregnancy and breastfeeding)
- Sexual orientation
- Gender identity
- Gender expression
- Family status
- Marital status (including being married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or other-sex relationship)
- Disability (including mental, physical, developmental or learning disabilities)
- Race
- Ancestry
- Place of origin
- Ethnic origin

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- Citizenship
- Colour
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received)

Discrimination or harassment under the OHRC extends to being discriminated against, or harassed, for association with or relationship to a person identified by one of the above grounds, or the perception that one of the above grounds applies.

ROLES AND RESPONSIBILITIES

All persons representing Images are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination, and by cooperating fully in any investigation of a harassment or discrimination complaint.

Managers and supervisors have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Managers and supervisors are responsible for creating and maintaining a harassment- and discrimination-free organization, and should address potential problems before they become serious.

TIMELINES

Complaints will be dealt with promptly and resolved as quickly as possible.

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PROCEDURES FOR RESOLVING COMPLAINTS RELATED TO HUMAN RIGHTS, DISCRIMINATION, AND HARASSMENT

1. Whenever possible or desirable, Images expects that conflict be resolved between parties.

If a complainant feels they can safely make it known to the person or parties responsible that the comments or behaviour is unwelcome, this may resolve the matter.

If addressing the person or parties responsible could lead to an escalation of potential harassment or discrimination or to safety risks, complainants do not have to directly interact with that person or parties. A complainant should never feel obliged to address another party against their better judgement.

2. A person or party may bring forward complaints or concerns to their supervisor. If the complaint is directed at the supervisor, the complainant can directly approach the Executive Director or their designated board contact. If the complaint is directed at the Executive Director, the complainant can directly approach a (designated) member of the board. Persons have one year from the date of the last incident to bring forward a complaint(s).

Members of Images Festival cannot formally or informally bring forward concerns on behalf of other parties.¹

3. The complainant will be asked to complete an [Incident Report Form](#), or dictate a description of the incident. This account may ask for or include details of what happened (a description of the events or situation), when it happened (dates and times of the events or incidents), where it happened, who was present when it happened (the names of any witnesses, if any) and the impact of the incident(s).

4. Leadership, the Board of Directors, and all persons receiving complaints will, to the extent possible, protect the confidentiality and privacy of persons involved in a complaint, subject to the requirements of a fair investigation and resolution process. Confidentiality and sensitivity to the issue will remain of primary importance throughout the complaints process. All parties are expected to maintain confidentiality throughout the complaints process.

Images recognizes that this process may lead to changes in work schedules, location of staff, or shifts.

5. Images will act as quickly as possible in the circumstances, and under the legislation, to respond to complaints. Complainants must also allow for a reasonable time within which to have the concern addressed and/or resolved.

6. Wherever possible or desirable, leadership will try to resolve the problem (unless they are implicated in the complaint).

¹ In cases of sexual harassment or misconduct, any party has a legal obligation to report the incident to the Executive Director and/or Board of Directors. This will trigger an immediate investigation that follows the steps outlined above.

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a. If leadership has handled the concern or complaint and the complainant is not satisfied with the response, the complainant can approach the Board of Directors for appeal.

b. If the concern is escalated to the Board of Directors, the board will decide how to resolve the problem (according to the legislation and available resources) including ensuring that the privacy of the individuals involved is respected.

c. The leadership, including the Board of Directors, has the right to ask for someone outside of the organization for help with the concern or complaint, with the knowledge of all parties involved. This may include the involvement of an independent mediator or investigator.

7. All participating parties will be notified of any outcome of any inquiry or investigation, although they may not be privy to the particulars involving specific parties. The organization determines outcomes in instances where there is a finding of harassment, sexual harassment, or discrimination.

8. The Board of Directors is the final arbiter within the organization. If the complainant is not satisfied with the response from the Board of Directors, the complainant may consider filing a claim with the Human Rights Tribunal of Ontario.

REVIEW

In compliance with current legislation, this policy document will be reviewed on an annual basis.

The document is scheduled for review by January 1, 2022.