

Bill Reid Foundation Policies

Policy Name: Harassment and Discrimination Policy 2020.1

Area: Process

Date Adopted: March 29, 2018

Reviewed:

Introduction

The Bill Reid Foundation is committed to providing all employees, volunteers contractors and guests who are associated with the Foundation, including the Bill Reid Gallery, with an environment free of harassment and discrimination.

Harassment and discrimination will not be tolerated in our environment. Reporting of all incidents of discrimination and harassment is encouraged. Any person under Bill Reid Foundation's jurisdiction who subjects any employee, volunteer, contractor or guest to harassment can expect the Bill Reid Foundation to take such disciplinary measures as Bill Reid Foundation deems appropriate up to and including termination.

Definitions

'Discrimination' means discrimination based on a person's race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity, gender expression, marital status, family status, disability, pardoned conviction or other applicable ground, which is unrelated to the person's employment, volunteerism, contract or guest.

'Harassment' means engaging in a course of vexatious comment or conduct against a person in the Bill Reid Foundation environment that is known or ought reasonably to be known to be unwelcome.

Harassment does not include action occasioned through the exercise, in good faith, of the employer's managerial supervisory rights and responsibilities.

'Sexual harassment' means:

- (a) Engaging in a course of vexatious comment or conduct against a person in the Bill Reid Foundation environment because of sex, sexual orientation, gender identity or gender expression, where the course of comments or conduct is known or ought reasonably to be known to be unwelcome; or
- (b) Making a sexual solicitation or advance where a person making the solicitation or advance is in a position to confer, grant or deny benefits or advancement to the recipient and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Harassment and discrimination may consist of a single incident or several incidents over a period of time.

Harassment will be considered to have taken place if a person knew, or ought reasonably to have known, that such a behavior was unwelcome.

Harassment and discrimination of any time may be viewed as gross misconduct. Gross misconduct may be described as actions or conduct that blatantly contravene Bill Reid Foundation Statement of Values and Code of Ethics Policy and / or other Bill Reid Gallery policies or procedures.

Responsibilities

All employees, volunteers, contractors and guests are responsible for compliance with this policy, and the program to implement the policy.

Management is responsible for policies and procedures for preventing and following up on discrimination and harassment related to employees, volunteers, contractors and guests.

All reports of harassment and discrimination will be taken seriously and addressed by Bill Reid Foundation. The person to whom the report is made will ensure that steps are taken to resolve the matter fairly and promptly.

Any employee, volunteer or contractor engaging in harassment or discrimination of another employee will be subject to disciplinary action, which may include termination.

However, no one will be disciplined or penalized because they have brought concerns or a complaint to the attention of Bill Reid Foundation honestly and in good faith.

Investigations

Bill Reid Foundation will investigate all incidents and complaints of harassment and / or discrimination of which it becomes aware. The investigation will be conducted by the Director and CEO and/or the Chair of the Governance Committee or, at Bill Reid Foundation Board Chair's discretion (and in some circumstances an independent external third party). This person will investigate thoroughly.

Individuals receiving the complaint will, on a best efforts basis, initiate an investigation as soon as its brought to their attention and will advise the complainant when the investigation is scheduled to start.

Confidentiality

Handling of complaints or incidents of harassment and discrimination requires the collection, use, and disclosure of sensitive personal information. Confidentiality is required so that those who may have experienced harassment will feel free to come forward, and so that that reputations are protected through the process.

The name of the complainant or any information about a harassment or discrimination complaint or a harassment or discrimination incident of which the Foundation becomes aware will not be disclosed. This includes identifying information about any individuals involved, except as necessary to investigate the complaint or incident or to take the disciplinary actions, or as required by law. Participants in the investigation (the complainant, the alleged victim, the respondent and any witnesses) will also be expected to keep all matters relating to the complaint and investigation confidential.

Contact

For more information on this policy and procedures, contact the Chair of the Board, the Chair of the Governance Committee or the Director and CEO.