

Volcano's Equity, Diversity, Inclusion, and Anti-Racism (EDI-R) Policy and Procedures

Effective Date: [insert Date]

Review/Revised Date: Every two years

1) Policy Statement

a) Purpose

Volcano's mission is to nurture the emergence of ideas and art-making through collaboration across intersectional identities, varied artistic practices, and borders of all kinds, in service of a future built on justice and well-being.

To achieve the above, in terms of EDI-R, Volcano Theatre will decenter whiteness, eliminate systemic oppression in all its activities, and reimagine artistic practices to ensure artists from systemically and historically marginalized groups are supported, diverse communities are welcomed, and audiences are able to engage with art that shifts perspectives.

Volcano acknowledges that under the Ontario *Human Rights Code*, every person has a right to equal treatment by an employer based in equity.

b) Principles

Volcano's goal is to make the world a more resilient, just and caring place through what we as arts workers can imagine, through the actions we take, through the respect we show for one another, and through the art we foster into existence.

Our responsibility is to walk a path towards societal, cultural and ethical transformation in all we do: our art-making, our training, our mentoring, our day-to-day activities as a company.

In practice, we work experimentally, collaboratively, and with an eye to making art that transcends borders, boundaries, orthodoxies. We offer training, mentorships, and various supports to our fellow arts-workers.

Our work is, and always has been, modern. It deals with race, politics, history – all the currents present in the world around us. We create carefully over long development periods, and we keep projects alive through local remounts, national and international touring, and, more recently, through digital platforms.

We value collective effort - and so we value the people we work with for their imaginations, their excellence in craft, and for all the experiences, vantage points and histories they bring with them. We value the creation of space where art-makers can feel free to bring themselves fully to their art-making. We value diversity in craft and culture.

We dedicate ourselves to a better future – a future where humans ask “what can we give?” rather than “what can we take?” – a future that centres the well-being of all persons (human and otherwise) over profit.

We understand that we’re all in this together.

2) Definitions

All terminology that we use in this document are in line with the definitions outlined in the Ontario Human Rights Code Glossary found online here: <http://www.ohrc.on.ca/en>

A **Worker** is defined as any Volcano employee, independent contractor, Board member, volunteer, and workshop participant.

The definition of a **Workspace** for Volcano is any land, premises, location, or thing at, upon, in or near where a Worker works, including online social platforms and digital communication channels such as email, text, or workgroup spaces. For Volcano, this includes (but is not limited to) the office, rehearsal hall, theatre venue, event space, telephone calls, Facebook, Twitter, Instagram, volcano.ca, blogs, and Zoom / Teams meetings.

Definition of the parties to a Report: **Person A** refers to the person who has experienced the act/s of racism, discrimination and/or hate; and **Person B** is the person who allegedly inflicted the act/s of racism, discrimination and/or hate upon Person A. In legal terms, Person A is the Complainant, and Person B is the Respondent.

Equity is defined as fairness, impartiality, even-handedness. A distinct process of recognizing differences within groups of individuals, and using this understanding to achieve substantive equality in all aspects of a person’s life.

Diversity is defined as the presence of a wide range of human qualities and attributes within an individual, group or organization. Diversity includes such factors as age, sex, race, ethnicity, physical and intellectual ability, religion, sexual orientation, educational background and expertise.

Inclusion is defined as appreciating and using our unique differences – strengths, talents, weaknesses and frailties – in a way that shows respect for the individual and ultimately creates a dynamic multi-dimensional organization.

Anti-Racism is defined as an active and consistent process of change to eliminate individual, institutional and systemic racism as well as the oppression and injustice racism causes.

Racism is defined as a belief that one group is superior or inferior to others. Racism can be openly displayed in racial jokes, slurs or hate crimes. It can also be more deeply rooted in attitudes, values and stereotypical beliefs. In some cases, people don’t even realize they have these beliefs. Instead, they are assumptions that have evolved over time and have become part of systems and institutions.

Discrimination is defined as treating someone unfairly by either imposing a burden on them, or denying them a privilege, benefit or opportunity enjoyed by others, because of their race, citizenship, family status, disability, sex or other personal characteristics (note: this is not a legal definition).

Hate activity is defined as comments or actions against a person or group motivated by bias, prejudice or hate based on race, ancestry, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, marital status, family status, sexual orientation or any other similar factor. Examples are: hate crime, hate propaganda, advocating genocide, telephone/electronic communication promoting hate, and publicly displaying hate in notices, signs, symbols and emblems.

3) Mandatory Requirements

a) Responsibilities

Shared Responsibilities

- To ensure the preservation of a productive, safe, and peaceful art-making environment.
- Everyone involved with Volcano shares a responsibility for creating and maintaining an environment free from discrimination of any kind.
- Every effort must be made to work toward the resolution of complaints by all those affected.
- Anyone who has harm inflicted upon them through Workspace Racism, Discrimination and/or Hate (Person A) or a Worker who witnesses Workspace Racism, Discrimination and/or Hate (Witness) is responsible for bringing it to the attention of at least one of the following **Reporting Managers**:

Ross Manson, Artistic Director – ross@volcano.ca

Ray Bramble, General Manager – ray@volcano.ca

Marissa Trott, Assistant Producer – marissa@volcano.ca

Andrew Adridge, Board Member – andrew@volcano.ca

It is the decision of Person A or the Witness to select the Reporting Manager/s (up to 2) with whom they would like to communicate the incident, and work with throughout the reporting process.

Management Responsibilities

Ross Manson, Ray Bramble, and employed stage managers are responsible for understanding what behavior is unacceptable under this policy and communicating to Volcano Workers that racism, discrimination, and hate of any kind will not be condoned or ignored. Ross Manson and Ray Bramble will make every effort to enforce this policy by:

- Communicating this policy and program to everyone who works with and for Volcano.
- Being role models with respect to appropriate conduct at work and promoting a workspace with principals of EDI-R at its core.
- Assessing specific risks for each engagement and reviewing/revising the assessment as is necessary but at a minimum, annually. This risk assessment will be done in conjunction with the Anti-Harassment and Anti-Violence assessments.
- 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.
- Taking all complaints lodged under this policy seriously and promptly and diligently following the procedures laid out in this policy.
- Implementing any follow-up actions as required by this policy
- Keeping detailed, confidential records (anonymized for Board and any other reporting purposes, then permanently anonymized 12 months after the complaint's conclusion, except if the outcome is the termination of Person B) of any incidence of racism, discrimination, or hate and any subsequent actions or investigations.

Worker Responsibilities

All Workers share the responsibility to create a Workspace that is welcoming, open, and safe for all. Workers are responsible for understanding what behaviors violate this policy and conduct themselves in accordance with the spirit and intent of the policy. Worker responsibilities include:

- Being role models with respect to appropriate conduct at work and promoting a workspace with principals of EDI-R at its core.
- Providing input as requested to assess specific risks for their engagement/project with Volcano.
- Co-operating with the Reporting Managers in meeting the requirements of this program to investigate and resolve matters arising under the program. In co-operating, Workers may choose to engage representation in the matter.
- Abiding by the requirements of this policy and applicable procedures.
- Reporting any incidents of racism, discrimination, and hate that have been experienced or witnessed in accordance with the applicable procedures.
- Participating in training as required.
- Seeking support and assistance from community services when experiencing stress or other personal difficulties that may contribute to Workspace Violence.

b) Programs

i) Competency and capacity building

We commit to learning at the organization level with timely training for new and current employees that must include:

- bystander intervention
- implicit bias
- anti-oppression
- de-escalation
- and conflict resolution

ii) Complaints Procedure

1. **Levels of Conflict Resolution, Subsequent Actions, and Timelines**

Volcano values open and honest communication. Should Person A want to engage in dialogue with Person B about the incident, Volcano provides options for discourse to resolve the matter, including facilitated external mediation. If discourse (options A – D

below) fails or is not appropriate, an Incident Report Requiring External Investigation form may be lodged, which, with Person A's active and ongoing consent would set in motion a process that would include the external investigator's findings.

The five levels of conflict resolution are:

A. Verbal Communication – Room Agreement Conflict Resolution Tools

Each project team working with Volcano works under a Room Agreement, which captures: the values that the group would like to embody in its work with Volcano; a set of communication protocols for well-being check-ins and group information sharing; practical tools and exercises that address issues that may arise such as interpersonal conflict or frustration with self and/or others in the work day; and other grievances regarding the workspace culture or reality. The first option for Person A to address harm that Person B has inflicted will be found in the Room Agreement tools, and assistance in navigating these can be requested from one of the leaders of the team (i.e. Director or Producer of the show, Artistic Director of the workshop) or a member of the Stage Management team if applicable.

B. Confidential Disclosure to a Reporting Manager

Should Person A feel reticent about openly communicating concerns about a situation to team leaders as outlined in (A.), they may approach any of the listed Reporting Managers to make a confidential disclosure of their concerns. The Reporting Manager will then have responsibility for taking next steps based on the active and ongoing consent of Person A, strictly maintaining the confidentiality of Person A's disclosure unless Person A consents to the sharing of information with other parties. The Reporting Manager also bears responsibility for responding promptly to communications from Person A. Should a Reporting Manager judge that they cannot address Person A's concerns without sharing information with another Reporting Manager, they may inform Person A of their inability to proceed and seek consent to share information confidentially with a second, agreed-upon, Reporting Manager.

C. Group Discourse with Reporting Managers

Person A can require a meeting with – or without - Person B and no fewer than 2 Reporting Managers to discuss the incident. This requirement by Person A does not have to be made in writing to the Reporting Managers, who will be responsible for scheduling the in-person or Zoom meeting with all parties within 2 days of the receiving the requirement from Person A. The aim of this discussion is to resolve the matter to the satisfaction of Person A and to provide support to both Person A and Person B. This level of reporting is for incidents that do not result in significant accommodations to separate Person A and Person B in their daily work, but may result in actions that support Person A's and Person B's well-being and mental health; and potentially provide further education to Person B in Workspace Racism, Discrimination and/or Hate. Managers will file an anonymized report (via the Reporting Manager's Group Meeting Report Form) about the incident, the outcomes of the meeting, and any significant learnings from the process. If Person A does not have satisfactory resolution after this group meeting process has

concluded, they may pursue alternate reporting methods.

D. External Mediation

Person A can require mediation between themselves and Person B with a third-party external mediator. This requirement will be made in writing via the Incident Report Requiring Mediation form (which can be filled out by Person A or by a Reporting Manager on behalf of Person A) and submitted to a Reporting Manager/s. It will be the responsibility of the Reporting Manager/s to select a Mediator who shall be approved by Person A and engaged within 7 days of receiving Person A's complaint. The Reporting Manager/s will be present at the mediation session/s only with the permission of Person A. The Mediator will provide a written report on the session/s to the Reporting Manager/s at the conclusion of the process, including the outcomes of the process and any recommendations for Person A and Person B continuing to work together, and any actions recommended for either Person A or Person B, such as further education/training, or access to therapy services to be provided by Volcano. If Person A does not have satisfactory resolution after the mediation process has concluded, they may submit an Incident Report Requiring External Investigation form.

E. Full External Investigation with Findings

Person A can require an external investigation of an incident of Workspace Racism, Discrimination and/or Hate. The process of this level of reporting is explained in detail in Section 5 below. It will be the responsibility of the Reporting Manager/s to select an investigator who shall be approved by Person A and – to the best of their ability – engaged within 7 days of receiving Person A's complaint. The timeline of the subsequent investigation will aim to be completed, along with the delivery of the investigator's findings in writing, within 14 days of commencing the investigation.

2. Complaints or Incidents that Pose an Immediate Risk of Physical Injury

Workers, a Reporting Manager, or Witnesses shall immediately call 911 police/emergency services if an incident or a complaint poses an immediate risk of physical injury. If a Worker initiates contact with the police, the Worker shall notify a Reporting Manager immediately. In a situation where the police are contacted, no other investigation should proceed until the police complete their investigation. Volcano acknowledges there is risk posed by police officers in their treatment of racialized Workers and seeks to keep ALL Workers – whether identified as Person B or not – safe from racism and police brutality.

3. Harm Reduction Prior to- and During- Investigation

Volcano's management (Ross Manson and Ray Bramble) commits to immediately taking necessary action to reduce or eliminate continued harm after a report has been made. This could take the form of reallocating rooms on tour; suspending a workshop; creating separate rehearsal rooms; or continuing to pay Person A, Person B, or both, but not requiring them to attend work while the complaint is addressed. Management's decisions regarding harm reduction will be made in consultation with those involved, and may be informed by the Reporting Manager/s' advice/opinion.

4. **Timeliness of Reporting**

An incident or a complaint of Workspace Racism, Discrimination and/or Hate should be reported as soon as possible after experiencing or witnessing an incident, regardless of the method of conflict resolution. However, Person A is not limited in making a report if Person B is no longer working with Volcano. Person A's complaint will be accepted by the Reporting Manager/s, and a response, which may or may not involve a conflict resolution process with Person B, may be required of Volcano by Person A.

5. **How to File an Incident Report Requiring External Investigation**

Person A can - either verbally or in writing - file a complaint of an incident of Workspace Racism, Discrimination and/or Hate for which they require an external investigation. If submitted verbally, Person A's elected Reporting Manager/s, in consultation with Person A, will create a written report for the file using the Incident Report form

The report of the incident should include the following information (with contact information for all Workers named in the complaint to be added post-submission by the Reporting Manager/s) :

- i. Name(s) of Person(s) A, and their position(s)
- ii. Name (s) of Person(s) B, and their position(s)
- iii. Names of the witness(es) (if any) or other person(s) with relevant information to provide about the incident (if any)
- iv. Details - as many or as few as Person A is willing to give - of what happened, ideally including date(s), frequency and location(s) of the alleged incident(s) and:
 - a. Any supporting documents/evidence that Person A may have in their possession that is relevant to the complaint.
 - b. A list of any documents/evidence that a witness, or another person, or Person B may have in their possession that may be relevant to the complaint.

6. **Person B is a Reporting Manager**

If one of Volcano's Reporting Managers is named as Person B in a Report, Person A must elect at least **TWO** Reporting Managers for their complaint to ensure a high level of transparency and accountability from Volcano. Neither of the selected Reporting Managers can be under the direct supervision of Person B. *If Person A is unsure about how to proceed with a complaint against a Person-B-Reporting-Manager, it is recommended that Person A elect at least one Reporting Manager who is also a Volcano Board member (i.e. Constance Wansbrough, Andrew Adridge). Any incident report involving a Reporting-Manager as Person B will trigger an external investigation, conditional on consent from Person A.*

7. **External Investigation Process**

Requirement to Investigate

Upon receipt of an Incident Report Requiring External Investigation, the Reporting Manager/s will engage an External Investigator from the list in Appendix A, subject to

approval by Person A. Person A will not unreasonably withhold their approval.

Timing of the Investigation

The external investigator shall be engaged by the Reporting Manager/s on behalf of Volcano – to the best of their ability – within 7 days of receiving the complaint from Person A. The External Investigator shall be charged by Volcano to complete their investigation and provide a written report of their findings within 14 days of commencing the investigation.

Investigation Process

The external investigator will, at minimum, complete the following:

- i. 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. Interview Person A, Person B, and any witnesses – Volcano Workers or otherwise - named in the complaint.
- iii. Communicate to Workers that they may choose to have representation present during interviews.
- iv. Collect and review any relevant documents.
- v. Take appropriate notes and statements during interviews with Person A, Person B, and witnesses.
- vi. Prepare a written report summarizing the steps taken during the investigation, the complaint, the allegations of Person A, the response from Person B, the evidence of any witnesses, and the evidence gathered. The report must set out findings of fact and come to a conclusion about whether Workspace Racism, Discrimination and/or Hate was found or not.

Results of the Investigation

- i. Upon completion of the investigation, Person A and Person B 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.
- iii. Should the investigation substantiate the complaint, appropriate action will be taken, which may include (but not be limited to): a formal apology from Person B; a recommendation for counselling for those involved; mediation – or further mediation – with both parties; Volcano management having discussions with Person B regarding expected and appropriate Workspace behaviour and responsibilities; and/or disciplinary action, up to and including termination. The final determination of an adequate resolution will be at discretion of Management, informed by consultation with Person A.

- iv. Either Person A or Person B may request a new investigation from the Reporting Manager. Volcano's Management will determine if a second investigation will go forward.
- v. Reports that are found to have been made dishonestly may result in Volcano taking action involving Person A. The insufficiency of evidence to prove a complaint does not mean that Person A's complaint was submitted in bad faith. A malicious or bad faith complaint means that a person has made a complaint knowing that it was untrue.
- vi. 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, and 12 months after the conclusion of the complaint all names will be removed from the file so that the complaint and outcomes remain on file, but those Workers who were involved will henceforth be anonymous. The exception to this anonymization is in the case of Workers whose actions resulted in serious disciplinary action (eg. termination) and/or criminal conviction.

8. Confidentiality

Information about complaints and incidents shall be kept confidential to the extent possible. Information obtained about an incident or complaint of Workspace Racism, Discrimination and/or Hate, 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.

9. Worker Support Post-Incident

Workers who experience (or perpetrate) a traumatic incident of Workspace Racism, Discrimination and/or Hate will be offered therapy services for a limited time through Volcano, and they may access additional community services, listed in Appendix B.

10. No Reprisal

Reports of Workspace Racism, Discrimination and/or Hate are serious matters. This program prohibits reprisals against Workers who have reported incidents or provided information regarding a complaint or incident. Workers 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 Workspace Racism, Discrimination and/or Hate, including being overlooked for future employment/engagements.
- Intentionally pressuring a person to ignore or not report an incident of Workspace Racism, Discrimination and/or Hate.
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of Workspace Racism, Discrimination and/or Hate.

11. Remedial Action and Prevention Plan

When a violent incident occurs it is important to review the safety protocols in place to ensure their effectiveness. Management shall:

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

Appendix A - Workplace incident investigators

Trauma-informed Workplace Investigators:

<https://instituteofworkplacebullyingresources.ca/abrc-recommended-workplace-investigators>

Others:

<https://www.ethicalassociates.com/investigators>

<https://sultanlawyers.com/employment-law-services/employers/workplace-investigations/>

<https://www.mkworkplaceinvestigations.com/about/>

<https://www.robinsappleby.com/expertise/workplace-investigations>

Appendix B – Community Resources for people facing discrimination

Anti-Black Racism & Mental Health Resources:

<https://www.toronto.ca/wp-content/uploads/2020/01/96a4-t4a-abr-bmh-resources.pdf>

National Collaborating Centre for Indigenous Health

<https://www.nccih.ca/511/Institutes.nccih?province=2&search=Ontario>

Chinese Canadian National Council for Social Justice:

<https://ccncsj.ca/resources/>

National Association of Japanese Canadians

<https://najc.ca/human-rights-guide/>

National Council of Canadian Muslims

<https://www.nccm.ca/community-resources/>

Anti-LGBTQ2+

<https://www.the519.org/>

<https://familyservicetoronto.org/our-services/programs-and-services/queer-and-connected/>

Trans Youth of Colour

<https://www.toronto.ca/community-people/get-involved/community/toronto-for-all/transphobia/>

Disability Advocacy and Support Services

<https://www.clth.ca/advocacy-self-advocacy/>

Toronto Mental Health Community Services

<https://projectprotech.ca/staying-healthy/giving-help-support/community-mental-health-services/>