

Tinderbox – Creating Safe Spaces & Anti-Harassment Policy 2018

1. Introduction

We are an *equal opportunities employer*. This means that we will make good faith efforts to comply with the spirit and letter of the equality laws and other laws.

We will promote a good and harmonious working environment in which our employees, contractors and volunteers will be treated with dignity and respect. We will not bully them, nor will we discriminate unlawfully against them or harass them on the “equality grounds”; which are- **sex, pregnancy or maternity, gender reassignment, marital or civil partnership status, religious or similar philosophical belief, political opinion, racial group, sexual orientation, disability or age**

2. What is Harassment?

Harassment is unwanted conduct related to the equality grounds which damages, or which is done with the aim of damaging, a person’s dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Many forms of misbehaviour may amount to harassment; examples include:

- Physical conduct such as assaulting a person or making obscene gestures.
- **Verbal conduct such as making racist, sexist, sectarian or homophobic remarks; making derogatory comments about a person’s age or disability; or singing songs of this nature.**
- Visual or written material containing racist, sexist, sectarian, homophobic or other derogatory words or pictures (e.g. in posters, graffiti, letters or emails).
- **Isolating a person or refusing to co-operate or help them at work or by excluding them from work-related social activities.**
- Forcing a person to offer sexual favours or to take part in religious or political activities.

3. What is Bullying?

Bullying is similar to harassment in the sense that it too is offensive, hostile or oppressive behaviour. **The main difference is that bullying behaviour need not be related to the equality grounds**, but may be done for other reasons, such as jealousy or personal dislike or revenge or insecurity.

Tinderbox – Creating Safe Spaces & Anti-Harassment Policy 2018

4. Implications of Harassment & Bullying

Harassment and bullying can damage the health, confidence, morale and performance of employees who are affected by it. Harassment is unlawful under the equality laws. Harassment and bullying may also be civil or criminal offences and may contravene health and safety law.

Quite apart from the legal implications, both harassment and bullying are contrary to the standards of behaviour that we expect of our employees. Both types of behaviour are unacceptable in our workplace and are not permitted or condoned. We will treat such behaviour as misconduct which may warrant dismissal from employment.

5. Employees' Rights

Our employees have a right to work in a good and harmonious environment that is free from harassment and bullying and to complain about such behaviour should it occur.

We have established an **internal grievance procedure** to deal with such complaints and we would encourage aggrieved employees to use it. All complaints will be dealt with seriously, promptly and confidentially.

Our internal grievance procedure does not replace the right of aggrieved employees to also pursue complaints to an Industrial Tribunal, the Fair Employment Tribunal or to the courts. Those who wish to consider that option may obtain advice from the Equality Commission in relation to incidents of harassment (telephone: 028 90 500 600), or from the Labour Relations Agency in relation to incidents of bullying (telephone: 028 90 321 442).

Employees who make complaints, and others who give evidence or information in connection with such complaints, will not be victimised (i.e. they will not be discriminated against, harassed or bullied in retaliation for their actions). Victimisation is also discrimination contrary to the equality laws and this policy. We will treat it as misconduct which may warrant dismissal from employment.

6. Employees' Responsibilities

All our employees must comply with this policy. They must treat each other with dignity and respect. They must not themselves commit any acts of harassment or bullying against any person, such as their co-workers, our job applicants or our customers. Such behaviour will not be permitted or condoned. We will treat it as misconduct which may warrant dismissal from employment.

All our employees should discourage harassment and bullying by making it clear that they find such behaviour unacceptable and by supporting co-workers who suffer such treatment. Any employee who is aware of any incidence of harassment or bullying should alert a manager or supervisor to enable us to deal with it.

Tinderbox – Creating Safe Spaces & Anti-Harassment Policy 2018

7. Employer's responsibilities

We will continually make good faith efforts to implement this policy. The main responsibility for this will be carried out by the most senior member of staff, Artistic Director Patrick J O'Reilly. But, line managers and supervisors also have a special responsibility for enforcing this policy on a day-to-day basis, especially in setting a good example for other employees to follow and for intervening where necessary to protect and reassure employees.

To implement this policy, we will-

- provide all employees, line managers and supervisors with a copy of this policy and explain it to them at an official induction upon commencement of employment and/or at the start of projects.
- provide appropriate training to line managers and supervisors.
- ensure that all complaints of harassment and bullying are dealt with promptly, seriously and confidentially and in accordance with our internal grievance procedure.
- set a good example by treating employees with fairness, dignity and respect.
- be alert to unacceptable behaviour and will take appropriate action to stop it.
- monitor all incidents of harassment and bullying and review the effectiveness of this policy periodically.

8. Socialising

Tinderbox recognise that we work within a social sector, this often involves outside-work-hours socialising among staff, cast, crew and other theatre sector workers, this is an important aspect of our working environment. **However, Tinderbox expect all staff – core and project, short term and long term – to adhere to the guidelines on behaviour as laid out in this document outside of the office/ rehearsal room/ theatre working environment** and ask all staff to respect and treat each other with courtesy within this social environment as they would in the working environment.

Grievance Procedure

Employees are encouraged to talk to each other to resolve their problems. When this isn't possible, employees should know how to file a grievance:

1. Communicate informally with their direct supervisor. The supervisor will try to resolve the problem. When employees want to complain about their supervisor, they should first try to discuss the matter and resolve it between them. In that case, they're advised to request an informal meeting. Supervisors should try to resolve any grievance as quickly as possible. When they're unable to do so, they should refer to the Producer and cooperate with all other procedures.
2. If the grievance relates to a supervisor behaviour that can bring disciplinary action (e.g. sexual harassment or violence), employees should refer directly to the Producer or the Artistic Director, or the Chair of the Board.
3. Accommodate the procedure outlined below

The Producer should follow the procedure below:

1. Ask employee to fill out a grievance form / make a written statement
2. Talk with the employee to ensure the matter is understood completely
3. Provide the employee who faces allegations with a copy of the grievance
4. Organize mediation procedures (e.g. arranging a formal meeting)
5. Investigate the matter or ask the help of an investigator when needed
6. Keep employees informed throughout the process
7. Communicate the formal decision to all employees involved
8. Take actions to ensure the formal decision is adhered to
9. Deal with appeals by gathering more information and investigating further
10. Keep accurate records

This procedure may vary according to the nature of a grievance. For example, if an employee is found guilty of racial discrimination, the company will begin disciplinary procedures.