



Anti-Discrimination and Anti-Harassment Policy

January 2022

Objective

White Heron Theatre Company is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, White Heron Theatre Company expects that all relationships among persons in the office will be business-like and free of bias, prejudice and harassment. White Heron Theatre Company has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. White Heron Theatre Company will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with the Artistic Director / President, the Producing Director, or the Managing Director.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion to avoid allegations of harassment. The law and the policies of White Heron Theatre Company prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

Equal employment opportunity

It is the policy of White Heron Theatre Company to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law. White Heron Theatre Company prohibits any such discrimination or harassment.

Retaliation

White Heron Theatre Company encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of White Heron Theatre Company to promptly and thoroughly investigate such reports. White Heron Theatre Company prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

Sexual harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, "sexual harassment" is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when,

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for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Title VII of the Civil Rights Act of 1964 recognizes two types of sexual harassment: a) quid pro quo and b) hostile work environment. Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that their relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by e-mail, phone (including voice messages), text messages, social networking sites or other means.

Massachusetts law encourages all employees to take sexual harassment prevention training, and White Heron encourages the same.

Individuals and Conduct Covered

These policies apply to all applicants, contractors and employees, whether related to conduct engaged in by fellow employees or by someone not directly connected to White Heron Theatre Company (e.g., an outside vendor, consultant or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

White Heron Theatre Company encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor, Artistic Director / President, or the Managing Director.



Complaint Procedure

Individuals who believe they have been the victims of conduct prohibited by this policy or believe they have witnessed such conduct should discuss their concerns with their immediate supervisor. White Heron Theatre Company encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as White Heron Theatre Company believes appropriate under the circumstances.

If a party to a complaint does not agree with its resolution, that party may appeal to White Heron Theatre Company's President or Board Chair.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

Contact Information

If you have a harassment complaint, please contact one of the following individuals:

Michael Kopko, Producing Director
(508) 325-2174
michael@whiteherontheatre.org

Lynne Bolton, Artistic Director / President
(203) 461-1813
lynne@whiteherontheatre.org

Joshua Borenstein, Interim Managing Director
(475) 201-5848
jborenstein@odysseyassociates.llc

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Should you not agree with the resolution, you can contact White Heron's Board Chair:

Robert Doran

(203) 253-4271

doranbob@optonline.net

State and Federal Remedies

In addition to the above, if you believe that you have been subjected to sexual harassment, you may file a formal complaint with either or of the government agencies below. Using White Heron's complaint process does *not* prohibit you from filing a complaint with these agencies. Please note that each of the agencies has a short time period for filing a claim (EEOC – 300 days; MCAD – 300 days).

U.S. Equal Employment Opportunity Commission ("EEOC") – Boston Field Office

Phone: (800) 669-4000

TTY: (800) 669-6820

ASL Video Phone: (844) 234-5122

Public Portal: <https://publicportal.eeoc.gov>

(no email option)

Massachusetts Commission Against Discrimination

Phone: (617) 944-6000

TTY: (617) 994-6196

Email: mcad@mass.gov

Web address: <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>

I have read and understand this policy.

Signature:

Date:

Print Name: