

Thieves Gilde Productions Inc.

Non-Discrimination/Anti-Harassment Policy and Complaint Procedure

Approved 9/6/2019

2020 TG Non Discrimination and Anti Harrasment Policy

Scope

This nondiscrimination and anti-harassment policy, with an established complaint procedure applies to all members and volunteers working for or interacting with Thieves Gilde. The policy addresses alleged discrimination, harassment, sexual harassment and retaliation occurring amongst our members and/or third parties, such as contractors, vendors and patrons. It outlines the organization's objective in maintaining the policy and describes prohibited conduct in detail. The policy includes examples of conduct that will be considered a violation of the policy and its consequences. The policy describes the complaint process and emphasizes the importance of confidentiality for all responsible parties involved in the process.

Objectives

Thieves Gilde is committed to fostering an environment in which all its community members are treated with respect and dignity. Everyone has the right to work, study and perform in a professional atmosphere that promotes equal opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Thieves Gilde expects its participant's behaviors in all relationships will be professional and free of bias, prejudice and harassment.

To this end, the Gilde maintains a policy to ensure that all its members can work, study and perform in a safe and supportive environment, free from harassment, discrimination, sexual harassment and retaliation.

This policy means that no form of discriminatory or harassing conduct by or towards any member, performer, volunteer or other persons associated with the Thieves Gilde, whether at one of our multiple environments (training, rehearsal, performances and at official events) or elsewhere, will be tolerated. Thieves Gilde Productions, Inc. is committed to enforcing its policy on all levels of our organization, including our Board and community leaders. Any individual who practices discrimination or harassment will be subject to immediate progressive discipline, up to and including possible discharge from membership (or contract termination for its vendors) and the immediate, permanent removal from our community. Thieves Gilde Productions, Inc. will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint of violation of such policies will be investigated and resolved appropriately as determined by Thieves Gilde Productions. Any party who has questions or concerns about these policies should talk with one of the Board Members. This policy should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, sexual orientation, race, religion or any other protected class under applicable E.E.O laws or regulations, from participating in organization-related social activities or discussions. In other words, no one should make the mistake of practicing discrimination or exclusion to avoid allegations of harassment. The policies of Thieves Gilde Productions, as governed by applicable laws and/or regulations in this area prohibit discriminatory treatment based on sex or any other protected class characteristic, in 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 an exception to them.

Definitions

The following definitions are for purposes of this policy.

Contractor

Any person who is employed directly by an agency or organization that has a contract or Memorandum of Understanding with the [agency or organization].

Discrimination

Any act, policy or practice that, regardless of intent, has the effect of subjecting any person to differential treatment as a result of that person's actual or perceived race, color, religion, sex, national origin, ethnicity, ancestry, age, disability, sexual orientation, gender identity and expression, or based on that person's association with a person or group with one or more of these actual or perceived characteristics.

Member

Any person who has filled out the appropriate paperwork to be deemed a Member in the Thieves Gilde By-Laws, with exception for those who have not reached the age of 18.

Gender Identity and Expression

For purposes of this policy, gender identity and expression mean having or being perceived as having gender-related characteristics, appearance, mannerisms, or identity, whether or not stereotypically associated with one's assigned sex at birth.

Harassment

Unwelcome, offensive or intimidating behavior towards an individual. Reasons for such behavior may include but are not limited to actions taken on account of an individual's (or group of individuals') membership in a protected category, as defined below.

Unlawful harassment may take many forms including but not limited to:

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VERBAL CONDUCT that is directed at an individual (or group of individuals) because of said individual's membership in a protected category. Examples include, but are not limited to, epithets, derogatory comments, unwelcome jokes or stories, slurs, unwelcome verbal advances or invitations, requests for sexual favors, or harassing phone calls.

VISUAL CONDUCT that is directed at an individual (or group of individuals) because of their membership in a protected category. Examples include, but are not limited to, derogatory or offensive posters, cartoons, bulletins, drawings, photographs, magazines, written articles or stories, screensavers, or electronic communications.

PHYSICAL CONDUCT that is directed at an individual (or group of individuals) because of their membership in a protected category. Examples include, but are not limited to, touching, patting, pinching, grabbing, staring, leering, lewd gestures, invading personal space, assault, blocking normal movement, or other physical interference.

SEXUAL CONDUCT that is directed at a youth by a member, contractor, volunteer, or by another youth, which is unwelcome and/or harassing. Examples include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.

Protected Categories

Race, color, religion, sex, national origin, ethnicity, ancestry, age, disability, sexual orientation, gender identity and expression, or any other category protected now or in the future by state or federal laws.

Retaliation

Any adverse action taken against a person for filing a complaint of harassment, reporting a complaint of harassment, or participating in or cooperating with an investigation of a complaint of harassment.

Volunteer

Any person who provides services free of charge to the Thieves Gilde and is not considered a member.

Youth

Any person under the age of 18 who is considered a Member of the Thieves Gilde or is serving as a Volunteer.

Direct Personnel Interactions Versus Art

Thieves Gilde Productions, Inc. is an artistic educational institution which educates and nurtures artists in the field of comedic improv, stage combat and other aspects of theater production. Thieves Gilde Productions, Inc. acknowledges that the creation of art requires the bold expression of an individual's point of view or experience and/or the creation of fantastic or otherwise wholly fictitious narratives, devoid of truth. For this reason, Thieves Gilde Productions, Inc. views performances as the creative expression of those who create them and not necessarily representative of their real world opinions or values. While guidelines exist in our classes and on stage to protect our performers from unwanted touching or subject material considered triggering, complaints regarding content within scenes, fights and performances will be treated as different and separate from instances of alleged discrimination or harassment (as defined in this policy) occurring directly between our members in our classes, during rehearsals or at our performances.

Complaints regarding the content of a specific performance should be directed to either the Trainer in charge of the class the performance occurred in, or the production team overseeing the performance. If for whatever reason the member, volunteer or other concerned party is uncomfortable making a complaint to a member of the afore mentioned teams, any complaint may also be made to a member of the Thieves Gilde Board of Directors.

Equal opportunity

It is the policy of Thieves Gilde Productions to ensure equal opportunity without discrimination or harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by applicable law. Thieves Gilde Productions prohibits any such discrimination or harassment. Furthermore, Thieves Gilde Productions, Inc. extends this policy to include volunteer opportunities, such as performing in our shows, participating in our special events, or serving on one of our Board committees or assisting with performance operations.

Sexual harassment

Sexual harassment constitutes discrimination and is illegal under federal (e.g. Title VII of the 1964 Civil Rights Act), state and

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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, 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,” with the addition that any sexual or romantic advances made by members over the age of 18 to members under the age of 18 will be considered unwelcome for purposes of this policy and will be subject to Remedial and Disciplinary actions. 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 as examples 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 based on 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 of their relatives, friends or associates, and that: a) has the purpose or effect of creating an intimidating, hostile or offensive study or performance environment, b) has the purpose or effect of unreasonably interfering with an individual’s pursuit of performance or educational goals, or c) otherwise adversely affects an individual’s performance or educational 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 performance, training or rehearsal premises or circulated among the membership during performances, rehearsals, training or other official events or using Thieves Gilde equipment by email, phone (including voice messages), text messages, social networking sites or in official Thieves Gilde groups hosted on social media or other means.

Thieves Gilde Productions also has a zero-tolerance policy against any acts of violence initiated by our members against all others, which if investigated and proven to be true, would result in immediate expulsion of the responsible party.

Individuals and Conduct Covered

These policies apply to all members, volunteers, youths and performers at TGP whether related to conduct engaged in by fellow members or by someone not directly connected to Thieves Gilde Productions (e.g., an outside vendor, performer, youth, consultant or customer).

Conduct prohibited by these policies is unacceptable in training, rehearsal or during performances and in any official setting such as during Gilde trips, meetings and Gilde-related social events.

Reporting an Incident of Harassment, Discrimination or Retaliation

Thieves Gilde Productions, Inc. encourages reporting of all complaints of alleged 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 a member of the Board of Directors. See the complaint procedure described below. In addition, TGP recognizes that while it has taken steps to provide easy and effective avenues by which complaints can be made, sometimes situations are best dealt with directly as they occur. For that reason, TGP seeks to empower and encourage all members of its community to directly address incidents as they occur, as community members see fit. If an instance of alleged discrimination, harassment or retaliation is dealt with in such a manor, TGP highly encourages the parties involved to report the incident to the Managing Director, Community Manager or a Community Advocate.

Complaint Procedure

Thieves Gilde Productions, Inc. is committed to taking all reasonable steps to prevent harassment, and will make every reasonable effort to promptly and effectively address and correct any alleged harassment. However, Thieves Gilde Productions, Inc. cannot take prompt and effective remedial action unless incidents are reported. For that reason, TGP encourages the

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reporting of all incidents to the appropriate responsible and/or supervisory figures as soon as possible. TGP recognizes that due to the nature of harassment and discrimination, that sometimes an incident or complaint may possibly not be reported for some delayed period of time after its occurrence. Still, a full investigation can be more effectively completed closer to the actual date of its occurrence. For this reason, TGP encourages reporting these incidents as soon as possible.

Every report of harassment will be investigated promptly and impartially, with every effort to maintain confidentiality. The complainant and the accused will be informed of the results of the investigation, subject to the natural constraints of confidentiality and applicable legal obligations. If Thieves Guilde Productions, Inc. finds that its policy has been violated, it will immediately take appropriate corrective and remedial action, most likely including the discharge of offending members and similarly appropriate action towards offending vendors, contractors and when necessary, the immediate and permanent removal of offending parties from our community.

Reporting Complaints

It is the policy of Thieves Guilde to encourage any member, volunteer or other concerned party to report when they (1) legitimately and reasonably believe that they been subjected to harassment or discrimination based on their actual or perceived membership in a protected category or based on their association with a person or group, or (2) has first-hand knowledge of what they legitimately and reasonably believe to be harassment or discrimination of another member. Members, volunteers, and other concerned parties may report a complaint of harassment or discrimination to a member of the Training and Safety Team, or the Production Team affiliated with the performance where the incident occurred. If the complainant is uncomfortable reporting the alleged harassment to a member of the Training and Safety Team, or the Production Team affiliated with the performance where the incident occurred (whether because they have committed the harassment, or for any other reason whatsoever), they report the alleged harassment to a member of TGP's Board of Directors. Members, volunteers and other concerned parties may make complaints verbally or in writing for themselves or another concerned party. Once a complaint has been received it will be promptly forwarded to the Thieves Guilde Productions Board of Directors.

Mandatory Reporting of Suspected Child Abuse

Under certain circumstances, alleged harassment may constitute child abuse under state law. Members and volunteers must remain aware of their statutory obligation to report suspected abuse, when applicable.

Privacy.

Thieves Guilde Productions will keep complaints made under this policy confidential to the extent possible given the need to investigate, act on investigative results, and monitor and compile reports about complaints made under this policy. Complaints made under this policy shall be kept separate from any other individual files maintained.

Response to complaint

1. Immediate Action

Upon learning the details of the complaint, if the Training and Safety Team Chair, Director of Board Member determines that the conduct alleged in the complaint is egregious or poses a threat of further potential misconduct, they shall take immediate action to separate the complainant(s) and the subject(s) of the complaint to the greatest degree possible consistent with practical considerations of the situation.

2. Investigation

Upon receiving a complaint of harassment or discrimination under this policy, the Board of Directors shall assign either a designee to investigate the complaint. The Board shall not assign an investigator who is either the subject of or an actual or potential witness to the harassment or discrimination alleged in the complaint. Once an investigator has been assigned the Board shall forward the complaint to the assigned investigator.

The assigned investigator shall begin the investigation promptly upon receiving the complaint from the Board of Directors. The assigned investigator shall interview the individuals involved, witnesses, and any other persons who may have knowledge of the circumstances giving rise to the complaint. The investigator may use other methods and documentation necessary to uncover the facts and circumstances surrounding the conduct at issue in the complaint. In determining the facts surrounding a complaint, the investigator shall consider, among other things: the nature of the alleged behavior; how often the conduct allegedly occurred; whether there were alleged or confirmed past incidents or alleged or confirmed continuing patterns of behavior; and the relationship of the parties involved.

3. Concluding the Investigation

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The investigator shall complete the investigation, including a written investigative report, as soon as practicable, but in no event later than thirty (30) calendar days after receiving the complaint from the Thieves Guild Board of Directors. If exceptional circumstances warrant more time, by no later than thirty (30) days from the date the investigator received the complaint, the investigator shall provide a status report to the Board of Directors and shall request additional time.

4. **Result**

After completing the investigation, the investigator shall determine the facts of the case including who did what, who said what, and who intended what. The investigator shall provide the evidence supporting these facts to the Thieves Guild Board of Directors in a written investigative report.

Remedial and Disciplinary Action

Thieves Guild shall take remedial or disciplinary action as appropriate to ensure that harassment or discrimination does not reoccur. All remedial and disciplinary action shall comply with applicable state and federal laws, local ordinances, and, where applicable, Thieves Guild Production policies and procedures. The Board of Directors shall establish a remedial and disciplinary structure consistent with this policy.

Youth If the Thieves Guild Board of Directors determines that a youth violated this policy, the Board of Directors shall take appropriate remedial or disciplinary action that may include, but is not limited to: counseling, awareness training, warning, transfer, or other actions consistent with the [agency or organization] policies and procedures. The emphasis of such action should be on rehabilitation.

Member If the Thieves Guild Board of Directors determines that a member has violated this policy, the Thieves Guild Board of Directors shall take appropriate remedial or disciplinary action, including counseling, training, or disciplinary action including but not limited to: written reprimand, suspension or termination.

Contractors If the Thieves Guild Board of Directors determines that a contractor has violated this policy, the Thieves Guild Board of Directors shall promptly notify the contract agency. The contract agency shall be responsible for taking appropriate remedial or disciplinary action involving their employees. If the same contract agency staff member or the same contract agency is involved in repeated violations of this policy, Thieves Guild Productions reserves the right to ban that contract agency staff member from working with youth at Thieves Guild functions and/or to terminate the contract with that agency.

Volunteers If the Thieves' Guild Board of Directors determines that a volunteer has violated this policy, the Board shall take appropriate remedial or disciplinary action, including: counseling, training, or disciplinary action including but not limited to written reprimand, suspension, or termination.

Retaliation

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 will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Requests for Reconsideration and Appeals

If either party does not agree with its resolution that party may make an appeal to Thieves Guild Board of Directors. This appeal should be provided in writing.

Right to file other complaints

This policy shall not alter or affect the right of any person to file a complaint alleging harassment or discrimination in state or federal court, to file a complaint with an appropriate governmental agency, or to consult with a private attorney.

False and/or Malicious Complaints

False and/or 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.