

Polaris Music Prize Inc.
Respectful Workplace Policy

Adopted by the Board of Directors on October 23, 2018

1. Polaris's Commitment.

- 1.1. Canada is made up of people from diverse communities and equity-seeking groups, including but not limited to Indigenous/First Nations people, women, people with disabilities, racial minorities, religious minorities, linguistic minorities, the socio-economically disadvantaged, lesbian, gay, bisexual, and transgendered persons. Polaris Music Prize Inc. ("**Polaris**") recognizes that the changing nature of the population has implications for its employees, contractors, members and associates in the workplace.
- 1.2. Polaris is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully and have equal opportunity.
- 1.3. Under the *Ontario Human Rights Code*, R.S.O. 1990, Chapter H.19 (the "**Code**"), every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated or ignored at Polaris. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of employment.
- 1.4. Polaris is committed to a comprehensive strategy to address harassment and discrimination including:
 - (a) Regular monitoring of organizational systems for barriers related to *Code* grounds;
 - (b) Providing an effective and fair complaints procedure;
 - (c) Promotion of appropriate standards of conduct at all times;
 - (d) Ensuring that all employees have equitable access to its services, resources and decision-making; and
 - (e) Practicing non-discriminatory and promotion of the goals of anti-racism, access and equity.

2. Policy Objectives. The objectives of the Polaris Respectful Workplace Policy are:

- 2.1. Ensure employees, contractors, members and associates of Polaris are aware that harassment and discrimination are unacceptable practices that are incompatible with the standards of this organization and a violation of provincial law; and
- 2.2. Set out the types of behaviours that may be considered offensive and are prohibited by this Policy.

3. Prohibited Grounds.

- 3.1. The Polaris Respectful Workplace Policy prohibits discrimination or harassment based on any of the following grounds:
 - (a) Age;
 - (b) Creed or religion;
 - (c) Use of the English or French language;
 - (d) Sex (including pregnancy and breastfeeding);

- (e) Sexual orientation;
- (f) Gender identity;
- (g) Gender expression;
- (h) Family status (including parent-child relationship);
- (i) Marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship);
- (j) Disability (including mental, physical, developmental or learning disabilities);
- (k) Race;
- (l) Ancestry;
- (m) Place of origin;
- (n) Ethnicity;
- (o) Citizenship;
- (p) Skin colour; and/or
- (q) Association or relationship with a person identified by one of the above grounds.

3.2 Polaris does not and shall not discriminate on the basis of any prohibited grounds, or any combination of those grounds. These activities include, but are not limited to, hiring and firing of employees and contractors, selection of volunteers and vendors, selection of members and jurors, and provision of services. Polaris is committed to providing an inclusive and welcoming environment for all employees, members, jurors, patrons, volunteers, contractors and vendors.

3.3 Polaris will take affirmative action measures to ensure against discrimination in employment, recruitment, advertisements for employment, compensation, termination, upgrading, promotions or any other conditions of employment against any employee or job applicant.

3.4 Polaris is committed in all areas to providing a work environment that is free from harassment and encourages all employees and contractors to report any instances of harassment or discrimination, whether actual or perceived. No person will be adversely affected in employment with Polaris as a result of bringing complaints of unlawful harassment or discrimination.

4. **Prohibited Behaviour**. The following behaviour Polaris, its employees, contractors, members and/or associates is prohibited:

4.1. **Discrimination**: any form of unequal treatment based on a *Code* ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms, or it may happen in very subtle ways. Any decision or action by Polaris or its employees, if influenced by even one discriminatory factor, shall be a violation of this Policy.

4.2. **Harassment**: a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. Harassment may involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this Policy. Harassment may occur based on any one ground of discrimination, or a combination of multiple grounds.

4.2.1. Examples of harassment include:

- (a) Epithets, remarks, jokes or innuendos related to a person's race, gender identity, gender expression, sex, disability, sexual orientation, creed, age, or any other ground;
- (b) Posting or circulating offensive pictures or materials, whether in print form or via e-mail or other electronic means;
- (c) Singling out a person for humiliating or demeaning "teasing" or jokes because they are a member of a *Code*-protected group; and/or
- (d) Comments ridiculing a person because of characteristics that are related to a ground of discrimination. For example, this could include comments about a person's dress, speech or other practices that may be related to their sex, race, gender identity or creed.

4.4 Sexual and gender-based harassment: sexual harassment is a form of harassment that can include:

- (a) Gender-related comments about a person's physical characteristics or mannerisms;
- (b) Paternalism based on gender which a person feels undermines their self-respect or position of responsibility;
- (c) Unwelcome physical contact;
- (d) Suggestive or offensive remarks or innuendoes about members of a specific gender;
- (e) Propositions of physical intimacy;
- (f) Gender-related verbal abuse, threats or taunting;
- (g) Leering or inappropriate staring;
- (h) Bragging about sexual prowess or questions or discussions about sexual activities;
- (i) Offensive jokes or comments of a sexual nature about an employee or client;
- (j) Rough and vulgar humour or language related to gender;
- (k) Display of sexually offensive pictures or other materials including through electronic means; and/or
- (l) Demands for dates or sexual favours.

4.5 Sexual Solicitation: sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes managers and supervisors, as well as co-workers where one person is in a position to grant or deny a benefit to the other. Reprisals for rejecting such advances or solicitations are also a form of discriminatory behaviour.

4.6 Poisoned environment: comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.

4.7 If a person does not explicitly object to harassing behaviour, or appears to be going along with it, this does not mean that the behaviour is acceptable. Such behaviour may still qualify as harassment under the *Code*.

5. **Application**

- 5.1. The right to freedom from discrimination and harassment extends to all employees of Polaris, including full-time, part-time, temporary, probationary, casual and contract staff, as well as volunteers, co-op students, interns and apprentices.
- 5.2. It is unacceptable for employees of Polaris to engage in harassment or discrimination when dealing with clients, or with others they have professional dealings with, such as suppliers or service providers.
- 5.3. This Policy shall apply at every level of the organization and to every aspect of the workplace environment and employment relationship, including recruitment, selection, promotion, transfers, training, salaries, benefits and termination. This Policy also applies to events that occur outside of the physical workplace such as business trips and company parties.
- 5.4. All persons employed and/or engaged by Polaris are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination and cooperating fully in any investigation of a harassment or discrimination complaint.
- 5.5. Polaris Officers and Directors have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Officers and Directors are responsible for creating and maintaining a harassment- and discrimination-free organization and must address potential problems before they become serious.

6. **Procedure for Resolving Complaints**

- 6.1. The provisions of this Policy shall in no way affect the right of any person to exercise their rights under the Ontario *Human Rights Code*, within the time limits specified by that legislation.
- 6.2. **Making a complaint.**
 - 6.2.1. Individuals have the right to complain about situations they believe to be discriminatory or harassing in nature.
 - 6.2.2. Complainants are encouraged to explain to the person who is harassing or discriminating against them that the conduct is unwelcome, however the complainant is not obliged to do so. If addressing the person responsible could lead to an escalation of the harassment or discrimination, or to safety risks, the complainant is not expected to directly interact with that person. If a complainant feels they can safely make it known to the person responsible that the behaviour is unwelcome and resolve the issue independently, the complainant shall always have the choice to do so. However, the complainant should never feel obliged to address their harasser against their better judgement.
 - 6.2.3. If the situation cannot be resolved by speaking to the person responsible, a complaint may be made by speaking to either: (1) the complainant's manager or direct supervisor, or (2) any Human Resources representative.

6.2.4. All situations in which the complainant's manager or direct supervisor has been named in a complaint will be dealt with directly by Polaris' then currently presiding dispute resolution officer, who can be emailed at (resolutions@polarismusicprize.ca) ("Resolution Officer")

6.2.5. Although a complainant may first choose to make a verbal complaint, a written summary of the incident will be required. Complaints should be reported as soon as possible. If the complaint is delayed beyond three months, the complainant should outline the reason for the delay in reporting the incident(s).

6.2.6. Written summaries of a complaint should include details of:

- (a) What happened – a description of the events or situations;
- (b) When it happened – dates and times of the events or incidents;
- (c) Where it happened;
- (d) All parties involved including who saw it happen – the names of any witnesses, if any.
- (e) The letter should be signed and dated by the complainant.

6.2.7 The recipient of the complaint will notify the person(s) complained against (the respondent(s)) of the complaint and provide the respondent(s) with a copy of the written complaint.

6.2.8 If necessary, the complainant or the respondent will be provided with alternative reporting relationships. The decision will be made on a case-by-case basis and will reflect the principle that the complainant will not be penalized for making the complaint.

6.3 Reprisal. Every person has a right to claim and enforce their right to a workplace free of harassment and discrimination. No person shall be negatively impacted for bringing forward a complaint, providing information related to a complaint, or helping to resolve a complaint. It is a violation of this Policy to discipline or punish a person because they have brought forward a complaint, provided information related to a complaint, or otherwise been involved in the complaint resolution process. Reprisal may be the subject of a complaint under this procedure, and persons engaging in reprisal shall be subject to disciplinary measures, up to and including termination of employment.

6.4 Investigation.

6.4.1 Within three working days of receiving a complaint, the recipient of the complaint must initiate the investigation process.

6.4.2 As soon as possible after receiving the complaint, the recipient of the complaint will notify the individual(s) being named. All individuals named in the complaint have a right to reply to the allegations against them. Individuals named in the complaint as witnesses will be interviewed.

6.4.3 The investigator is responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint. The investigator will interview the complainant, the respondent(s), and relevant witnesses suggested by the complainant or respondent(s), as well as gather documents relevant to the matters in the complaint.

- 6.4.4 All Polaris staff are required to cooperate with the investigator.
- 6.4.5 The investigator will, wherever possible, complete the investigation within 90 days of receiving the assignment.
- 6.4.6 At the conclusion of the investigation, the investigator will prepare a written report summarizing the allegations and the investigation results and will forward the report to Resolution Officer

6.5 Dispute Resolution.

- 6.5.1 Where appropriate, the recipient and/or investigator of the complaint will offer the parties an opportunity to mediate the complaint. No person will be required to undertake mediation. Mediation will be conducted by a neutral and expert third-party mediator. Mediation may take place at any stage during the complaint process.
- 6.5.2 Every effort will be made to reach a settlement satisfactory to the complainant and the respondent.

6.6 Appointing an external investigator. Where mediation is not appropriate or is not successful, the recipient of the complaint will refer the complaint to an expert external investigator.

6.7 Representation. Complainants and respondents are entitled to seek representation of their choice, including legal counsel, during the complaints process, at their own expense.

6.8 Documentation. Every person who believes they have experienced harassment or discrimination, as well as every person who has been notified of a complaint against them, is advised to create and keep written notes about the events at issue, and to maintain any relevant written documentation.

6.9 Confidentiality and privacy. Advisors, investigators, mediators and persons receiving complaints will, to the extent possible, protect the confidentiality and privacy of persons involved in a complaint, subject to the requirements of a fair investigation and resolution process. All documents related to a complaint, including the written complaint, witness statements, investigation notes and reports, and documents related to the complaint, will be securely maintained by the General Director, separate from personnel files.

6.10 Potential outcomes of an investigation.

- 6.10.1 Based on the findings in the investigator's report, Resolution Officer will decide whether this Policy has been violated.
- 6.10.2 If the Policy has been violated, Resolution Officer will determine the appropriate consequences for the person(s) who violated the Policy. These may include:
 - (a) An apology;
 - (b) Counselling;
 - (c) Education and training;
 - (d) Verbal or written reprimand;
 - (e) Suspension with pay;

- (f) Suspension without pay;
- (g) Transfer;
- (h) Termination of employment;

6.10.3 In determining the appropriate consequences, Resolution Officer will take into account the nature of the violation of the Policy, the severity of the violation, and whether the individual has previously violated the Policy.

6.10.4 Where a violation of the Policy is found, Resolution Officer will also take any steps necessary to repair the effects of the discrimination or harassment on the complainant, and to prevent any further recurrences of harassment or discrimination within the organization.

6.10.5 Where a violation of the policy is not found, the investigator may:

- (a) make a recommendation for training or better communications; or
- (b) recommend that no further action is necessary.

6.10.6 Resolution Officer will be responsible for monitoring the outcome of the complaint.

6.11 Communication. The complainant and the respondent(s) will each be provided with a copy of the investigator's report, and with Resolution Officer's decision regarding outcomes.

6.12 Where a complainant is dissatisfied with the outcome of the complaint, they will be reminded of their rights under the *Ontario Human Rights Code*.

6.13 Timeframe. Complaints should be reported within three months of the incident. If the report is made after three months, an explanation of the delay should accompany the complaint. Complaints will be dealt with in a timely manner.

6.14 Records. When remedial action requires discipline of an employee, a record of the disciplinary action will be placed on an individual's personnel file. All other records of the investigation will be kept separate and apart from the personnel file.

6.15 Ontario Human Rights Commission. This internal procedure is available to individuals to resolve complaints of discrimination. Parties also have recourse to the Ontario Human Rights Commission, however, once a grievance is filed with OHRC, the internal procedure is no longer an option.