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# POLICY TO PREVENT AND ADDRESS HARASSMENT AT DOMAINE FORGET

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Approved: Board of Directors

Modified:

Effective date: May 27, 2018

Responsible for  
application:

Executive Director  
Chair of the Board of Directors

Overall  
responsibility:

Board of Directors

Revision:

Executive Director  
Chair of the Board of Directors

# 1. Foundations

The Domaine Forget de Charlevoix wishes to have all the tools needed to fulfill its mission of nurturing the next generation of artists through top-tier training in the performing arts, presenting concerts and performances of the highest quality, providing a space for visual arts expression, offering the public a distinctive experience on its site, and serving as an internationally recognized artistic hub in the Charlevoix region.

1.1. The Domaine Forget de Charlevoix recognizes its responsibility to create and maintain an environment that supports its teaching mission while ensuring a harmonious workplace and learning environment free from harassment, where everyone is entitled to respect, dignity, and the protection of their integrity.

1.2. Harassment constitutes a wrongdoing under:

- The *Act respecting labour standards* (CQLR, c. N-1.1)
- The *Québec Charter of human rights and freedoms* (CQLR, c. C-12)
- The *Canadian Charter of Rights and Freedoms* (Part of the *Constitution Act*, 1982, c. 11)
- The *Act respecting occupational health and safety* (CQLR, c. S-2.1)
- The *Civil Code of Québec*
- The *Criminal Code*

1.3. Accordingly, the Domaine Forget de Charlevoix undertakes to:

- a) Make every effort to prevent all forms of harassment through awareness and education activities as outlined in this Policy;
- b) Not tolerate any form of harassment and take preventive and, when brought to its attention, corrective measures to prevent a violation of human rights resulting from harassment.

## 2. Definition of harassment

In this Policy, the Domaine Forget de Charlevoix defines harassment as follows:

2.1 **Psychological harassment** refers to any vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions, or gestures that affect a person's dignity or psychological or physical integrity and that results in a harmful work or learning environment. A single serious incidence of such behaviour may constitute psychological harassment if it causes such harm and has a significant negative impact on the individual.

- 2.2 **Sexual harassment** refers to any behaviour expressed in the form of repeated and unwelcome words, actions, or gestures of a sexual nature that undermine a person’s dignity or psychological or physical integrity and that results in a harmful work or learning environment. A single serious incidence of such behaviour may constitute sexual harassment if it has such consequences and causes significant harm to the individual.
- 2.3 **Abuse of power** or authority is considered a form of harassment that occurs when someone improperly uses the authority or power inherent in their position to endanger someone’s job, undermine their performance, jeopardize their livelihood, or in any way interfere with their career. This includes intimidation, threats, blackmail, and coercion.

The normal and legitimate exercise of **management and leadership rights** by representatives of the Domaine Forget de Charlevoix does not constitute harassment. This includes the management of educational activities and services, as well as the application of Domaine Forget’s various regulations and policies.

The Domaine Forget de Charlevoix strictly prohibits all forms of harassment described above, whether they occur in work environments or in any other setting related to work activities.

### 3. Scope


This Policy applies at all times to the Board of Directors, the Executive Director, the artistic leadership, staff members, contractors, volunteers, and third parties taking part in an activity organized by Domaine Forget or who are on its property.

This Policy also applies to the teaching staff, artists, and students of the International Music and Dance Academy.

This Policy applies both within all workplaces and outside of regular work environments, whether on the Domaine Forget de Charlevoix’s property or elsewhere, including during work trips, conferences, meetings, receptions, social events, training sessions, classes, concerts, and performances.

The following statement must be included in all contracts, agreements, admission forms, and other documents binding an individual or entity to the Domaine Forget de Charlevoix: *“I have read the Policy to Prevent and Address Harassment at the Domaine Forget de Charlevoix, available on the website [www.domaineforget.com](http://www.domaineforget.com) and at Domaine Forget’s administrative office. I hereby agree to comply with it.”*

## 4. Principles

- 4.1 Under the authority of the Board of Directors of the Domaine Forget de Charlevoix, the Executive Director is mandated to:
- Organize, collaborate on, and/or participate in harassment awareness, training, and prevention activities;
  - Welcome, inform, and advise individuals covered by the Policy;
  - Ensure the processing and follow-up of consultation requests and incident reports as detailed in Section 5 of this Policy;
  - Initiate a problem-resolution process in collaboration with the Chair of the Board of Directors;
  - Receive complaints and refer them to the Chair of the Board of Directors. 
- 4.2 Harassment complaints are treated with confidentiality. Information provided will not be disclosed unless necessary for the application of the Policy or as otherwise required by law.
- 4.3 Any person witnessing an incident of harassment may report it to the Executive Director or the Chair of the Board of Directors.
- 4.4 Any person who takes action under the Policy does so without fear of reprisals.
- 4.5 Anybody who believes they are a victim of harassment may report it to the Executive Director or the Chair of the Board of Directors. They have the right to:
- Be accompanied by a person of their choice;
  - Be informed in writing of the outcome of the analysis of their case.
- 4.6 The accused individual has the right to:
- Receive a written summary of the essential facts they are being accused of;
  - Be given the opportunity to adequately respond to the complaint in writing;
  - Be accompanied by a person of their choice;
  - Be informed in writing of the outcome of the analysis of their case.

## 5. Reporting and resolution process

- 5.1 Senior management is required to report any potential harassment situation to the Chair of the Board of Directors.
- 5.2 If the situation warrants or in cases considered serious or urgent, the Executive Director or the Chair of the Board of Directors may, whether a complaint has been filed or not, adopt and apply actions to protect individuals and to put an end to the harassment.

5.3 Anyone covered by the Policy may file a complaint if they feel harassed. The complainant may withdraw their complaint at any time.

The complaint must be filed within ninety (90) days of the last instance of the alleged harassing behaviour.

The Executive Director or the Chair of the Board of Directors may extend this deadline if the complainant was unable to file the complaint within the required timeframe for a valid reason.

5.4 Complaints must be submitted in writing, dated, and signed by the complainant and sent to the Executive Director or the Chair of the Board of Directors via registered mail, email, or courier. The complaint must include the following information:

- a) The complainant's name and contact information;
- b) The name and, if known, contact information of the alleged offender;
- c) The nature of the relationship between the complainant and the alleged offender;
- d) A detailed description of the alleged incident(s);
- e) The date and time of the alleged incident(s);
- f) The names of any witnesses.

5.5 By submitting a complaint, the complainant authorizes the disclosure of their identity and the details of the complaint to the accused individual and to any other person involved in the handling of the complaint.

5.6 Once the complaint has been filed, the Executive Director or the Chair of the Board of Directors will conduct an initial assessment of the nature, scope, and seriousness of the issue and will explore possible solutions with the complainant.

5.7 The Executive Director or the Chair of the Board of Directors may suggest involving a mediator to help resolve the complaint to the satisfaction of all parties.

5.7.1 Mediation is a voluntary process in which a neutral and impartial mediator assists the parties in reaching a mutually acceptable solution;

5.7.2 Mediation can only take place if all parties agree in writing to participate and to adhere to all confidentiality rules;

5.7.3 If the parties agree, the Executive Committee will appoint a mediator within ten (10) working days of receiving their written consent;

5.7.4 Any agreement reached will be documented in writing and is binding on both parties. It remains confidential, except for the disclosure of information necessary for its implementation to those responsible or as required by law.

- 5.7.5 If mediation fails, the mediator will provide the Executive Director or the Chair of the Board of Directors a written notice. Without disclosing the content of discussions, this notice will include:
- a) the names of the parties;
  - b) the dates and times of the mediation sessions.

The Executive Director or the Chair of the Board of Directors must then handle the complaint in accordance with Articles 5.8 and those that follow of this Policy.

- 5.7.6 Any information, whether verbal or written, collected by the mediator in the course of their duties is strictly confidential.

Unless all parties consent, nothing said or written during a mediation session may be used as evidence or invoked before a court, tribunal, or anyone exercising judicial or quasi-judicial functions, except as provided by law.

- 5.7.7 If either party believes that the agreement reached following mediation is not being respected, they may notify the Executive Director or the Chair of the Board of Directors, who, if necessary, will intervene to ensure compliance or exercise the powers granted to them under Section 4 of the Policy.

- 5.8 The Executive Director or the Chair of the Board of Directors will decide whether the complaint is valid or not and will inform the parties in writing.
- 5.9 The Executive Director or the Chair of the Board of Directors will determine the appropriate measures to put an end to the harassment, if applicable, as well as any other preventive, corrective, remedial, or disciplinary measures they deem necessary in the circumstances.

## 6. Responsibilities

- 6.1 The Board of Directors is responsible for overseeing this Policy.
- 6.2 The Board of Directors has the authority to adopt any other policies, guidelines, or procedures required for the application of this Policy.

## 7. Policy review

The Policy may be revised as needed. However, it will be reviewed every five (5) years from the date of its adoption.

## 8. Effective date

This Policy comes into effect on the date determined by the Board of Directors of Domain Forget.