

# QUAND L'ART PASSE À L'ACTION

**POLICY FOR PREVENTING PSYCHOLOGICAL OR SEXUAL  
HARASSMENT IN THE WORKPLACE AND HANDLING  
COMPLAINTS**

FEBRUARY 2022

## 1 - OBJECTIVE

The purpose of this policy is to affirm ATSA's commitment to preventing and suppress any situation of psychological or sexual harassment within its company, including any form of discriminatory harassment. It also aims to establish the principles of intervention that are applied within the organization when a complaint of harassment is filed or a situation of harassment is reported to the employer or their representative.

## 2 - SCOPE OF APPLICATION

This policy applies to all of the organization's staff, and to all hierarchical levels, including its Board of Directors, particularly in the following places and contexts:

- workplaces, including work-from-home locations, where applicable;
- any other place where people are required to be in the course of their employment (e.g. meetings, training sessions, travel, theaters, tours, employer-organized social events).

This policy also covers communications transmitted or received by any technological or other means, in a work context.

## 3 - DEFINITION

The *Act respecting labour standards* defines "psychological harassment" as follows<sup>1</sup> :

« A vexatious behaviour in the form of repeated and hostile or unwanted conduct, verbal comments, actions or gestures, that affects an employee's dignity or psychological or physical integrity and that results in a harmful work environment for the employee. For greater certainty, psychological harassment includes such behaviour in the form of such verbal comments, actions or gestures of a sexual nature.

A single serious incidence of such behaviour that has a lasting harmful effect on an employee may also constitute psychological harassment. »

The definition includes discriminatory harassment related to one of the prohibited grounds of discrimination set out in the *Charter of Human Rights and Freedoms*<sup>2</sup>.

The notion of harassment must be distinguished from other situations such as interpersonal conflict, work-related stress, difficult professional constraints or the normal exercise of management rights (management of work attendance, work organization, disciplinary measures, etc.).

<sup>1</sup> See Appendix 1 of this policy for more details.

<sup>2</sup> The prohibited grounds of discrimination are listed in Appendix 1.

#### **4 - POLICY STATEMENT**

ATSA does not tolerate or condone any form of psychological or sexual harassment within its organization, whether:

- by managers towards employees;
- between colleagues;
- by employees towards their superiors;
- by any person associated with it: representative, customer, user, supplier, visitor or other.

Any harassment-related behavior may result in disciplinary action, up to and including dismissal.

ATSA is committed to taking reasonable steps to:

- provide a workplace free of all forms of harassment in order to protect the dignity as well as the psychological and physical integrity of individuals;
- disseminate the policy in such a way as to make it accessible to all its employees and to its Board of Directors, by posting it in a place accessible to all staff, with a copy to salaried or contract staff and to members of the members of its Board of Directors, and by posting it on the company's website.
- prevent or, as the case may be, put a stop to harassment situations by:
  - implementing a procedure for handling complaints and reports related to situations of psychological or sexual harassment,
  - ensuring that the policy is understood and respected by all people,
  - promoting respect between individuals.

#### **5 - EXPECTATIONS OF STAFF**

It is the responsibility of all employees to behave in a way that fosters a workplace free of psychological or sexual harassment.

#### **6 - HANDLING COMPLAINTS AND REPORTS**

Whenever possible, a person who believes they are being subjected to psychological or sexual harassment should first inform the person concerned that their behavior is undesirable and that they must put an end to it. They should also note the date and details of the incidents, as well as the steps they have taken to try to resolve the situation.

If this initial intervention is not possible, or if the harassment continues, the employee should report the situation to one of the responsible persons designated by the employer, so that the problematic behaviors can be identified and the necessary measures taken.

Complaints can be made verbally or in writing. The criticized behaviour and the details of the incidents must be described as precisely as possible, so that action can be taken quickly to put an end to the situation.

The responsible persons designated<sup>3</sup> by the employer are as follows:

Annie Roy, Co-Founder, General and Artistic Director  
514-844-9830 - [info@atsa.qc.ca](mailto:info@atsa.qc.ca)

Emilie Gervais, Administrative Manager and Assistant to the General Manager  
514-844-9830 - [admin@atsa.qc.ca](mailto:admin@atsa.qc.ca)

Anyone witness to a situation of harassment is also invited to report it to one of the above-mentioned persons.

## **7 - PRINCIPLES OF INTERVENTION**

ATSA undertakes to:

- deal with the complaint or report as quickly as possible;
- preserve the dignity and privacy of the persons concerned, i.e. the person who made the complaint, the person who is the subject of the complaint and the witnesses;
- ensure that all those involved are treated humanely, fairly and objectively, and are offered appropriate support;
- protect the confidentiality of the intervention process, including information relating to the complaint or report;
- offer to hold a meeting with the people concerned, with their agreement, aiming to resolve the situation;
- if necessary, conduct a prompt and objective investigation, or entrust the responsibility to an outside party. The persons concerned will be informed of the outcome of this process. If the investigation does not establish that unacceptable behavior has occurred, all material evidence will be retained for two years and destroyed thereafter;
- take all reasonable steps to resolve the situation, including appropriate disciplinary measures.

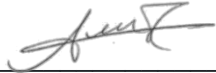
Any person who commits a breach of the harassment policy will be subject to appropriate disciplinary measures. The choice of applicable measure will take into account the seriousness and consequences of the act(s), as well as the previous record of the person who committed them.

Any person who makes false accusations with the intention of causing harm is also subject to appropriate disciplinary measures.

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<sup>3</sup> Details on the role of the responsible persons appear in Appendix 2.

In dealing with and resolving a situation involving harassment in the workplace, no one shall suffer prejudice or retaliation on the part of the employer.



Employer's signature

ANNIE ROY, Co-Founder, General Manager and Artistic Director

April 23rd, 2025

Date

A non-unionized employee who believes they have been subjected to psychological or sexual harassment in connection with their work may also file a complaint, at any time, directly with the Commission des normes, de l'équité, de la santé et de la sécurité du travail (CNESST). The maximum period for doing so is two (2) years from the last manifestation of harassment. Complaints can be filed online or by telephone at 1 844 8380808. An employee's decision to file a complaint first with their employer does not prevent them from also filing a complaint with the CNESST.

## APPENDIX 1 - RECOGNIZING PSYCHOLOGICAL OR SEXUAL HARASSMENT

The *Act respecting labour standards* sets out criteria for determining what may be considered psychological or sexual harassment, namely:

- vexatious (hurtful, humiliating) conduct;
- that manifests itself repeatedly or in a single serious act;
- in a hostile (aggressive, threatening) or unwanted manner;
- affects the person's dignity or integrity;
- resulting in a harmful (noxious, harmful) work environment for the individual.

These conditions include words, acts or gestures of a sexual nature.

Discrimination based on any of the grounds listed in section 10 of the Charter of Human Rights and Freedoms may also constitute harassment: race, color, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, handicap or the use of a means to palliate a handicap.

This definition applies to all work contexts, including when working from home.

By way of example, the following behaviors could be considered vexatious conduct constituting harassment if they meet all the criteria of the definition set out in the law.

### Behaviours that may be linked to psychological harassment

- Bullying and cyberbullying;
- Threats, isolation;
- Offensive or defamatory remarks or gestures about a person or their work;
- Verbal abuse;
- Denigration.

### Behaviors that may be linked to sexual harassment

- Any form of unwanted attention or advance with a sexual connotation, e.g. for example :
- insistent solicitation,
- stares, physical contact,
- sexist insults, coarse language;
- sexual comments, jokes or images.

## APPENDIX 2 - RESPONSIBLE PERSONS DESIGNATED BY THE EMPLOYER

### ATSA

- ensure that the designated persons responsible are duly trained and have the necessary tools at their disposal for handling and following up the complaint or report;
- free up working time so that the designated persons in charge can carry out the duties assigned to them.

The following persons are designated to act as persons responsible for the application of ATSA's Policy for the Prevention of Psychological or Sexual Harassment in the Workplace and the Handling of Complaints:

Annie Roy, Co-Founder, General Manager and Artistic Director  
514-844-9830 - [info@atsa.qc.ca](mailto:info@atsa.qc.ca)

Emilie Gervais, Administrative Manager and Assistant to the General Manager  
514-844-9830 - [admin@atsa.qc.ca](mailto:admin@atsa.qc.ca)


Caroline Marinacci, Member of the Board of Directors  
514-912-5847 - [caroline.marinacci@gmail.com](mailto:caroline.marinacci@gmail.com)

The main responsibilities of these people are to:

- inform staff of the company's policy on psychological or sexual harassment;
- intervene informally to try to resolve situations;
- receive complaints and reports;
- make recommendations on the type of action to be taken to put a stop to harassment.

## Commitment of responsible persons


I hereby declare my commitment to comply with this policy and assure you that my intervention will be impartial, respectful and confidential.



Signature of responsible person no. 1

April 23rd, 2025

Date



Signature of responsible person no. 2

April 23rd, 2025

Date



Signature of responsible person no. 3

April 23rd, 2025

Date