



1) PURPOSE

The purpose of this policy is to affirm **C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC**'s commitment to preventing and putting a stop to any situation of psychological or sexual harassment within the organization, including any form of discriminatory harassment. It also establishes the principles for intervention within the organization when a harassment complaint is filed or a harassment situation is reported to the employer or its representative.

2) SCOPE

This policy applies to all staff of the organization, including but not limited to employees, contract workers, directors and volunteers, at all levels of the organization, including but not limited to the following locations and contexts:

- workplaces;
- common areas;
- any other place where people must be in the course of their employment, contract or mandate (e.g. meetings, training, travel, social activities organized by the employer);
- communications by any means, technological or otherwise.

3) DEFINITION

The *Act respecting labour standards* defines psychological harassment as follows¹:

"Any 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 grounds set out in the *Charter of Human Rights and Freedoms*².

The notion of harassment must not be confused with other situations such as interpersonal conflict, work-related stress, difficult professional constraints or the normal exercise of management rights (attendance management, work organization, disciplinary action, etc.).

¹ See Appendix 1 of this policy for more details.

² These grounds of discrimination are listed in Appendix 1.



4) POLICY STATEMENT

C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC does not tolerate or allow any form of psychological or sexual harassment within the organization, whether it is:

- by managers towards employees;
- between colleagues;
- by employees to their managers;
- by any person associated with the organization: contract worker, administrator, volunteer, representative, candidate³, supplier, visitor or other.

Any behaviour related to harassment may result in disciplinary action depending on the agreement with the organization or the regulation in place, up to and including dismissal or termination of the mandate.

C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC undertakes to take reasonable measures to:

- provide a workplace free from all forms of harassment in order to protect individuals' dignity and psychological and physical integrity;
- disseminate the policy in such a way as to make it accessible to all CMC staff, by providing a copy to employees, directors, volunteers and contractors, and by posting said policy on the organization's public website;
- prevent or, as the case may be, put a stop to harassment situations by:
 - a) establishing a procedure for handling complaints and reports related to incidents of psychological or sexual harassment,
 - b) ensuring that everyone understands and respects the policy,
 - c) promoting respect between individuals.

5) EXPECTATIONS OF STAFF

It is the responsibility of all staff to adopt behaviour that promotes the maintenance of an environment free of psychological or sexual harassment.

6) HANDLING OF COMPLAINTS AND REPORTS

Whenever possible, persons who believe they are being subjected to psychological or sexual harassment should first inform the person concerned that his or her behaviour is undesirable and that he or she must put an end to it. They should also record the date and details of the incidents

³The "Candidate" is defined in the Code of Ethics of the Rules of the C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC as any individual involved as a participant in an activity organized by the C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC, including participating third parties, which include but are not limited to parents, teachers, piano accompanists, etc.



Concours de musique du Canada
Canadian Music Competition

and the steps they took to try to resolve the situation.

If this first intervention is not desired or if the harassment continues, they should report the situation to one of the resource persons designated by the employer so that the problematic behaviours and the appropriate steps to take can be identified.

A complaint may be made verbally or in writing. The problematic behaviour and the details of the incidents must be described as accurately as possible, so that an intervention can be carried out quickly to put a stop to the situation.

The resource persons designated by the employer and their roles are listed in Appendix 2.

Anyone who witnesses harassment is also asked to report it to one of the resource persons mentioned above.

7) INTERVENTION PRINCIPLES

C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC undertakes to:

- handle the complaint or report as soon 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 persons concerned are treated humanely, fairly and objectively and that adequate support is provided;
- protect the confidentiality of the intervention process, including information related to the complaint or report;
- offer to meet with the persons concerned, with their consent, to resolve the situation;
- if necessary, conduct an investigation without delay and in an objective manner, or assign responsibility for it to an external party. The persons concerned will be informed of the findings of this procedure. If the investigation does not establish that there was unacceptable behaviour, all physical evidence will be retained for two years and destroyed thereafter;
- take all reasonable measures to resolve the situation, including appropriate disciplinary measures, in particular.

Any person who violates the harassment policy will be subject to appropriate disciplinary action. The choice of the applicable measure will take into account the severity and consequences of the action(s) as well as the previous record of the person who performed them.

A person who makes false accusations with the aim of causing harm is also liable to appropriate disciplinary measures.

In the handling and resolution of a situation involving harassment at work, no one shall suffer



Concours de musique du Canada
Canadian Music Competition

prejudice or be subject to reprisal by the employer.

Signature of employer

**C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. /
C.M.C. CANADIAN MUSIC COMPETITIONS INC**

Date

A non-unionized person who believes that he or she is or has been subjected to psychological or sexual harassment in relation to his or her 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 time limit for this is two (2) years from the last occurrence of harassment. The complaint can be filed online ([insert link here](#)) or by phone at 1-844-838-0808. An employee's decision to contact his/her employer first will not prevent the employee from also making a complaint to the CNESST.



APPENDIX 1 - RECOGNIZING PSYCHOLOGICAL OR SEXUAL HARASSMENT

The *Act respecting labour standards* provides criteria for determining what can be considered psychological or sexual harassment:

- vexatious behaviour (hurtful, humiliating);
- that occurs repeatedly or in a single serious incident;
- in a hostile (aggressive, threatening) or unwanted manner;
- that affects a person's dignity or integrity;
- resulting in a harmful (toxic, damaging) work environment for the person.

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

Discrimination on any of the grounds listed in section 10 of the *Charter of Human Rights and Freedoms* may also constitute harassment: race, colour, gender, pregnancy, sexual orientation, marital status, age except to the extent provided by law, religion, political convictions, language, ethnic or national origin, social condition, disability or the use of any means to palliate a disability.

For example, the following behaviours could be considered vexatious conduct constituting harassment if they meet all the criteria of the law.

Behaviours that may be related to psychological harassment

- Bullying, cyberbullying, threats, isolation;
- Offensive or defamatory comments or actions towards a person or their work;
- Verbal abuse;
- Denigration.

Behaviours that may be related to sexual harassment

- Any form of unwanted attention or advance with a sexual connotation, for example:
 - insistent solicitation,
 - looks, kisses or touching,
 - sexist insults, rude language;
- Comments, jokes or images with a sexual connotation shared by any means, technological or other.



Concours de musique du Canada
Canadian Music Competition

APPENDIX 2 - RESOURCE PERSONS DESIGNATED BY THE EMPLOYER

C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC

- will ensure that the designated resource persons are properly trained and have the necessary tools at their disposal to handle and follow up on the complaint or report;
- will free up working time so that the designated resource persons can carry out the functions assigned to them.

The following persons are designated to be responsible for the application of the policy on the prevention of psychological and sexual harassment in the workplace and the handling of complaints by **C.M.C. CONCOURS DE MUSIQUE DU CANADA INC. / C.M.C. CANADIAN MUSIC COMPETITIONS INC**:

*Marie-Claude Matton, Executive & Artistic Director
National Office (514-284-5398)*

*Yolande Cardinal, President of the Board of Directors
National Office (514-284-5398)*

The main duties of these resource persons are to:

- inform staff about the organization's policy on psychological or sexual harassment;
- intervene informally to try to resolve situations;
- receive complaints and reports;
- recommend the type of action to take to stop the harassment.

Resource persons' undertaking

I hereby undertake to comply with this policy and promise that my intervention will be impartial, respectful and confidential.

Marie-Claude Matton, Executive & Artistic Director

Date

Yolande Cardinal, President of the Board of Directors

Date