

JazzEast Code of Conduct

Approved by the JazzEast Board (April 16, 2018)

Purpose

JazzEast believes all our workplaces, venues and activities (including social events) must be inclusive, safe and welcoming for everyone. We all have a responsibility to build safe and respectful spaces, to set and respect personal boundaries, and to engage in considerate, ethical and consent-based interactions. To this end, this Code of Conduct,

- provides a set of guiding principles to promote inclusion and prevent incidents of harassment, discrimination and violence;
- establishes policies and procedures to facilitate the timely and effective investigation and resolution of complaints;
- identifies potential remedies and consequences for unacceptable behaviour; and
- seeks to ensure that all stakeholders are made aware of their rights and obligations and our policies and procedures

Scope / Application

This Code of Conduct applies to all JazzEast related workplaces, functions, venues, sites, activities, events and communications. All JazzEast stakeholders (including staff, Board members, sponsors, partners, volunteers, instructors, patrons, performers, media, contractors, suppliers, exhibitors, and other service providers and guests) must ensure that their assumptions, behaviour, policies and decision-making procedures respect the letter and spirit of this Code and the Nova Scotia Human Rights Act. (*Human Rights Act. R.S., c. 214, s.1*). (See Appendix A: Definitions and Examples of Discrimination and Harassment)

Complaint / Reporting Options

Anyone who experiences or witnesses harassing, discriminatory, threatening or violent behavior is encouraged to immediately alert JazzEast staff, and, when circumstances warrant or conditions permit, report such incidents to a JazzEast staff manager, coordinator, site manager, venue security, the Executive Director or any member of the JazzEast Board. (See Appendix B: JazzEast Contacts For Code Of Conduct First Responders). This allows the unacceptable behaviour and potential danger to be addressed quickly, effectively and fairly.

JazzEast recognizes that there are circumstances where immediate or direct communication with the person engaging in offensive behaviour may be inappropriate or unsafe; however, on occasion, incidents of harassment or discrimination may be dealt with informally through indirect (mediated) or direct verbal or written communication with the alleged perpetrator.

Where a complainant is unable to satisfactorily address an issue or incident informally, they should file a formal report or complaint. (See Appendix C: Code Of Conduct Incident Report / Complaint Form). Reports or complaints may be made verbally or in writing. JazzEast staff receiving a verbal report will document it in the prescribed form.

Depending on the nature of the complaint, individuals may also contact an external agency, like the Nova Scotia Human Rights Commission or the Halifax Regional Municipality police, or initiate legal action or processes available in collective agreements or labour laws. Where appropriate,

JazzEast reserves the right to conduct an internal investigation and take immediate or interim action whether or not an external process is anticipated or completed.

Investigation

JazzEast will ensure that a fair, respectful, timely and proportionate investigation is conducted when a report of harassment, discrimination, violent or otherwise offensive behaviour is made.

The Chair of the JazzEast Board will determine who will conduct the investigation. If the Chair of the JazzEast Board is the person allegedly engaging in the inappropriate behaviour the Chair of the Human Resources Committee shall serve as alternate. Depending on the nature of the allegations, the investigation may be referred to an external investigator or agency. After an investigation is concluded, the person making the complaint and the person alleged to have engaged in harassment or discrimination will be informed of the findings.

All complaints, investigations and reports of harassment or discrimination shall be recorded but kept confidential except where disclosure is necessary to protect the health and safety of others, to investigate the complaint, to take corrective action, or as required by law.

Consequences

Anyone asked to stop harassing, discriminatory or violent behaviour is required to comply immediately. If an individual or group (whether staff, Board member, sponsor, partner, volunteer, instructor, patron, performer, media, contractor, supplier, exhibitor, other service providers or guest) engages in unacceptable behaviour JazzEast staff, including security staff, have the discretion to take timely and appropriate action to protect the health and safety of participants and to uphold the principles and objectives enshrined in this Code. For example, this could include immediate expulsion from an activity or event and, if appropriate, involvement of local police.

If an investigation concludes that there has been a violation of this Code, individuals found to have violated the Code will be treated accordingly. Staff, volunteers, service providers, and other stakeholders may be subject to a wide range of measures, including restrictions on access to JazzEast events and opportunities, suspension or termination of service; or requirement of remedial action such as counselling and/or training, or restorative justice processes.

Except in extenuating circumstances, if an investigation concludes that there has not been a violation of this Code of Conduct there will be no documentation concerning the report placed on the file of the complainant or respondent..

Reports Made in Bad Faith and Retaliation

A report, made with a conscious design to mislead or deceive, or with a malicious or fraudulent intent, may constitute grounds for action against the person making the report.

Regardless of the outcome of an investigation or report, individuals who in good faith report or allege harassment, discrimination and violence as well as anyone providing information during an investigation will be protected from retaliation.

Code Of Conduct Review

The Code of Conduct can be considered a “living” document. It, along with related policies and procedures, will be reviewed and revised periodically by the JazzEast Board.