



**BATS Improv Harassment, Illegal Discrimination, and
Relationships Policy**

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Summary	3
Statement of Intent	3
Scope of Policy	4
Conduct Prohibited Under This Policy	4
Discrimination	4
Harassment	5
Sexual Harassment	5
Special Note On Performance Harassment	7
Complaint Process (i.e., what to do if you're aggrieved)	8
Alternative legal remedies	8
Retaliation	9
Consensual Romantic or Sexual Relationships	9
Implementation	11

Summary

1. BATS Improv is fully committed to creating and sustaining an artistic and professional environment free from any form of harassment or discrimination.
2. Any individual who feels harassed, discriminated or retaliated against while engaging with BATS Improv is strongly encouraged to consult our 'Conflict Policy' and to submit a complaint as per the process outlined. .
3. BATS Improv will take any complaints seriously, investigate them, take action, and protect the reporter from retaliation in accordance with the process articulated in our Conflict Policy.

Statement of Intent

BATS Improv recognizes that the best improvisational theatre mirrors real life and, as such, may present challenging relationships, characters, or situations. We aim to harvest the insights and growth that come from an honest artistic exploration of human experience. To make such exploration possible, BATS Improv creates and sustains an environment in which all people are treated with dignity, decency, and respect. We work to generate mutual trust and to prevent intimidation, oppression, racism and exploitation. Employees, volunteers, guests, students, and clients should all be able to work and learn in a safe and stimulating atmosphere. We aim to learn from our mistakes and improve this atmosphere over time. It's the right thing to do—and it makes for better theatre.

For these reasons, BATS Improv will not tolerate harassment or discrimination of any kind. By educating managers, employees, volunteers, guests and students, and by enforcing this policy, BATS aims to prevent and, if necessary, correct any behavior that would violate these expectations.

Scope of Policy

All BATS Improv community members (employees, contractors, volunteers, guests, students, company members, coaches, board members and audience members) are expected to comply with this policy when working or volunteering with BATS, participating in a BATS class, performing in or attending a BATS company or student show, or when on the BATS premises for any reason, and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate and prompt action will be taken against anyone who is found to have violated this policy. Based on the seriousness of the offense, this may include a ban from future employment, classes, and/or performances.

Conduct Prohibited Under This Policy

BATS is committed to complying with all applicable laws providing equal employment opportunities and harassment-free work and learning spaces. As per our Equity plan, we are committed to becoming an anti-racist theater. We will treat any allegations of harassment or discrimination seriously and will review and investigate such allegations promptly, thoroughly, and as confidentially as possible.

We will enforce this Harassment and Discrimination policy in accordance with the law and the following definitions and guidelines:

Discrimination

It is a violation of BATS Improv policy to provide employment opportunities, benefits, or privileges, to create discriminatory work or learning conditions, or to use discriminatory evaluative work, performance, or learning standards based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran, or any other consideration made unlawful by federal, state or local laws.

Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act 1964, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. This policy is intended to comply with the prohibitions stated in these anti discrimination laws.

Harassment

BATS Improv prohibits harassment of any kind, including sexual harassment, and will take appropriate and prompt action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate, or coerce. Verbal harassment (including racial, ethnic slurs) that impairs someone's ability to perform or learn is included in this definition.

The following clarifications are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

Verbal harassment—includes comments that are offensive or unwelcome regarding a person's nationality, origin, race, color, religion, gender, sexual orientation, age, body, disability, or appearance, including epithets, slurs, and negative stereotyping.

Nonverbal harassment—includes distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital, or other protected status.

Sexual Harassment

According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature . . . when . . . submission to or

rejection of such conduct is used as the basis for employment decisions . . . or such conduct has the purpose or effect of . . . creating an intimidating, hostile or offensive working [and learning] environment.” Specifically, there are at least two types of sexual harassment:

“Quid pro quo” harassment, where submission to or rejection of sexual advances is used as the basis for access or privilege decisions, (i.e., employment, membership in a team, or class placement) or employee benefits (i.e., raises, promotions, or better working hours).

“Hostile work / learning environment,” where the harassment creates an offensive and/or unpleasant work / learning environment. A hostile work / learning environment can be created by anyone in that environment -- a supervisor, another employee, a volunteer or a customer. Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials, or unwelcome physical contact as a regular part of the work environment. Texts, e-mails, cartoons, or posters of a sexual nature, vulgar or lewd comments or jokes, or unwanted touching or fondling all fall into this category.

As with other types of harassment, sexual harassment may take different forms.

Verbal sexual harassment—includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or “kidding” that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

Nonverbal sexual harassment—includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.

Physical sexual harassment— includes unwelcome, unwanted physical contact,

including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling and forced sexual intercourse or assault.

Such sexual harassment is a particular risk in relationships that contain power discrepancies, such as employee/supervisor, board member/MD, house manager/volunteer, coach/student.

We recognize that harassment can take place among those of equal power or status and can even happen from someone in a lower power or status to another in a higher power or status (i.e., audience member to volunteer, student to teacher, etc.).

Courteous, mutually respectful, pleasant interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment. They may, however, be subject to BATS Improv guidelines for consensual relationships (discussed elsewhere in this document).

Special Note On Performance Harassment

Given the nature of performances and classes, material may arise which could be considered offensive to some. It is not the policy of the theater to punish individuals or to stifle the creative abilities of performers whose artistic expression may be considered offensive to others. However, if it is determined that the offensive content of the performance was done in an effort to harass a particular individual from the stage or to express the performer's hatred and/or intolerance to a protected individual or group, then appropriate disciplinary action will be taken. Additionally, if it is determined that an individual performer or group of performers is consistently offensive or harassing in their performances, appropriate disciplinary or corrective action will be taken. Furthermore, if it is determined that behavior that was done without intent to harass but has nevertheless caused discomfort, fear, or other feelings of harassment in members of the community or audience, this behavior will be addressed with the performer or performers

responsible. If the identified behavior is not remedied, appropriate corrective action will be taken.

Complaint Process (i.e., what to do if you're aggrieved)

Please refer to BATS Conflict Policy for details of guidance on how to take action, how to submit a complaint and what to expect.

Any individual who feels harassed, discriminated or retaliated against at BATS Improv may initiate the Conflict process by filing a complaint in writing (including via e-mail) or verbally as outlined in the Conflict Policy.

BATS Improv aims to treat complainants with respect and will handle all complaints swiftly and, to the extent possible, confidentially, to take appropriate corrective action. BATS Improv will need to inform certain members of organizational management, including BATS Leadership, (Board President, Managing Director, Head of School, Artistic Director and Director of Corporate Improv) and BATS' legal counsel, as well as the accused and any witnesses as part of their investigation. Anonymous reports cannot be acted upon by the organization.

Aggrieved parties are strongly urged to use the Conflict procedure. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

Alternative legal remedies

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies, or the courts.

Page 8

Retaliation

No hardship, loss, benefit or penalty may be imposed on any BATS community

member in response to:

- filing or responding to a bona fide complaint of discrimination or harassment;
- appearing as a witness in the investigation of a complaint; or
- serving as an investigator of a complaint.

Retaliation or attempted retaliation in response to lodging a complaint or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to disciplinary action up to and including termination.

Consensual Romantic or Sexual Relationships

Consensual sexual or romantic relationships between adults are not generally prohibited by this policy, with one exception (described below). However, relationships between community members in unequal positions of power or in which one has direct or indirect authority over the other are potentially problematic. This includes not only relationships between supervisors and their staff but also between longer-standing company members and newer company members, company members and guests/apprentices/auditionees, board members and company members, coaches and their students, staff and volunteers, etc.

More specifically, such relationships can be problematic because:

- they hinder the free and full communication of consent. As such, they may be less consensual than either individual believes;
- they can create compromising conflicts of interest, favoritism, or bias--or, at minimum, the appearance of such--either of which undermines the real or perceived integrity of supervision and evaluation;

- circumstances may change, and conduct that was previously welcome may become unwelcome, and the unequal position of power may make this difficult to communicate;
- they may also have unintended, adverse effects on the climate of BATS classes or the BATS office, thereby impairing the learning or working environment for others – both during such a relationship and after any break-up.

If such a relationship develops, the person in the position of greater authority must notify their supervisor. (Because the position of greater authority may not always be clear, or may change direction in some circumstances, it is required that all BATS employees notify their supervisor of any such relationships, regardless of whether they perceive themselves to be in the position of greater authority.) If the relationship is between a supervisor and direct report, the supervisor must recuse themselves from that evaluative role. Failure to disclose the relationship in a timely fashion will itself be considered a violation of policy.

If such a relationship develops between a coach/teaching assistant and a current student at any level, the coach/teaching assistant must notify the Head of the School. **Because of the relative inexperience of Foundation 1 students and their particular vulnerability in such classes, new sexual or romantic relationships between coaches/teaching assistants and students in their Foundation 1 classes are prohibited during the class and for three months following the end of the class.** An exception may be made for experienced students re-taking Foundation 1 at the Head of School's discretion.

Additionally, certain staff roles (including the Head of School and other administrators) also have broad influence on or authority over students and their experience at BATS Improv. For this reason, **sexual or romantic relationships between such staff members and Foundation 1, 2 & 3 level students are discouraged.**

Additional Matters

If there is any doubt whether a relationship falls within this policy, questions may be addressed to the supervisor or in confidence to a member management including Head of School, the Managing Director or the Board President. In those rare situations where it is programmatically infeasible to provide alternative supervision or evaluation, the board must approve all evaluative and compensation actions. If an individual does not feel comfortable reporting their relationship to their supervisor, then that discomfort along with the relationship must be reported to management as outlined above. .

Implementation

The Head of the School is responsible for:

- implementing a Student Code of Conduct, and ensuring that all students agree to the Student Code of Conduct including Conflict Policy and Community Standards when registering for classes
- ensuring that all coaches are aware of the Conflict Policy, Community Standards and are prepared to enforce the Student Code of Conduct in their classes, and have received training on matters covered by this Policy
- implementing practices and policies to support this Policy in all matters relating to Student performances

The Artistic Director is responsible for:

- ensuring that information about this Policy, the Conflict Policy and the Community Standards is readily accessible to BATS Company members, guest artists and the BATS community (for example, on the BATS website)
- implementing practices and policies to support this Policy in all matters relating to the Company and Company performances

The Managing Director is responsible for:

- implementing practices and policies to support this Policy, Community Standards and the Conflict process for administrative staff

The Board is responsible for:

- oversight of all matters relating to this Policy, the Conflict Policy and the Community Standards

Acknowledgements

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