

**Code of Conduct and Procedure (the “Code”) of the Canadian Association for Theatre
Research/Association Canadienne de la Recherche Théâtrale (“CATR”)**

Date of endorsement by the CATR Board of Directors: 2 June 2019

1. Interpretation

Unless otherwise indicated herein, this Code shall be construed and interpreted in accordance with the following:

- (a) words importing the singular number only shall include the plural and vice versa and words in one gender shall include all genders; and
- (b) references to a section or subsection refer to the applicable section or subsection in this Code.

2. Definitions

For the purposes of this Code:

- (a) **“Associates”** means the associates of CATR including, without limitation, the Honourary Associates and the Lifetime Achievement Associates, and **“Associate”** means any one of them;
- (b) **“CATR”** has the meaning assigned to it above;
- (c) **“CATR-Related Activities”** means any activities related to or sanctioned by CATR, including, without limitation, any conferences, online fora, events, or electronic communications related to or sanctioned by CATR;
- (d) **“Code”** has the meaning assigned to it above;
- (e) **“Committee Members”** means the members of any committee of CATR, including but not limited to members of a committee of the directors of CATR, and **“Committee Member”** means any one of them;
- (f) **“Committee on Conduct”** means the committee that is responsible for overseeing the implementation and application of this Code as described herein;
- (g) **“CATR Representatives”** has the meaning assigned to it at section 4;
- (h) **“Directors”** means the individuals occupying the positions of directors of CATR from time to time and **“Director”** means any one of them;

- (i) **“Host Institution”** means an institution whose premises are used to host any CATR-Related Activities;
- (j) **“Members”** means the individuals who are members of CATR from time to time and **“Member”** means any one of them;
- (k) **“Officers”** means the individuals appointed or elected as the officers of CATR from time to time, including the President, the Vice-President, the Secretary, the Treasurer, the Membership Coordinator, or any other individual who performs functions for CATR similar to those normally performed by an individual occupying any of those offices, and **“Officer”** means any one of them;
- (l) **“Prohibited Conduct”** has the meaning assigned to it in section 8;
- (m) **“Related Institution”** means an institution that a CATR Representative has a relationship or affiliation with, including but not limited to an institution at which a CATR Representative teaches, researches, or attends; and
- (n) **“Report”** means a report made by one CATR Representative alleging that another CATR Representative has engaged in Prohibited Conduct in contravention of this Code.

3. Overview

CATR is committed to cultivating and maintaining a scholarly culture of professional respect in all aspects of its operations in an environment that is free from harassment, discrimination, and conduct that is unethical, unprofessional, or threatening to intellectual freedom.

CATR Representatives bring to CATR diverse backgrounds, skills, and experience. They will not always agree with one another on all issues, however, all debates are to take place in an atmosphere of mutual respect and courtesy. CATR wishes to maintain a work and learning environment that fosters CATR Representatives’ professional growth. **Maintaining such an environment is the responsibility of every CATR Representative.** The Directors have the additional responsibility to manage and lead CATR in a manner that fosters an environment of respect in accordance with the values and principles espoused in this Code.

4. Application

Unless otherwise indicated herein, this Code applies to all Associates, Directors, Members, Officers, and Committee Members (collectively, the **“CATR Representatives”**) while they are acting as representatives of CATR in any capacity and/or engaging in any CATR-Related Activities, including activities at a Host Institution.

In some cases, individuals will act in more than one capacity as a CATR Representative (e.g. Directors may also be Members, Officers, and Committee Members). These individuals are

expected to adhere to this Code while acting in each of these capacities, recognizing that depending upon the capacities in which they represent CATR, the process for dealing with a Report with an allegation of Prohibited Conduct may differ.

5. Purpose

The purpose of this Code is:

- To affirm CATR's commitment to the values and principles set forth in section 3; and
- To inform CATR Representatives of the process for reporting complaints relating to or incidents of Prohibited Conduct, as defined in section 8.

For greater certainty, nothing in this Code is intended to prevent or discourage a CATR Representative from choosing an alternative resolution process or legal action.

6. Avoidance of Conflicts

If a Report is made about the conduct of any person who has responsibility or authority under this Code (for example a Director, the President, or a member of the Committee on Conduct) such person shall not be informed of or participate in any aspect of the process set out in this Code in relation to such Report.

If a Report is made about the conduct of the President, the Committee on Conduct shall report to the Vice-President or such other appropriate person as may be designated by the Directors.

7. The Committee on Conduct

The Directors are responsible for establishing the Committee on Conduct and setting its terms of reference from time to time.

The Committee on Conduct is responsible for overseeing the implementation and application of this Code in accordance with such terms of reference and any applicable policies that the Directors may create or amend from time to time.

If a Report is made about a person who serves as a CATR Representative in more than one capacity, the Committee on Conduct has the discretion to determine what capacity or capacities this person was acting in at the time the alleged Prohibited Conduct occurred, which it shall do upon receiving the Report.

8. Prohibited Conduct

The forms of conduct set out below constitute Prohibited Conduct under this Code.

This Code prohibits **discrimination** or **harassment** on the basis of any of the following grounds, and any combination of these grounds: age, religion, sex, race, disability, sexual orientation, gender identity and gender expression, marital status, family status, ethnic origin, place of origin, ancestry, citizenship, colour, and a conviction for which a pardon has been granted or a record suspension has been ordered.

- **Discrimination** means any form of unequal treatment based on the above-noted grounds. Discrimination may take different forms; some obvious, some subtle, some that appear neutral but that are unequal in effect.
- **Harassment** means engaging in a course of conduct or comments that are known or ought reasonably to be known to be unwelcome. It can involve words or actions engaging the grounds listed above, which words or actions are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome.

This Code prohibits sexual harassment. **Sexual harassment** means:

- Engaging in course of vexatious comments or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comments or conduct is known or ought reasonably to be known to be unwelcome; or
- Making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the other person and knows or ought reasonably to know that the solicitation or advance is unwelcome.

There may be circumstances in which a single incident of inappropriate behaviour may be substantial enough to constitute **harassment** or **sexual harassment**.

This Code prohibits **reprisals** or **threats of reprisals** for Reports made in good faith. For clarity, these reprisals or threats of reprisals also constitute Prohibited Conduct.

9. How to Report an Incident of Prohibited Conduct

CATR Representatives are encouraged to report incidents of Prohibited Conduct to the Committee on Conduct by email to catr.conduct@gmail.com, or in-person to members of the Committee on Conduct. If the Report is made in person, two members of the Committee on Conduct will receive the Report and take notes of the discussion which notes shall constitute the Report.

CATR Representatives are encouraged to submit a Report as soon as possible after the incident of Prohibited Conduct is alleged to have occurred to allow for a timely investigation as may be appropriate.

A Report must include the name of the CATR Representative reporting the incident, names of the CATR Representative(s) involved in the alleged incident(s), the names and, where possible, contact information of other people who may have relevant information about the incident(s), a description of what occurred including, to the extent possible, date(s) and location(s). Copies of any relevant documents should be included with the Report.

The Committee on Conduct is mandated to receive and respond to Reports that it receives. However, nothing in this Code requires the Committee on Conduct to respond to or take action in respect of a Report submitted anonymously to CATR.

CATR Representatives who have experienced Prohibited Conduct may also wish to consider whether to make a report or file a complaint with a Host Institution or Related Institution, if applicable. If a report or complaint of Prohibited Conduct about a CATR Representative has been made by another CATR Representative to a Host Institution or a Related Institution, the individual who made the report or complaint is encouraged to notify the Committee on Conduct of the same.

By submitting a Report to the Committee on Conduct, a CATR Representative authorizes the Committee on Conduct to, among other things:

- Communicate the Report to the Directors, and the President, the Vice-President or such other person as may be designated by the Directors in relation to this Code (as applicable); and
- Exercise its discretion to recommend that the Report be communicated to a Host Institution and/or Related Institution.

While Reports under this Code must be made either in writing or in person, any CATR Representative who has questions or concerns about this Code or an incident, may contact a member of the Committee on Conduct at any time. **Such inquiries will not be treated as a Report under this Code.**

10. Responding to a Reported Incident of Prohibited Conduct

The Committee on Conduct will deal with each Report in a fair, respectful, and timely manner.

Subject to any terms of reference, policies or procedures as may be created and amended by the Directors from time to time, the Committee on Conduct has the discretion to review and respond to Reports under this Code as it deems appropriate in the circumstances, which may include any the following:

- Seeking advice from the Equity Officer of CATR;
- Seeking authorization of the Directors to obtain advice from legal counsel;

- Engaging with a Host Institution and/or Related Institution, if applicable, and/or deferring to any process and sanctions that may be instituted under the policies, procedures, and protocols of such institutions;
- Conducting an investigation that is appropriate in the circumstances;
- Retaining an independent third party investigator to conduct an investigation;
- Concluding that the matters raised in the Report are not properly within with mandate of the Committee on Conduct; and/or
- Any other step that the Committee on Conduct deems fair and appropriate in the circumstances.

The nature and scope of an investigation conducted in response to a Report will depend on the circumstances of the alleged incident(s). It is anticipated that the person(s) conducting the investigation will (i) interview the CATR Representative who reported the incident(s) of Prohibited Conduct; (ii) give the person who was alleged to have engaged in the Prohibited Conduct an opportunity to respond to the allegation(s); (iii) take such other steps as may be deemed to be appropriate in the circumstances.

If the reported incident of Prohibited Conduct is being reported to and/or investigated or processed in accordance with the policies, procedures, and protocols of a Host Institution, or a Related Institution, then the Committee, with the approval of the Directors, has the discretion to defer and/or dispense with an investigation into a Report under this Code.

If a CATR Representative has been, is, or becomes subject to disciplinary process by a Host Institution or Related Institution (including, for example, where conduct or a complaint has resulted in an investigation or process that may result in suspension, dismissal, removal from certain duties, or other discipline), the CATR Representative agrees to disclose immediately such information/action to the President or to the Committee on Conduct, who will then refer the matter to the President with a recommendation for next steps, including any corrective and disciplinary steps.

11. Corrective and Disciplinary Steps

The Committee on Conduct will report to the President in a timely manner on: (i) the receipt and nature of a Report, (ii) the steps taken in response to the Report, including the nature, scope, and factual findings of any investigation; and (iii) subject to any by-laws of CATR, the Committee on Conduct's recommendations for final corrective action and/or disciplinary steps to be taken, if any. The President shall take such recommendations to the Directors for a final determination and decision.

Without limiting the foregoing, if suspension or expulsion of a Member from CATR is being recommended or considered, the process for discipline of Members set forth in CATR's by-laws, if any, shall be adhered to.

12. Confidentiality and Record-Keeping

CATR recognizes the importance of confidentiality in this process. Subject to the provisions above concerning Host Institutions and Related Institutions, the Committee will exercise its discretion to limit access to information about an alleged incident of Prohibited Conduct or a Report as it deems appropriate in the circumstances.

The Committee will keep records relating to any Prohibited Conduct (actual or alleged), any Report(s), and/or any investigation(s) of any Prohibited Conduct in a secure location.

DRAFT