

OUT OF BOUNDS COMEDY FESTIVAL POLICY AGAINST HARASSMENT

DISCLAIMER

The primary purpose of this Policy is to create a safe environment for participants in Out of Bounds Comedy events. This Policy is NOT intended to establish a proxy legal system, to replace legal action, or as an alternative to seeking legal assistance or redress. If any employee of OOB (as defined herein) believes they have been the victim of a crime, they are encouraged to seek counsel from a licensed, practicing attorney, or to immediately contact the police.

I. STATEMENT OF PRINCIPLES

The Out of Bounds Comedy Festival and other events facilitated by Out of Bounds Comedy (OOB) should be a fun and safe environment for performers, staff members, producers, and audience members. OOB therefore maintains a **ZERO TOLERANCE** policy regarding harassment, including harassment based on race, color, religion, sex, sexual orientation, gender identity, gender expression, pregnancy, disability, national origin, ethnicity or ancestry, age, or any other protected category.

OOB recognizes that, as an organization that produces a comedy theater festival, the environment is not typical of most workplaces. Our work may at times be “blue” or “R-rated,” and unlike most office environments, the festival atmosphere can be both professional and social. OOB aspires to create an environment that prioritizes safety, through a combination of communication, common sense, empathy, and respect.

We welcome artistic expression, and encourage performers to address difficult topics. Sometimes, offensive conduct may occur without malicious intent. OOB will take this under consideration when investigating claims of alleged harassment. That said, **a lack of malicious intent is not the only factor in evaluating a claim of harassment.** Conduct that lacks malicious intent can still cause discomfort or distress, which can harm the entire OOB community.

OOB will, as necessary, take disciplinary action in accordance with this policy, up to and including termination or banning from festival events, to ensure that we meet our responsibilities to our employees, partners, performers, and the public.

II. DEFINITIONS

“Employee,” as used in this policy document, refers to directors, officers, producers, staff members, contractors, volunteers, performers, and others employed by or affiliated with OOB or its festival.

“Harassment,” while difficult to define with specificity, includes, **but is not limited to**, slurs, epithets, threats, derogatory comments, unwelcome jokes, teasing, and other similar verbal, written, or physical conduct. The key factor is that the conduct is **unwelcome and/or threatening**.

“Sexual harassment” is defined as unsolicited and unwelcome sexual overtures and other offensive conduct aimed at individuals because of their gender. **Some** examples of sexual harassment are

- ❑ Unwelcome or unwanted sexual advances. This includes patting, pinching, brushing up against, hugging, cornering, kissing, fondling, or any other similar physical contact considered unacceptable by another individual.
- ❑ Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequences concerning one’s employment.
- ❑ Verbal abuse or kidding that is sexually oriented and considered unacceptable by another individual. This includes comments about an individual’s body or appearance (where such comments go beyond a mere compliment); off-color jokes that are clearly unwanted; or any other tasteless, sexually oriented comments, innuendoes, stereotyping, or offensive language directed to or about another individual because of their gender.
- ❑ Any sexually oriented conduct that would unreasonably interfere with another’s work performance. This includes extending unwanted sexual attention to an employee.
- ❑ Participation in fostering a work environment that is generally intimidating, hostile, or offensive because of unwelcome or unwanted sexually oriented conversation, suggestions, requests, demands, physical contacts, or attention.
- ❑ Offensive or demeaning language or conduct directed to or about an individual because of his or her gender.

III. ZERO TOLERANCE FOR HARASSMENT AND RETALIATION

OOB prohibits all forms of harassment among employees (as defined above), and by employees against audience members, vendors, and any other person involved in an OOB production.

OOB additionally prohibits retaliation against any individual who has complained about or reported alleged harassment (as defined above), or who has cooperated with an investigation of alleged harassment, regardless of the outcome of the investigation.

Each employee of OOB is accountable for acting in compliance with and support of this policy.

IV. REPORTING PROCEDURE

Individuals alleging harassment in violation of this policy may use OOB's Incident Reporting Form.

Reports will be reviewed by the Executive Committee of OOB as soon as they are received. **In all reported cases, the confidentiality of the reporting party and the responding party will be maintained to the greatest extent possible.**

OOB will designate one director who shall be available to answer questions regarding this policy, including reports of alleged violations, while maintaining confidentiality to the greatest extent possible. The current designated director is David C. Wells, wellsdc@gmail.com, (512) 799-8055.

V. INVESTIGATION PROCEDURE

After receiving a complaint, OOB will promptly investigate the allegation, and will do so in such a way as to maintain confidentiality to the greatest extent practicable under the specific circumstances. Investigations will be conducted by one or more members of the OOB Executive Committee and, if the harassment or retaliation is alleged to have occurred in connection with a festival, one or more Senior Producers of that festival.

Our investigation may include private interviews with the person filing the complaint, the person alleged to have committed harassment or retaliation, and any witnesses. Employees who fail to cooperate with investigations of harassment or retaliation may be subject to discipline—as described in the section of this policy entitled “Resolution Policy”—as the effective enforcement of this policy requires the support of all personnel.

VI. RESOLUTION PROCEDURE

Upon completion of an investigation, OOB will take such action that it deems necessary and/or appropriate under the circumstances:

No Violation: In the event that the investigation does not find sufficient basis to substantiate a violation of this policy, all necessary parties will be advised of this determination.

Violation: In the event that the investigation identifies a violation of this policy, OOB will communicate its findings to both the complainant and the alleged offender. Appropriate disciplinary or other corrective action may be taken, based upon the totality of the circumstances and with the principal goal of preventing further unacceptable conduct. This may include, but is not limited to, termination, removal of an individual from a position with an OOB festival, or revocation of the ability to perform at or attend performances at an OOB festival. OOB, through its directors, has discretion to determine the appropriate corrective action.

In the event an investigation of a reported or suspected violation of this policy reveals that the complainant has knowingly made a false or frivolous complaint, fabricated facts, or failed to tell the truth, OOB may take appropriate disciplinary or other corrective action in accordance with this policy.