

WHAT TO DO IF YOU EXPERIENCE HARASSMENT AT WORK



Everyone should be able to go to their job without being afraid that they will be harassed, discriminated against or bullied. That isn't an unreasonable expectation, and harassment or bullying may be illegal or violate the contract.

Harassment in the workplace is not just a theatre problem – it is a problem across our society. What makes theatre different, of course, is that the very nature of our work requires much more emotional and physical intimacy than workers in other fields. Perhaps for that reason, a number of myths about harassment have developed over the years.

Here's the reality: Harassment can take many forms. It is always wrong, and it is never justified.

If you experience something in the workplace that makes you uncomfortable or that you think might be harassment, whether you are the target or a bystander, always remember **The Three R's: Respond, Record and Report.**

RESPOND

If you are comfortable doing so, tell the harasser their behavior is unacceptable.

RECORD

Keep a written record of where, when and what was said.

REPORT

Call your Equity business rep. If you don't know who your business rep is, you can find a directory in the member portal, or ask your deputy.

Equity takes harassment very seriously. That's one reason why council passed a resolution reaffirming our commitment to pursue harassment claims under our collective bargaining agreements in March of 2016. You can learn more about what happens when you file a grievance with Equity at actorsequity.org/harassment.

There is another resource available to you if feel you may have been a victim of harassment. The Entertainment Community Fund has been our partner in training business reps on how to respond when members have questions about harassment. They also offer Equity members a free, safe and private place to receive advice and support regarding harassment and other workplace issues. If you don't reside near one of the Fund's office locations, call the Fund's toll-free number (800-221-7303) and someone will provide counsel over the phone or assist you in finding a counselor in your community.

HOW TO REPORT



If you believe you have experienced or witnessed workplace harassment or discrimination, you should contact Equity immediately. All calls are confidential to the greatest extent possible. You can reach out by:

1. Calling your business rep. Find yours at actorsequity.org/business-reps
2. Calling your regional office:

WESTERN
323-978-8080

CENTRAL
312-641-0393

EASTERN
212-869-8530

3. Calling Equity's national, anonymous phone hotline or submitting an online incident form, operated in partnership with Lighthouse Services, Inc.:

actorsequity.org/safety or call 833-550-0030

THE EMPLOYER'S ROLE

- Provide a workplace free from unlawful harassment.
- Provide a copy of the harassment policy on your first day of employment.
- Make the harassment policy readily available throughout your employment.
- Follow the policy on harassment when complaints are made.

THE UNION'S ROLE

- The primary role of the union is to hold the employer to their contractual obligation to provide a workplace free from unlawful harassment.
- Take action if employers don't have harassment policies or fail to conduct full and fair harassment investigations.
- Have private (to the extent possible) conversations to help you navigate your options.
- Protect you from potential retaliation or reprisals.
- Help you navigate the harassment policy.
- It is not the stage manager's job to respond directly to a harasser in any way.

DEFINITIONS

Below are definitions of some key terms that relate to inappropriate behavior in the workplace, based on how they are outlined in Equity contracts.

The term “**bullying**” includes, but is not limited to, repeated verbal or physical conduct that denigrates or shows hostility or aversion towards an individual. Examples of bullying include, but are not limited to, repeated infliction of verbal abuse, threatening, intimidating or hostile acts, verbal or non-verbal conduct that a reasonable person would find threatening, intimidating or humiliating by one or more persons against another or others at the workplace, in work-related activities and/or in the course of employment.

The term “**sexual harassment**” includes, but is not limited to, sexual or physical assault, unwelcome physical contact of a sexual nature, repeated unwelcome sexual advances or overtures, promises in exchange for sexual favors, sexual jokes, the unwanted sharing of pornographic or sexualized pictures and other verbal, written or physical harassment of a sexual nature which are offensive, unwanted or objectionable to the recipient.

The term “**sex-based discrimination**” includes, but is not limited to, treating someone unfavorably because of the person’s sex, including the person’s sexual orientation, gender identity, gender expression, transgender status or pregnancy. Examples of sex-based discrimination include offensive or derogatory remarks about a person’s sex, sexual orientation, gender identity, gender expression, transgender status or pregnancy.

If you believe you have been the subject of retaliation, call your business rep immediately. Retaliation is illegal, and the union can intercede on your behalf.

The term “**race discrimination**” includes, but is not limited to, treating someone unfavorably because they are of a certain race or because of personal characteristics associated with race (such as hair texture, skin color or complexion or facial features). Race discrimination includes offensive or derogatory remarks about a person’s race, jokes involving someone’s race and other verbal or written remarks or statements involving someone’s race which are offensive, unwanted or objectionable to the recipient.

Retaliation is any adverse employment action taken by the employer in response to a legally protected action taken by – or perceived to be taken by – an employee. Participating in a complaint process is protected from retaliation under all circumstances. Other acts to oppose discrimination are protected as long as the employee was acting on a reasonable belief that something in the workplace may violate EEO laws, even if they did not use legal terminology to describe it. Retaliation can take many forms including demotion, discipline, firing, salary reduction or job or shift reassignment.

HOW DOES HARASSMENT REPORTING WORK?

No matter which path you choose to submit a harassment complaint, your concern can be submitted anonymously. Whenever a complaint is submitted appropriate Equity executive staff is notified immediately. An Equity staffer will contact you to begin an investigation. That process will begin with an intake interview. Based on the information you provide, an investigation may be required. As part of an investigation, an Equity senior business representative may contact other individuals connected to a complaint. Staff will analyze the facts that were gathered during the investigation process, and the appropriate executive staff will determine how each complaint will be resolved. Resolutions can look very different from one investigation to the next, but every complaint will have a resolution.

GOVERNMENT RESOURCES

Below are additional governmental resources you should feel free to use in addition to speaking with your union.

California Department of Fair Employment and Housing
<https://dfeh.ca.gov>

Illinois Department of Human Rights
<https://www2.illinois.gov/dhr>

New York State Division of Human Rights
<https://dhr.ny.gov>

U.S. Equal Employment Opportunity Commission
<https://eoc.gov>

List of State, Local and Tribal Fair Employment Practice Agencies and Tribal Employment Rights Offices
<https://www.eoc.gov/field-office/newyork/fepa>

