



# Anti-Harassment Policy

ProArts Playhouse as an institution, and each of its instructors, creative and administrative board members, cast members and directors are very seriously committed to maintaining a safe and supportive environment where creativity can flourish.

The ProArts Playhouse community is here to learn, perform, inspire each other, build careers, foster friendships, and make our lives better through an infinitely rewarding art form. The following policy is in support of those goals, and is in keeping with the values necessary to sustain and support a creative environment.

ProArts Playhouse is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully and have equal opportunities.

Every person has the right to be free from harassment and discrimination. Harassment and discrimination will not be tolerated, condoned or ignored at ProArts Playhouse. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of employment, removal from theatre group and or serving as a member of the board.

## **Prohibited Conduct Under This Policy**

ProArts Playhouse, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

### **Discrimination**

It is a violation of ProArts Playhouse's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, gender, sexual orientation, gender identity, genetic information or marital status.

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.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination from community theatre casts, production teams, the board and organization membership.

## **Harassment**

ProArts Playhouse prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate 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 any cast members, production team, board member, or any person working for or on behalf of ProArts Playhouse. Verbal taunting (including racial and ethnic slurs) that, in the employee's opinion, impairs his or her ability to perform his or her job is included in the definition of harassment.

The following examples of harassment 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**

Sexual harassment is a form of unlawful employment discrimination under Title VII of the Civil Rights Act of 1964 and is prohibited under ProArts Playhouse's anti-harassment policy. 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 environment."

There are two types of sexual harassment:

- "Quid pro quo" harassment, where submission to harassment is used as the basis for casting, membership, or employment decisions. Therefore, only someone in a supervisory capacity (with the authority to grant such benefits) can engage in quid pro quo harassment. Examples: A director promising a role to an actor, if she goes on a date with him; a board member threatening not to hire a member of the production team if he does not have sex with her.
- "Hostile work environment," where the harassment creates an offensive and unpleasant working environment. A hostile work environment can be created by anyone in the theatre, whether it be directors, other actors or audience members.

Hostile environment harassment consists of verbiage of a sexual nature, unwelcome sexual materials or even 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.

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment or casting.
- Is used as a basis for an employment decision.
- Unreasonably interferes with a member's, an actor's or production team member work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- 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.

Courteous, mutually respectful, pleasant, non-coercive interactions between members of a cast, directing or production team, including all genders, that are appropriate in the theatre context and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### **Retaliation**

No hardship, loss, benefit or penalty may be imposed on any member of director 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.
- 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 sanctions up to and including termination of employment.

### **Complaint Process**

ProArts Playhouse will courteously treat any person who invokes this complaint procedure and the company will handle all complaints swiftly and confidentially to the extent possible in light of the need to take appropriate corrective action. Lodging a complaint will in no way be used against the person or have an adverse impact on the individual's status. Because of the damaging nature of harassment to the victims and to the entire theatre community, aggrieved actors, directors, members are strongly urged to use this procedure. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

### **Confidentiality**

During the complaint process, the confidentiality of the information received, the privacy of the individuals involved and the wishes of the complaining person will be protected to as great a degree as is possible. The expressed wishes of the complaining person for confidentiality will be considered in the context of the company's legal obligation to act on the charge and the right of the charged party to obtain information. In most cases, however, confidentiality will be strictly maintained by the company and those involved in the investigation. In addition, any notes or documents written by or received by the person(s) conducting the investigation will be kept confidential to the extent possible and according to any existing state or federal law.

### **Complaint procedure**

ProArts Playhouse has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The company will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. An individual who feels harassed, discriminated or retaliated against may initiate the complaint process by speaking with the Executive Director, if not comfortable speaking to the Executive Director then they can call a Board member or a producer.

### **Roles and Responsibilities**

All persons present at ProArts Playhouse are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination, and by cooperating fully in any investigation of a harassment or discrimination complaint.

Board Members, show directors, and producers have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Board Members, show directors, and producers are responsible for creating and maintaining a harassment- and discrimination-free organization, and should address potential problems before they become serious.

In the Community Theatre arena there are special circumstances that one must be made aware of this includes:

- Rehearsals containing Intimacy may remain light, but should remain professional (especially during vulnerable moments).
- Freedom to respect privacy if an actor requests a private area to change clothing.
- Absence of favoritism when a director casts close friends and family in lead roles. Roles must be given to the most qualified.

### **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.

## Signature Page

I have read the anti-harassment policy and understand my role and responsibilities.

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Signature

Date