



Combating Sexual Harassment

RESOURCES, INSPIRATIONS
AND RECOMMENDED PRACTICES
AMONG PERFORMER UNIONS

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THE INTERNATIONAL FEDERATION OF ACTORS (FIA) brings together performers' trade unions, guilds and professional associations in some 70 countries. In a connected world of content, entertainment and arts, it stands for fair social, economic and moral rights for performers (actors, dancers, broadcast professionals, circus artists and others) working in all recorded media and live performance.

Internationally, FIA works on any subject matter that may impact on the working lives of the professionals it represents. It advocates primarily to improve the working conditions of performers, but also to promote the value of the cultural and creative sector in which they work.

MUTUAL RESPECT: THE NEW WAY FORWARD

The world as we know it has changed. Profoundly. The global conviction that we must collectively prioritize the prevention of sexual harassment, bullying and discrimination has never been greater. What was tolerated by society is no longer tolerated. The Zeitgeist is different. And people have learned we can come together to shift the ground beneath our feet; step-by-step-by-step we will forge a new path.

As artists, we work in our most visible of workplaces: the stages, screens and studios of the world. As such, we acknowledge we have a deep collective responsibility to step up and help light the way. All over the world, FIA affiliates make this vital work our top priority. FIA has pledged to harness the energy of our global community of performers to create the sustained major cultural shift that must happen.

We get every drop of encouragement we can from each other and we share our successes in our home unions and countries. There are many different routes and practices that will get us moving along the same road when the goal is equality, inclusion, and discrimination- and harassment-free workplaces.

There is no going back to the sexist, racist and homophobic behaviours that had too long been engrained and tolerated by society. The autumn of 2017 marked a dividing line in our collective expectations of our future. At FIA, we are proud our fierce commitment to promoting equality and combatting discrimination has been a cornerstone of our work since our founding in 1952.

FIA honours the activists on every continent for all they have done and for all they will do to rise to the multitude of challenges that abound. Be heartened: We are artists. We are activists. We can do this.

In solidarity,
Ferne Downey, FIA President

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Introduction

This manual - Resources, Inspiration and Recommended Practices among Performer Unions for Combatting Sexual Harassment - comes at a crucial time. It is the result of unstinting work and commitment by FIA member unions to guarantee workplaces that are free of any form of discrimination, harassment or retaliation; and it has appeared just a few months after the adoption of the International Labour Organization's new Violence and Harassment Convention on 21 June 2019.

The content of this Convention aims to be inclusive and pragmatic, defining violence and harassment as “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm”. This potentially covers physical abuse, verbal abuse, bullying and mobbing, sexual harassment, threats and stalking.

This ILO Convention establishes, for the first time, a global and unique right of everyone to work free of violence and harassment, as well as obliging countries all over the world to prohibit and sanction workplace violence and harassment. Having consulted workers and their unions, the Convention also obliges employers to have a policy for preventing and tackling violence and harassment. Our Federation warmly welcomes this historic Convention.

In their role as guardians of working conditions and workplace protections, unions have naturally taken an active role in the discussion of how sexual harassment can be properly addressed. Many have already established practices and protocols to support performers who report cases of sexual harassment or intimidation.

2017 will be remembered as a landmark year in the sector, with the high-profile revelations of gross sexual misconduct in the US creating a domino effect across the globe, whose ripples are still being profoundly felt in national media, arts and entertainment industries. Many have experienced their own wake-up call, with the global #metoo movement pointing to an endemic culture of sexual harassment in the industry, and one that has too long gone unquestioned, ignored or even actively concealed.

The FIA sexual harassment working group was created during the FIA Executive Committee meeting in Zagreb in October 2017. “Enough is enough!” was the message emerging from this meeting when it issued its October 2017 Declaration on Sexual Harassment, Discrimination

and Retaliation in the Entertainment and Media Industries, which was unanimously approved. Since then, the working group has held regular video conferences to share the latest developments and updates to ongoing strategies and tools to fight harassment. FIA has also launched and regularly updates a [specific page](#) on its website featuring resources shared in that forum.

Creating a manual on sexual harassment for use by FIA members was identified as a key objective by the working group. This publication is intended to be a practical tool for advocacy and a useful model for any union in the sector wishing to develop its own strategy to fight sexual harassment at national level.

This manual is in no way an exhaustive list of the potential policies and tools that can be used but we hope it provides the necessary help and inspiration to get started and bring about change.

BEFORE STARTING: GET TO KNOW THE LEGAL FRAMEWORK AND LAWS IN FORCE AT NATIONAL AND INTERNATIONAL LEVEL

While this manual does not explore the legal dimension of harassment, this is nonetheless a fundamental aspect that cannot be overlooked. The laws regarding harassment in the workplace and sexual assault vary from one country to another. Fully understanding these elements is indispensable before undertaking or continuing your work to combat harassment.

The trade unions that helped prepare the manual wish to emphasise the importance of this. To successfully achieve the goal of informing and supporting your members who are dealing with harassment, legal expertise is necessary. In addition to a full understanding of your current legislation, you must also be up-to-date with the latest legal developments and case law to continue to offer reliable information on the subject.

Also, personal data and sensitive information gathered by your organisation through support services and helplines must be treated with the utmost care, full transparency and in compliance with data protection laws.

1 Studies and Surveys: Measuring, Comparing and Understanding Harassment

Several FIA member unions have supported their work on sexual harassment with member surveys in order to discover the extent of the problem as well as the day-to-day experiences of their members. These surveys represent a vital first step in developing targeted and effective strategies.

STEP BY STEP: HOW TO CARRY-OUT YOUR SURVEY

→ DEFINING THE GOAL AND SCOPE OF YOUR SURVEY

The first step in developing your survey is clearly defining the target audience. As a professional organisation, you have direct and privileged access to those workers in the sector who are members of your union. It should therefore be easy to get a high level of participation in your survey.

Nonetheless, it could be interesting to aim for a wider target audience. Are there other unions in your sector that could get involved in the process? Do you want to focus solely on the workers you represent or would it be more appropriate to your future advocacy work to include other organisations and create a survey that targets the wider sector? You could for example approach employer organisations in the sector, the unions for musicians or performance technicians to work with you in developing and publishing the survey. If you manage to rally other organisations, they in turn might become privileged partners in developing a code of conduct, a campaign or other tools for combating sexual harassment that you would like to establish thereafter.

Other institutional or association partners may also be called upon to collaborate. NGOs, professional or activist organisations might also be interested in your project. In some

cases, collaborating with these types of partners might bring, not just a wider audience, but also more extensive human resources and funding. Some associations are already working with experts on harassment and sexual violence issues (legal experts, psychologists, researchers), and communication professionals.

Take for example the survey carried out by MEAA (Australia's Media Entertainment and Arts Alliance). This was done in collaboration with Artists for Safe Theatres, an Australian association of independent artists. This association, working in the live performance sector had already carried out qualitative research on the issue of harassment in theatres. Alarmed by the scale of the problem, the two organisations decided that there was an urgent need for a large-scale quantitative study, led by the Australian union, to gather data on the issue. This collaboration led to a study that was truly relevant and representative.

Carrying out your survey without collaboration does of course have one major advantage: it is the fastest and easiest option for getting the job done. Depending on your ultimate goal, this option may be sufficient. For example, the Dutch union, Kunstenbond, had a flash poll among its members in order to build a strong foundation on which to create an action plan. In an environment where opinions vary widely on how widespread the sexual harassment problem is in the sector, a quick survey of members can provide clear and irrefutable data with which to move forward.

→ WRITE YOUR QUESTIONNAIRE

Before launching into writing your questionnaire, take a look at the examples from FIA members that are available on the FIA website. A specific section lists all the tools created by member unions and offers links to these publicly accessible resources. Many FIA members have worked with research professionals to write their survey, but creating questions can also be done quite simply. In the case of the MEAA-led survey mentioned above, it was the director of Equity Australia who herself set about the task in consultation with two performers who were union members.

The issue of anonymity is often raised when launching a survey. It is true in some cases that disclosing one's identity can inhibit potential participants. As knowing the name of participants does not offer any particular advantage, it might be best to avoid this or leave those fields optional in the survey. Other types of data however provide useful statistical information such as age, gender (consider including an option for non-binary people or others), the particular area of work and the contractual status. If you wish to take

intersectionality¹ into account in your survey, it would also be useful to ask participants if they belong to certain minority groups (ethnic, sexual orientation, etc.).

Then come the questions on how sexual harassment is experienced in the workplace, whether personally or witnessed. Offering a descriptive list of the different types of situations that participants can choose from might be a simple and efficient approach. It is important that the situations described are as clear and precise as possible, in order to leave no doubt in the participants' mind when they are responding to this type of question. You can also include questions on the precise context and the frequency of the harassment experienced. It would also be interesting to gather data on the professional and hierarchical status of the aggressor. Also note that some surveys include questions regarding sexual violence (see the survey carried out by MEAA in Australia).

Often, surveys ask participants about the actions taken following the harassment: Did the victim inform anyone about the harassment? Who? What were the consequences (professional, legal, psychological)? In cases where the victim did not inform anyone about the harassment, what were the reasons for their silence (fear of reprisal, not knowing their rights or what supports were available, etc.)? To finish, you can ask participants what type of tools and supports they would like to see developed and offered by their union in future.

→ LAUNCH YOUR SURVEY AND DISSEMINATE WIDELY TO OPTIMISE PARTICIPATION; GATHER AND ANALYSE THE RESULTS

Once your questionnaire is ready, find the most suitable format for launching the survey. Most unions that have carried out this type of survey have chosen an online survey. It is a very reliable, fast and accessible method for reaching your target audience. Online platforms such as Survey Monkey, specialised in online surveys, are frequently used. They enable you to create questionnaires that are varied (multiple-choice questions, optional responses, open responses, etc.) and customisable (you can insert your own logo, etc.) in a user-friendly, low-cost environment. Once your questionnaire is registered on the platform, you will get a link that you can share with all your members and contacts.

Optimising the participation rate of your survey is of vital importance. Ensure that the launch of the survey is communicated as widely as possible and encourage your members to take part. Use of social networks can be crucial: post a brief description and the link to your survey on Facebook, Twitter, Instagram and any other account that you manage. Finally,

¹ Intersectionality is when people are simultaneously subject to several forms of domination, discrimination or stratification. Introduced by afro-feminist academic, Kimberlé Crenshaw, in 1989 specifically to define the intersection between sexism and racism that African-American women experience; the concept later expanded to encompass all forms of overlapping discrimination.

be sure to mention the survey in your newsletters and on your website, as well as during events and member meetings. Don't forget to include a suitable closing date for your survey (neither too soon nor too far in the future).

Once the survey is closed, you can extract all the quantitative data (in the form of figures and percentages) and qualitative data (responses to open questions if you had any) for analysis. Now you can highlight the most striking data and describe it in a report that you can make accessible to members and also to the wider public.

→ **USE YOUR DATA WISELY: TO BUILD YOUR STRATEGY AND START ADVOCACY WORK**

You now have precious statistical data at your disposal. The information gathered will enable you to measure, compare and understand sexual harassment in order to build your strategy. By identifying the most frequent and problematic situations encountered, you can now develop targeted tools and actions to address these issues as a union. In section five of this manual, you will also find information on the strategies that other performers' unions have developed to combat harassment.

It is interesting to note that the MEAA (Australia) survey has directly led to the organisation of a major forum (the Safe Theatres Forum) bringing together sector representatives over two days. Key stakeholders in the performing arts came together to discuss how to bring about sustainable cultural change in the sector. Several codes of conduct and employer agreements were developed and signed following this event.

Be sure to also communicate the survey results widely in the media. We know that one of the major challenges in the fight against harassment comes from the fact that this type of unacceptable behaviour has been ignored or minimised for too long. Your survey can prove that harassment does indeed exist and is unfortunately widespread in the professional area that you represent. Issue a press release to share the survey results, speak about it in the media and disseminate the information through all your communication channels (newsletter, social networks, website, etc.). For some of your members who have taken part in the survey and declared their experiences of harassment, it will be the very first time they have spoken about it. The fight against harassment involves fighting the invisibility of victims and breaking the silence.

Your survey also serves as an excellent tool to engage in advocacy work with employers and public authorities. The compelling and tangible data that you have at your disposal will now open pathways to negotiation and partnerships with producers, as well as opportunities to gain financial support and access to public and private funds for developing suitable tools.

2 Codes of Conduct: Shared Principles as a Basis for Change

Working together with employers and other sector stakeholders is fundamental to engaging in cultural change within the sector. Agreeing on a shared vision and defining the process needed to get there is a useful step in the right direction. A shared code of conduct could become a shared reference and framework that can be added to contracts and circulated widely within the sector.

STEP BY STEP: HOW TO START A CODE OF CONDUCT

→ DEFINING A REALISTIC SCOPE AND IDENTIFYING POTENTIAL PARTNERS

Several performer trade unions have promoted a code of conduct to prevent and address sexual harassment, violence and reprisals at work. Ultimately it is not a legal document but rather a series of principles and commitments which all signatories agree upon. Finding a common language to define the situations you want to prevent and prohibit is essential. Although forbidden actions and behaviour are often already mentioned in workplace regulations and contracts, a code of good conduct fulfils the function of a generalised and simplified agreement expressing a unanimous and unified position on condemning undesirable behaviour.

If you are unfortunately dealing with employers that have no desire to collaborate, there is nothing to prevent you from developing a code of conduct with other partners. It is very likely that other groups of artists and organisations in the sector will be delighted to join forces with you. You can start off on a modest scale and get down to rallying signatories

thereafter. Don't underestimate the snowball effect that this type of action can generate. A single first signature can lead to many others. Leading by example is key here.

→ RALLY THE INTERESTED PARTIES, SET UP AN EDITORIAL COMMITTEE, CONSULT PARTNERS AND FINALISE

For inspiration on how to draft your code of conduct, several examples are available (see the online resources page on the FIA website). While they vary in size, form and language, all of them fulfil the same objective: uniting the largest possible number of interested parties.

A particularly noteworthy code of conduct is Canada's because it brings together an incredible number of signatories across the entire audio-visual industry. The list includes trade unions, producers, agents, public and private television channels and more besides. In total, close to a hundred organisations (including the music and film industries) signed this code of conduct. ACTRA, the trade union for Canadian performers in English-speaking audio-visual productions, led this ambitious project.

How did ACTRA manage to rally so many parties for the project? Firstly, by including the different stakeholders from the outset. The working group and the project came out of a round table discussion on sexual harassment that was attended by the main sector stakeholders. ACTRA held the presidency of this working group which brought together representatives from all of Canada's English-speaking cultural industries.

This led to long and painstaking editorial work and, in particular, consensus building. The challenge was to reach unanimous agreement while working with a group encompassing a wide array of perspectives. This strategic work was done gradually, through consultation meetings and validation with the interested parties in order to obtain general consensus. As the perfect is the enemy of the good, it was vital for ACTRA to guide the group while focusing on the ultimate objectives of unity and viability of the project. In practice, it would be absurd to expect a code of conduct to list and address every sexual harassment situation, past and present. This type of tool must, above all, be an opportunity to act now for the future and bring about real cultural change, by asking everyone to commit to prevention and zero tolerance.

Remember that whatever the size and ambition of the code of conduct that you wanted to develop at the outset of the project, the most important thing is to get to the finish line with the best possible result.

→ ATTRACTING MEDIA ATTENTION FOR YOUR CODE OF CONDUCT AND OPTIMISING ITS USE

Once your code of conduct is finalised, we advise you to spread the word as far as possible. Making it as visible and accessible as possible will give it even more power. Make sure to publicly announce the launch in the media and to circulate it widely online and in printed format.

The Canadian code of conduct mentioned above was also distributed in a large number of places: on all film sets but also at casting calls and auditions, in production companies, etc. As soon as a new production starts in Canada, all teams now receive the code of conduct and copies remain visible and available on set at all time. In this way, the rules are truly clear to all and workplaces become safer spaces.

Codes of conduct can also serve as a basis for contractual negotiations and several trade unions have already taken this path. SAGA, the South African performer union, for example, created a one-page code of conduct that it then managed to have systematically added to contracts with television and film producers. The union produced this code of conduct with very limited resources and yet they have maximised its usage in very tangible ways.

Afterwards, be sure to take steps to rally even more partners. In time, a modest code of conduct can end up becoming a document that is signed and used by everyone in the sector. You can also update or extend your code if you consider it time to go further. What is most important is that the code remains relevant and in use, so that it can best protect the workers that you represent.

3 Campaigns: Informing, Raising Awareness, Mobilising Support and Calling for Change

Campaigning against sexual harassment can be done in a number of ways. This is because campaign objectives can differ widely: from informing members of their rights, to denouncing unacceptable practices, to offering safe spaces where people can share their experiences, to creating real change in the workplace. A wide variety of campaigns developed by FIA members and partners provide ideas of goals to aim for using very different means and at various levels. Some initiatives are led by trade unions, others by artists and others by social partner groups. The majority are currently ongoing.

STEP-BY-STEP: HOW TO CREATE YOUR OWN CAMPAIGN

→ DEFINE YOUR TARGET AUDIENCE AND YOUR KEY MESSAGES; GET PARTNERS INVOLVED

The first step when deciding to launch a campaign against sexual harassment will be to define your target audience and know exactly who you want to address. Obviously you can target the performers that you represent and communicate to them so they know their rights; however you may also wish to address employers to remind them of their obligations. Some campaigns are general and address an entire industry, while others focus on a specific sub-sector so that they reach people who have been identified as

particularly vulnerable. Whatever the case, the key messages of your campaign will depend on your target audience.

Take a real-life example: the “Not in OUR Space!” campaign developed by the Canadian Actors Equity Association (CAEA), which is particularly noteworthy and has already inspired several other trade unions. It was after carrying out their own survey that the CAEA decided to create this campaign. The responses gathered through the survey helped form very clear objectives: inform, prevent and encourage action, both collectively and individually, against sexual harassment.

The team mandated to create these tools was diverse. A sub-committee made up of council members and union staff had already been established (“The safe and respectful workplace committee”). They had the good idea of co-opting members who had expressed a particular interest in the subject to join the working group. This methodology, involving and consulting with the main parties directly, was very effective. And the collaboration did not stop there. The Canadian Theater Producers Association as well as several instructors and legal experts were also consulted at each stage of creating campaign content.

The message is simple but powerful. The slogan “Not in OUR Space!” involves, from the outset, everyone present in the workplace. The possessive pronoun “our” invites each individual to take ownership of the slogan and to make themselves part of a safe and respectful workplace.

When creating your campaign, remember that being surrounded from the outset with partners and experts is key to success. Being able to test your content with members, employers and specialists, as CAEA did, means creating powerful and effective messaging.

→ CHOOSING THE RIGHT FORMATS AND MEDIA FOR YOUR CONTENT, OPTIMISING YOUR BUDGET

Once the message and goals are clearly defined, you must find the ideal format for your campaign. There are many possibilities: print, video, online platforms, multimedia, etc. Each of these options is valid and interesting but the chosen option will also depend on your budget and your strategy.

The aforementioned “Not in OUR Space!” campaign chose the printed format to communicate its messages. The CAEA's strategy was to make the campaign visible in actual workplaces by putting up posters in all theatres. If this is your chosen campaign format, the graphics are particularly important. Defining a colour palette and lettering that enhances your message and makes your campaign recognisable at first glance is vital. Use a professional graphic

designer! The main costs to account for are printing material (posters, brochures, etc.) and graphic designer fee.

If you have a communications department in your trade union that can take on this assignment, it will be easy to optimise your budget. If you don't have the resources to carry out this work internally, it is of course possible to outsource or to see if your partners have resources they could make available.

Perhaps your network could offer specific ideas and resources to launch a shared campaign? This is how it worked in South Africa where SAGA, the performer union, collaborated with SWIFT ("Sisters Working in Film and Television") to create a series of videos raising awareness on sexual harassment as part of their #ThatsnotOk campaign. The campaign received a mix of public and private funding and also benefited from the participation of some well-known performers.

Note that it is also possible to create a powerful campaign with very little money. Some campaign formats, such as user-generated online platforms, are particularly affordable. This is the option that the SFA, the French performer union, and its partners used when launching a Tumblr enabling workers in the sector (both victims and witnesses) to speak out anonymously. The campaign, entitled "L'envers du décor" ("Behind the Scenes"), aims to publish testimonies on sexist and sexual violence experienced in the performance sector and to provide solutions to end this behaviour.

→ COMMUNICATING AND MAKING YOUR CAMPAIGN AS VISIBLE AS POSSIBLE

When your campaign is ready, be sure to prepare the launch by carefully putting in place an action plan to maximise visibility. Whatever the chosen format, you must use the communication tools at your disposal so that your campaign is seen and recognised as widely as possible. You could for example, work with the media to announce your new campaign and maximise its exposure: organise a press conference and interviews with newspapers and specialist television programmes, etc.

Your professional platforms and accounts on social media are of course excellent channels for communicating about your campaign. Our Canadian colleagues in CAEA transformed their campaign slogan into a hashtag: #NotInOurSpace, to communicate their message online. They also devoted a special edition of their magazine, EQ, to the issue of harassment in general and the campaign in particular.

In terms of visibility, the "Not in OUR Space!" campaign once again provides an excellent example, as the campaign's dissemination strategy was to put up posters in each and every anglophone theatre in Canada. These posters had a pocket filled with bookmarks including

key information and contacts. The trade union also sent campaign material (posters and brochures) to all dance and opera companies, as well as to each new production and each new member. All these tools were also made available to download on the trade union's website.

Get inspired by these good practices and go for it! The Canadian example has already been emulated elsewhere and some countries have adapted its content to their own national context, successfully creating their own campaign. Over time, be sure to update and renew your content so that the campaign remains visible and relevant (the “Not in OUR Space!” campaign is renewed every 18 months, for example).

4 Support: Helplines in Place to Counsel and Protect Victims of Sexual Harassment at Work

Trade unions are starting to offer immediate support services for performers who are victims of sexual harassment or intimidation in the workplace. Anonymous helplines are a safe point of contact for victims where they can get urgent advice and support from qualified professionals for any situation, whether the harassment is occurring on set, on work related spaces, or outside of working hours. These services are informal and aim to alleviate any anxieties regarding taking further action.

STEP BY STEP: HOW TO APPROACH THE ESTABLISHMENT OF SUCH SERVICES

→ DEFINE THE TYPE OF SERVICE TO BE SET UP AND HOW IT WILL WORK

In surveys of victims of sexual harassment, respondents often report that taking any action at all is an uphill battle, and thus very discouraging (it can also worsen the consequences of the attack and further marginalise the complainant). Offering, as a trade union, a service for listening to and supporting members therefore makes total sense and addresses a real need. This assistance often takes the form of a dedicated helpline, but it can also be an email address or an online form accessible via app. Whatever communication method is chosen, offering fast and professional assistance is a useful service to all, both victims and witnesses.

An important factor to consider, from the outset, is prioritising the ease of initial contact. To respond to a toxic situation, users must be able to contact you as directly and easily as

possible. If you are offering telephone assistance, try to use a phone number that is special and distinct, with numbers that are easy to dial and memorise. However, if you already have a helpline in place for members to request and get assistance for health and safety issues at work for example, there is no reason why those responsible for this service can't also be trained in attending to calls related to harassment.

Take the example of the service set up by SAG-AFTRA in the US. Their emergency helpline is open 24/7. This remarkable service is operated as follows: during the daytime, staff in the diversity and equality department are trained to respond to calls about harassment. For any after-hours calls (evening and week-ends), an external provider has been contracted and callers get immediately through to certified clinicians. In order to ensure that members can easily make contact in urgent situations, other communication channels are also available. Members can call the dedicated emergency helpline for answers to any questions related to safety. Furthermore, the trade union's app, available on smartphones, has a highly visible red emergency button that is a shortcut to sending a call for help, electronically and discreetly. One of SAG-AFTRA's commitments is to explore and use any technical and technological means to facilitate the protection of its members. The emphasis they have put on the service's ease of use is unquestionably a huge plus for members.

→ DEALING WITH REQUESTS FOR SUPPORT: EXPERTISE, ANONYMITY, DATA PROTECTION, ETC.

Dealing with requests for support from the victims of harassment requires real expertise. Your members need to be able to find out their rights and the potential course of action, get relevant medical or legal contact numbers or highlight an ongoing abusive situation for example. Having all this information readily available and updated regularly is essential. Your first mission will be to collate this database of legal, medical, practical and other information for use by the staff who will be receiving the calls and emails. However, this content alone is not enough. Staff must also be trained to respond with sensitivity and professionalism. Look to professionals such as psychologists, social workers, etc. to get a tailored training course. Calling on victim support specialists is necessary for offering a quality service to members and we will return to this point below.

Anonymity is also a critical factor in support services. It is of utmost importance that users can communicate with your organisation anonymously and discreetly. To guarantee anonymity and protection of user data, you must put clear and transparent processes in place. In the majority of cases, this means that you cannot keep any trace of the conversation or any elements that could identify people. The most important thing is to give users the choice; this is a matter of trust. This does not mean that the information given can in no way be processed. Quite the opposite, in fact. The trade union has a real role to play here. By cross-checking the

information received, you can for example identify problematic shoots or productions, alert your on-site teams so they can be extra vigilant, or follow-up with employers to remind them of their legal and contractual obligations. Always be clear about the limits of the service you are offering. It is important that your members understand for example that beyond the legal advice you can offer, they will have to hire a lawyer to proceed with some types of individual complaints.

→ FINANCING, PROMOTING AND DEVELOPING YOUR SUPPORT SERVICE

The perceived cost of setting up support services may be an obstacle for some unions. There are however financing and collaboration opportunities that can reduce the budget required.

Look again at the SAG-AFTRA example, which offers the most complete support service available to date. Despite the allocation of significant resources both internally (growing the team, etc.) and externally (contracting emergency telephone services for calls outside office hours), the trade union also benefits from services that its partners make available. Support from the “Actors Fund” is vital to SAG-AFTRA. This fund (a charitable organisation), offering a plethora of training and targeted supports for performers affected by harassment, actively collaborates with unions.

Perhaps your country has NGOs or other such associations that may offer training to your teams, or help you direct your support services? Perhaps you could start by making a helpline available one day per week? Even if it means offering a more comprehensive service later, subject to need and funding received over time. Or simply set up a dedicated email address at which you can be contacted anonymously and safely at any time. This is what the Chilean trade union, SIDARTE, did in association with the feminist association, “La Morada”. Performers can use a contact email to flag any act of sexist violence, including sexual harassment. The association offers psychological follow-up while the trade union provides professional follow-up. In Sweden, the performer union Teaterförbundet also offers support via e-mail and telephone. The members can call the regular counseling service and talk to the in-house lawyers who will provide targeted advice and support.

Lastly, work out how best to promote your support services and make them most visible. All opportunities should be maximised whether on social media, during union-organised events, or through your campaign if you launch one. Making the contact information of your support services visible on your campaign material is of course ideal. Even if the service that you are initially proposing is modest, do not underestimate its impact. Offering and promoting this type of service sends a strong message not just to your members but to the wider sector. You are affirming your commitment to listen, to react and to implement a zero-tolerance policy on harassment.

5 Tools, Tips and Tricks of the Trade: Strategies for Empowering and Protecting Performers in their Working Lives

Trade unions across the world are offering new ideas to help their members in dealing with sexual harassment. Proposals have been made to offer tangible support to those in vulnerable situations (during castings, scenes with nudity or a sexual element, etc.). The general strategies to fight harassment that performers' unions have established ultimately aim to contribute to a deep cultural shift. Promoting member-to-member support, solidarity and, in particular, training at all levels are also methods that are currently being explored.

A. TRADE UNION STRATEGIES

A well-thought-out strategy aims to coordinate the development of suitable tools as efficiently as possible, as well as providing clear priorities and a vision for the future. The examples in this manual clearly demonstrate that initiating work on harassment via a survey, or coupling a campaign launch with the launch of support services, are also ways to optimise both the costs and impact of the tools you are creating. However, a good strategy doesn't stop there. Start by making the necessary changes internally, and negotiating with employers and public authorities is part of that.

→ ESTABLISHING INTERNAL STRATEGIES AND PROTOCOLS

What are the procedures and policies in place within your trade union to protect staff and member representatives in the event of harassment? Can these procedures be updated

or improved? What are the central issues to be addressed in dealing with harassment, as a trade union? Your credibility is of course at stake here but not just that. It is in leading by example and by starting this introspective work, rigorously and systematically, that you can fully comprehend the challenges ahead. Training and educating all your staff, updating the wording on the workplace rules and on the procedures to follow in the event of an incident, or outlining disciplinary measures are actions that will further highlight what steps need to be taken to create safer and more respectful work environments.

Another important facet of the work to be carried out internally is making concrete plans for how the organisation will react to one of its own members being responsible for, or being accused of, inappropriate behaviour. Surveys carried out by FIA members show that the perpetrator is frequently a team-mate, a technician or an actor for example. Therefore, as a trade union, you may find yourself representing both the accuser and the accused. These complex situations are only manageable if you have prior procedures in place. Start by clarifying your legal obligations and choose which measures will be most appropriate for protecting and listening to the victims. All trade unions consulted for the creation of this manual have examined this thorny issue, bearing in mind their commitment to zero tolerance and the end of impunity. They have reflected on how they can address this type of situation with impartiality and rigour. Each of them has put clear processes in place. Examples include setting up a special committee in charge of rapidly deciding, on a case-by-case basis, the positions and sanctions that the trade union should take; others detail the legal procedures to initiate, or even the mediation tools or exclusion methods with which you can respond to an accusation or complaint among members of your trade union.

Finally, ensure that your commitment to the fight against harassment is unconditional and shared. Voting internally to give this commitment prime position in your policy agenda will give it all the legitimacy and resources you need to get started on this substantive work. Highlighting the urgency of dealing with the issue of harassment enables you to allocate time and resources to the negotiations that are detailed below. Developing an ambitious long-term strategy will enable you to go further. It is about dismantling the endemic problem of inequality and the abuse of power which leads to dominating behaviours and violence in the workplace. Promoting parity, equality and diversity at all hierarchical levels within the sector, especially at higher levels, is the way to go. Your aim will be to participate in the cultural and systemic change required to finally eradicate this form of violence and injustice.

→ **ADVANCING THROUGH NEGOTIATIONS AND ADVOCACY**

Negotiating clauses to ensure the dignity and safety of their members in the workplace is central to what trade unions do. If your organisation joins the fight against sexual harassment, it will lead to collaborating with employers in the sector to increase protection of members

through contracts or other means. Collective bargaining with social partners and lobbying of public authorities is the best way to advance matters and bring about tangible change.

The following questions could be asked: What are the provisions on harassment in your branch's collective agreements? If there are already clauses in place, could they be supplemented or extended? Could the specific wording be improved? What happens when the contracts are with various producers, television channels and other sector employers? Performer trade unions, under the FIA umbrella, are moving forward with their negotiations and starting new ones directly with employer groups to protect workers against all forms of harassment.

These negotiations seek to identify the different facets of harassment, as well as identifying risky situations so that best practices can cover these situations and thus prevent unacceptable behaviour. Some situations, such as nude scenes or intimate scenes, are of particular concern, which we will return to at the end of this chapter. Castings and auditions are also a matter of concern. Several trade unions have managed to ban castings from taking place in private rooms or hotels. Others create detailed regulations on nude scenes, or focus on the issue of cyber harassment.

Unfortunately, the law does not yet adequately protect artists from certain online violations of their image and dignity. Many public figures are subjected to sexist and obscene attacks on social networks and the law does not always allow for perpetrators to be prosecuted and convicted. The same is true in the use of technology to hijack actors' and celebrities' images to make hyper-realistic pornographic videos, known as "deepfakes". In the United States, performer union SAG-AFTRA is leading a campaign to legislate against and systematically ban these practices, by calling on high profile performers to make their voices heard. Legal battles are crucial to improving the protection of victims.

Survivors of sexual violence and harassment increasingly want to bear witness and engage in the fight. A rising number of well-known performers in the live theater and audiovisual productions are speaking out alongside the trade unions condemning the impunity of perpetrators and the lack of resources available for victims, as well as challenging the statute of limitations on making a complaint. There are many challenges but the visibility of the workers we are defending is an advantage that should not be underestimated.

B. TRAINING, EDUCATING AND SPEAKING OUT

Training is an excellent way to fight sexual harassment. Offering teams, union members and, potentially, employers the opportunity to be trained in better understanding and reacting to harassment is always beneficial. There is a very wide range of training opportunities out

there. The priority is of course to train your own team members but performers, managers and other professionals in the sector often request this type of training too. Offering educational programmes to young artists specifically focused on preventing harassment will contribute to the cultural change that we are all striving for.

Furthermore, developing language support tools and scripts would also be useful. Several trade unions have reported that when faced with a situation of harassment, whether as victims, bystanders or witnesses, people lack the right words to react with confidence and force. For this reason, it is useful to attach precise terms to abusive, uncomfortable or undesirable situations, and to provide clear responses that can be employed to express disapproval and to put an end to the situation.

Here are some concrete examples to understand how these types of tools can be created and utilised:

The Actors' Equity Association (AEA), representing live performance professionals in the United States, successfully set about creating specific training sessions. The trade union's primary concern was training its teams so they were able to respond to members and react with the necessary professionalism and sensitivity on harassment issues. To achieve this, it looked to the "Actors Fund", the charitable organisation mentioned above. By working together, they rapidly developed a thorough and high-quality training course for all union staff.

The training courses sparked such interest that the AEA allowed employers to also use them. AEA then decided to offer a tailored version of these courses to its members (including customised documents and a simple, clear toolbox), which is now available in the members' section of their website. Currently, they are launching a second wave of training sessions, still in collaboration with the Actors Fund, to address more specific needs.

Another particularly inspiring example is from CAEA, the Canadian trade union, which targets drama schools. Their "Not in OUR Space!" campaign was so successful that the schools themselves invited the union to lead presentations in their schools. Drama and dance schools are now working hand-in-hand with the union to train students to recognise and react to all types of harassment and abuse of power situations.

By being versatile and complementary these tools have reached a much wider audience than envisaged at the outset. And once again, it is due to partnerships that the creation of training sessions was possible and worked so well.

Take the time to remind people of the potential impact of publicly speaking out and debating the issue of harassment. We have already mentioned how advocacy to bring about reform

benefits from the support of actors and activists publicly speaking out. Speaking out on the issue is also hugely important at all the professional events you organise.

Suggest round tables, discussion panels or public meetings with members, professionals and public authorities. Opening up the discussion, speaking out, giving others the opportunity to speak, and putting the issue of harassment at the centre of the debate (and keeping it there) is essential.

C. DEALING WITH NUDITY

To represent physical intimacy on screen or on stage, or to create an artistic vision, performers are sometimes required to be undressed in their workplace. This unique aspect of artistic work is not without risks, to say the least. Considering, anticipating and reducing such risk is vital for well-being at work and the fight against harassment. This is why unions are always more involved in risk-prevention, to avoid all inappropriate behaviour in situations where performers are particularly exposed and vulnerable.

Negotiating special clauses for nude scenes and intimate scenes is part of this prevention work. The basic rules include filming this type of scene with a limited team, but also heavily preparing the scenes in advance so that they can be choreographed with precision (as is generally the case for action and combat scenes), with the help of experts as needed. Last minute changes in scripts with regards to intimate scenes are not acceptable. All plans must be explicit and discussed in advance, and having a person responsible for the safety and consent of actors at each step is certainly a good approach.

Working with 'intimacy directors', specialists in intimate scenes, is a practice that FIA members are looking into and have also noted in collective agreements as a useful external resource. This is a growing area that unions are continuing to explore. There is an international organisation of intimacy directors called Intimacy Directors International, which has a website where you can learn more about their work, accreditation and methodologies.

6 A Zero-tolerance Strategy from A to Z: the Example of Equity UK

Equity UK has an extensive experience in campaigning against discrimination, racism and prejudice since 1967. Its work on sexual harassment started with a survey in collaboration with the Federation of Entertainment Unions in the UK in 2013. More than 4000 members replied to the survey. The results of the study revealed an attitude of accepting bullying because "there is always someone else hungry to take your place if you complain", especially for freelance or short-term workers who have even less professional stability. The complete report, based on the survey results, is titled *Creating without Conflict* and was published in November 2013.

Responding to the survey findings, a working group set up by Equity UK developed a campaign called "Safe Spaces". The purpose of the campaign is to raise awareness, and help members tackle and report unacceptable behavior by giving them the necessary support to do so. This campaign includes a full and detailed report called "Agenda for Change". It provides a guide for all workers in the entertainment industry to create a workplace free of bullying and harassment, and includes a dedicated helpline and a statement to read out loud at the start of every each new project.

Another highly valuable tool developed by Equity UK is the "Manifesto for Casting". Equity UK understands very well how challenging a performers' career path is and this path begins with auditions. The manifesto addresses the casting process by following the cast member step by step. January 2018 saw a significant step forward thanks to Equity UK's efforts: the key points of the manifesto were included in the new code of conduct of the Casting Directors' Guild (CDG).

Equity UK's strategy to create harassment-free work spaces is a strong and inspiring example for performers' unions worldwide. We decided to interview Maureen Beattie, Equity President, about specific aspects of Equity's strategy as well as past and ongoing challenges.

INTERVIEW WITH MAUREEN BEATTIE, EQUITY PRESIDENT

- 1. Equity UK has always had a strong commitment to diversity and equality in the sector and started to look into ways to tackle sexual harassment several years ago. Can you tell us about the context in which this work started and took off?**

Our work to combat harassment in the workplace has developed over time. Ever since its inception Equity has dealt with cases from members experiencing harassment at work. It was a focus of the Women's Committee that was established in the 1970s, and Equity has provided advice for its members on this for many years - to raise awareness about what exactly constitutes sexual harassment in work situations, to affirm that it's not ok and may breach employment and/or criminal law depending on the facts of the case, and to advise members to get in touch with Equity about it.

The testimonies that followed in the wake of the Weinstein allegations gave real momentum to these efforts, and an opportunity to shift workplace culture and finally put an end to the bullying and harassment which was endemic in our industry. The key difference of course was the clear sign from those who had experienced it that they were no longer going to remain silent and put up with this behaviour, and that perpetrators would no longer be protected by the industry's 'culture of silence'.

- 2. The "Agenda for Change" report and strategy involves active collaboration with partners and engagers; how does the union develop those ties and foster accountability?**

At the end of the Agenda for Change report, there is a summary of the responsibilities of and commitments from each of the key partners in the industry for ending harassment. This includes engagers, agents, casting directors, boards, educators and vocational training providers, workplaces and venues, as well as Equity.

The ties with these key partners already existed and were well developed through the routine, day-to-day work of the Union. Many of the responsibilities that are listed are responsibilities those partners already had and for which they are accountable; the purpose of Agenda for Change was to remind them and everyone else of the importance of these responsibilities. So that, for example, educational providers such as drama schools have a duty of care to their students, and Agenda for Change

highlights that they must have clear and robust policies on bullying and harassment which are understood by all staff and the students in their care.

There are aspects of how our industry works – the oversupply of labour in a highly competitive and precarious industry – that has made it a hotspot for bullying and harassment and which has distorted relationships and pulled down standards. Competition for work - securing an agent, getting on the radar of engagers, has meant that young women - and increasingly young men - in the industry feel particularly vulnerable and less able to speak out. Low and no pay also disproportionately affects this group, and there remains an expectation that at the start of your career you may be exploited – not only in terms of pay but also in other rights. Our black and ethnic minority members, our LGBTQ+ members and our D/deaf and disabled members can also be particularly vulnerable and, of course, the members of Equity who work behind the scenes are subject to many of the same vulnerabilities and exploitation. Equity is very aware that for all our members, whatever their discipline, if paid work is treated and viewed as a gift or a favour at the start of a career this can exacerbate existing power relationships and can create an environment for exploitation to flourish. The Agenda for Change fosters accountability, by reminding every industry partner of their responsibilities and in the process redresses these imbalances in the sector – e.g. that agents are employed by their clients and not the other way round.

3. Equity has created specific tools to address sexual harassment such as the Casting Manifesto and the Safe Spaces Statement; can you explain how those tools are used in practice?

There are a number of ways in which tools to address sexual harassment are used in practice - primarily through their incorporation into collective agreements and through casework. The former has been essential for making employers take their legal responsibilities for preventing harm much more seriously. Casework has been especially important in those parts of the industry not covered by an agreement such as in Variety. Cases of impropriety or bad behaviour have provided an opportunity for Equity to have a conversation with the engager about their responsibilities, and to work with them to prevent cases from occurring again in future.

The Safe Spaces Statement is read aloud at the start of any new project - rehearsals, read-throughs, workshops, etc - and is reproduced in poster format and pinned to noticeboards and other public areas. We regularly receive feedback from members about the affirmation and how it brings such a positive start to any project. The leaflet is also put in key spaces behind the scenes, such as green rooms and backstage. Members have also reported that

if there are signs that someone might behave inappropriately it is often enough to read the affirmation out again, or simply refer to it, to stop the bad behaviour in its tracks.

Equity's Manifesto for Casting addresses particular abuses that can happen at auditions and interviews. Our members can be particularly vulnerable in the audition/interview situation and can suffer belittling and discriminatory treatment. This includes everything from objectifying casting breakdowns, to requests to improvise fights and sex scenes and to remove clothing, to inappropriate personal questions and feedback during the interview itself. The Manifesto for Casting sets out good practice principles to ensure that casting is fairer, clearer, less stressful and more inclusive: from ensuring members are given enough notice before an audition to organise cover for caring responsibilities, to guidelines on nudity and appropriate questions. Good progress has been made towards making these principles standard practice with the adoption of our Manifesto by the Casting Directors' Guild and the Personal Managers Association, especially as membership of the CDG is conditional upon an applicant accepting the code of conduct.

4. Equity UK's strategy also includes advocacy work on legal aspects related to sexual harassment, for example non-disclosure agreements; why is this so important?

Equity and TUC affiliated trade unions are unanimous in wanting more legal tools to hold harassers to account, and particularly to change the current system where the burden is placed far too firmly on the individual. Equity is very pleased to be part of the TUC's This Is Not Working campaign calling for a new legal duty on employers to proactively prevent harassment at work. At last year's TUC Congress, Equity moved a motion that was passed unanimously setting out key legislative changes that would make a big difference in our fight to end harassment, including recognition of third party harassment claims (a right that was removed by the Government in 2013 in its 'bonfire of red-tape' on business), and the recognition of self-employed workers in the Equality Act 2010.

Equity has particularly highlighted the misuse of non-disclosure agreements (NDAs), some of which forbid anything that occurs in the casting/interview or production process to be made public. We have successfully taken multiple claims against the same engager, but as NDAs then form part of the settlement agreement, we are bound to keep these successful claims secret and are unable to warn our members away from working with that engager. The signing of an NDA at any stage - or any similar agreement, including the release forms signed by models - could have the unintended consequence of creating a safe haven for bullies and harassers. Equity has long campaigned for a reform of NDAs to ensure they are not used to deter an individual from disclosing information about inappropriate behaviour,

wrong doing, poor practice or unlawful conduct. The Government has recently responded to a consultation it conducted on NDAs and has confirmed it will legislate to address misuses.

5. Retaliation against performers who speak-up about harassment remains a major concern for workers; do you feel this is changing?

I think this is starting to change and a case that Equity took up on behalf of one of its members, Helen Vine, has been very important in this process.

In 2018, an Employment Tribunal awarded Helen more than £10,000 after she was subjected to sexual harassment and discrimination while working for a theatre-in-education company. During the three months she worked for the company, she found herself in an “escalating situation” where she “felt daily humiliation and intimidation” and there was nowhere to escape from this offensive and aggressive environment. She said: “one of the men talked about my vagina, my breasts. They asked me for a threesome, asked me to have sex on a daily basis. They took pictures of me when I was asleep and drew an ejaculating penis on it and put it on social media.” At the anniversary event of Agenda for Change, Helen spoke movingly and powerfully about her experiences (her speech is on our website). She said: “without Equity I would have brushed aside what happened as unlucky, and even perhaps viewed it as the nature of the industry. There’s no way I will stand by and witness or experience this type of behaviour in the future... Agenda For Change recognises there is a big problem, it helps us know what our rights are and it empowers us to take action”.

Although the barriers to speaking up about harassment remain, Helen Vine’s case has undoubtedly encouraged people to speak to Equity in confidence.

6. Equity recently celebrated the one year anniversary of the landmark Agenda for change report; can you comment on most striking advancement; challenges ahead; maybe share some advice/ encouragement for unions starting their own strategies?

On 19 February 2019, Equity hosted a one-year-on anniversary event to reflect on the progress we had made with our Agenda for Change and Safe Spaces campaign. Our intentions were twofold - to celebrate our successes and to question how we might move forward and address the challenges ahead. One of the most striking advancements highlighted at the event was the work with employers and casting professionals on a new set of principles and guidance for sexual harassment and bullying produced by the BFI/BAFTA, UK Theatre/SOLT,

Directors UK, the Casting Directors' Guild and PACT. These have been used by engagers for developing clear and robust policies, and are being incorporated into collective agreements.

The biggest change has undoubtedly been a shift in perception among members - in recognising bad behaviour and harassment for what it is, and in our resolve as an industry not to tolerate it; that you will be believed if you come forward, and Equity will have your back when you do. There has also been clear progress legislatively, propelled by the important work of the Women & Equalities Parliamentary Committee which has really set the agenda in relation to public policy. The ILO Convention has come at a critical moment and will help to accelerate our collective endeavours to shape a future where we are all free from harassment at work.

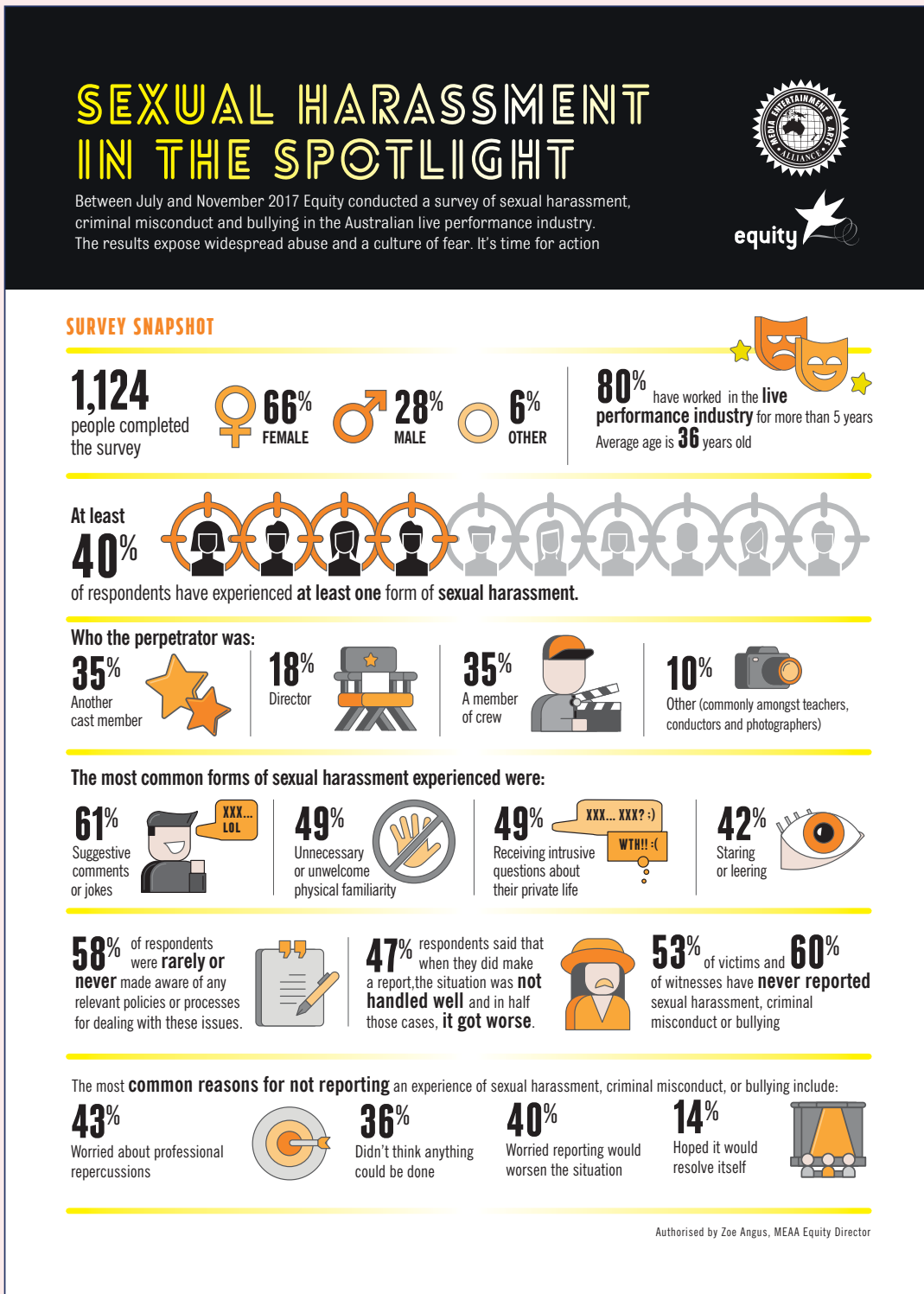
I hope that the information above will be of use to our fellow unions looking to start their own strategies or perhaps, as we did with Agenda for Change and Safe Spaces, just wishing to up their game. Each of us plays our part in this war we are waging against bullying and harassment and every battle won is a victory for us all.

EQUITY UK'S "SAFE SPACES" STATEMENT

“Every single one of us is entitled to work in a safe space: a space free from fear, a space free from bullying and harassment of any kind. We will work together honouring our differences and celebrating the gifts we each bring to the table. We will treat one another with politeness and respect at all times and, if we are subjected to or witness bullying or harassment, we will speak out knowing that our voices will be heard and we will be taken seriously. Together we can create a safe space.”

Annexes

Annex 1: Infographic based on the results of the survey carried out by MEAA - Australia's Media Entertainment and Arts Alliance



Annex 2: Canadian Creative Industries Code of Conduct led by ACTRA

CANADIAN CREATIVE INDUSTRIES CODE OF CONDUCT

TO PREVENT AND RESPOND TO HARASSMENT, DISCRIMINATION, BULLYING AND VIOLENCE



The Canadian Creative Industries Code of Conduct confirms our commitment to safe and respectful workplaces and to an industry free of harassment including sexual harassment, discrimination, bullying and violence.



Harassment can take many forms including unwanted sexual attention, inappropriate jokes or texts, threats, and other unwelcome verbal, written, visual or physical communication or conduct.



Everyone has a responsibility to build safe and respectful workplaces.



Harassment, discrimination, bullying and violence can affect individuals at every level of the industry. Promoting increased gender equality and diversity is one way to break down barriers and reduce or eliminate these behaviours.



The principles espoused in this Code are applicable to all work and work-related environments. These can include but are not limited to, auditions or casting meetings, job interviews, industry events, festivals, awards, company functions, production studios and sets (whether local or remote), offices and rehearsal and performance venues.



Signatories to this Code will lead by example by upholding the highest standards of respect, encouraging the good-faith reporting of complaints concerning harassment, discrimination, bullying and violence and cooperating in the investigation of such complaints.



In adhering to this Code of Conduct, Signatory organizations agree to take the following steps as applicable to identify and address harassment including sexual harassment, discrimination, bullying and violence:



- Enact policies and procedures that maintain zero tolerance for harassment, discrimination, bullying and violence;
- Designate people in the workplace to receive complaints of harassment, discrimination, bullying and violence;
- Provide a timely process for the investigation and resolution of complaints;
- Implement proportional consequences for violations; and
- Protect from retaliation or reprisal those individuals who in good faith allege violations of anti-harassment, discrimination and violence policies and procedures.



In implementing the above, Signatories will take the following steps, as applicable:



- Ensure everyone in the workplace is aware of anti-harassment, discrimination and violence policies and procedures;
- Encourage people to set and respect personal boundaries and engage in consent-based interactions;
- When work requires physical contact or scenes of nudity, intimacy or violence, adhere to applicable respectful workplace policies and collective agreement obligations;
- Provide safe places where work may be performed for example, by not requiring individuals to attend meetings alone or in spaces such as private hotel rooms, etc.; and
- Encourage instructors, teachers, coaches and those providing training in the industry to adhere to this Code and share its principles with their students.



Signatories to this Code of Conduct agree to take all applicable steps to quickly address substantiated complaints of workplace harassment including sexual harassment, discrimination and violence. Such steps may include the following:



- Requiring remedial action such as counselling and/or training;
- Disciplinary action (as per collective agreements and individual organization, union, guild and workplace policies) including restrictions, suspension or termination of employment and/or membership; or
- Legal action as per applicable laws including human rights legislation.



Annex 3: “Not in OUR Space!” Campaign developed by CAEA Canada

Canadian Actors'
EQUITY
Association

**NOT
IN
OUR
SPACE!**

**RESPECTFUL
WORKSPACES**

**FOR LIVE
PERFORMANCE
PROFESSIONALS**

