



# SEXUAL HARASSMENT POLICY

## MISSION STATEMENT

AGMA condemns all forms of discrimination and harassment. Because of this, we have taken a leading role in encouraging our employers to create and maintain a workplace free from sexual harassment and discrimination. We are committed to holding our employers responsible for ensuring that all our members have a safe and secure environment in which to work, rehearse, and perform.

AGMA believes in a proactive approach to addressing sexual harassment in the workplace and in work-related activities. As discussed more fully below, we have been assisting our members in identifying and reporting sexual harassment and negotiating with our signatory employers to establish the tools necessary to address misconduct in the workplace. We are helping our members enforce the provisions of their collective bargaining agreements, providing access to counseling and other resources, and collaborating with our sister unions in the entertainment industry to develop “best practices” for confronting and eliminating sexual harassment in the workplace.

AGMA takes a strong stand against sexual harassment. Most recently, we launched an independent investigation into high profile allegations of misconduct involving several of our signatory opera companies. Since these companies have been unwilling or unable to provide AGMA with sufficient assurances about the scope and timing of their investigations, as well as whether or not the findings will be publicly disclosed or made available to the Union, AGMA has retained a former federal prosecutor with extensive experience conducting such investigations. More information about this investigation can be found [here](#).

This policy details the other steps AGMA is taking to ensure that our members are able to rehearse, perform, and stage manage in workplaces free of sexual harassment and discrimination.

## DEFINING SEXUAL HARASSMENT

Sexual harassment appears in many forms. It includes unwelcome sexual advances and other unwelcome verbal or physical conduct of a sexual nature, and it interferes with an individual’s ability to perform their work. It can come in the form of “quid pro quo” harassment, where a person’s submission to or rejection of sexually harassing conduct is used as the basis for an employment decision – for example, an artistic director asking that an artist engage in sexual activity in exchange for better casting. Sexual harassment more commonly appears as sexually explicit jokes, unwanted comments or questions about a person’s body or sex life, and unwanted touching or hugging, leering or sexual gestures. Sexual harassment not only affects the target of harassment but also witnesses to harassing behavior, and it should not be tolerated in any workplace.



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## REPORTING MECHANISMS

If you believe that you have been subject to or have witnessed sexual harassment in your workplace, we strongly encourage you to come forward so that AGMA can work to resolve this issue on your behalf. You can report harassment in the following ways – depending on what is most comfortable for you:

- Speak to your union delegate.
- Contact your AGMA Staff Representative, Area Chair, or Business Representative.
- If you are unsure about how to reach these AGMA officials *or* if you would like to speak to someone in AGMA's National Office, call 212-265-3687.
- Use the confidential reporting tool described below.

Since 2015, AGMA has provided a confidential reporting tool to receive reports of sexual harassment and other forms of discrimination. We encourage members to report any allegation of discrimination, abuse or harassment in the workplace or in work-related activities. The advantage of using this reporting mechanism is that it allows AGMA to uncover patterns of misconduct at particular companies. And, although we ask members to provide their names in the report, AGMA will keep this information confidential to the fullest extent possible.

If you wish to file a report of discrimination, abuse or harassment using this reporting system, please send an email to [reporting@musicalartists.org](mailto:reporting@musicalartists.org). Please try to include as much of the following information as possible:

- Name and position of person making the report;
- Name of the employer, person/position of individual accused of misconduct;
- Working relationship of the member to the accused;
- Name, position and contact information of any witnesses to the misconduct; and
- Description of the misconduct.

If you do not feel comfortable providing some of the information listed above, at a minimum you must provide your contact information so that a highly trained AGMA staff attorney can reach out to you to discuss your report.

## RESOURCES FOR MEMBERS NAVIGATING SEXUAL AND OTHER FORMS OF HARASSMENT

Working with nationally recognized experts, AGMA has developed expertise and resources to help members who need assistance at work, information, treatment, counseling, or legal advice. Some of these include:

- Representing members with complaints during an employer's investigation;
- Referring members to counselling and other supports provided by The Actors Fund;



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- Referring members to the appropriate governmental agencies and legal experts;
- Hosting safe and confidential sexual harassment support groups for members;
- Ensuring that members accused of misconduct are afforded due process including, where appropriate, representation in the grievance and arbitration process.

All AGMA Staff, including its Counsels, Executives and Business Representatives, receive training on the legal and contractual prohibitions against sexual harassment. We stand with and support our courageous members who have come forward as part of #MeToo. By encouraging our members to speak out, as well as by providing representation, counseling and support, we will continue to help create a culture where our members can rehearse and perform in an environment free of harassment and discrimination. AGMA's highly trained staff can only assist you if they know a problem exists. We rely upon our members coming forward to report harassment and discrimination, so that AGMA is in the best position to help tackle these issues in your workplace.

## NEGOTIATIONS WITH EMPLOYERS

AGMA is negotiating meaningful harassment prevention provisions in all of our collective bargaining agreements. These provisions require our signatory companies to deal proactively with harassment in the workplace and to establish policies and practices that, at a minimum, comply with local, state, and federal law.

We also have been attempting to negotiate contract language that allows AGMA to play a more active role in preventing and addressing harassment. We are seeking to strengthen employer harassment policies and ensure meaningful harassment prevention training. We have amended our Guest Artist Agreement to require companies to provide Artists with the companies' harassment prevention policies, including specific instructions for reporting harassment and discrimination. Additionally, where appropriate, we have asked our employers to engage experts to assess the workplace culture in order to root out systemic harassment and discrimination.

The health and safety of AGMA members is of paramount importance. AGMA recognizes that these situations present difficult challenges for our members and for our organization. Nevertheless, we believe that acknowledging and confronting issues of sexual harassment in the workplace is the only way we overcome these toxic aspects of our industry and bring around meaningful cultural change. We welcome and indeed need your participation in this endeavor to create and maintain workplaces free of harassment and discrimination.