



## StageQ Anti-Harassment Policy (Updated January 2021)

*Please read thoroughly as an acknowledgement and agreement of the policies set forth. Sign, date, and return the attached last page to your producer. Please keep the policy portion for your reference throughout your time with your production.*

### **Purpose<sup>1</sup>**

Arts environments require risk-taking, courage, vulnerability, and investment of our physical, emotional, and intellectual selves. We seek to nurture spaces with strong practices that support that ethos without compromising a visceral and authentic experience for artists and audiences.

When creative environments are unsafe, both the artist and the art can become compromised. Spaces that prize “raw,” “violent,” and otherwise high-risk material can veer into unsafe territory if there are no procedures for prevention, communication, and when necessary, response. Too often, artists have been afraid to respond to abusive or unsafe practices, particularly where there is a power differential between the people involved. Artists have been afraid that speaking out will ruin a show or harm their reputations, and artists subjected to extreme abuse sometimes leave the craft, cutting their careers short. We believe that even in the absence of high-risk material, having pathways for response to unsafe conditions and harassment help to maintain the integrity of the work, its participants, and the organizations.

This document seeks to create awareness of and systems that respect and protect the human in the art in order to foster safe places to do dangerous things. It is meant to be flexible and to accommodate as many types and styles of theatre, organizations of diverse structures, budgets, and environments as possible. The Wisconsin Equal Rights Division (ERD) and the Equal Employment Opportunity Commission (EEOC) are responsible for enforcing anti-discrimination laws, these laws reach only to “employment” situations, and not to the volunteer work. Certain kinds of conduct can be harmful even though they are not technically unlawful. We seek to foster awareness of what artists should expect, and what companies can strive to provide in their spaces.

StageQ, as an institution, and each of its creative and administrative board members, cast members, producers, and directors, are seriously committed to maintaining a safe and supportive environment where creativity can flourish. StageQ’s mission is to celebrate and advance queer representation through theater written by and about LGBTQ+ persons. In order to accomplish this we must be dedicated to creating an atmosphere that is safe and welcoming to all who desire to join our family of artists.

The StageQ 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. StageQ is committed to providing an environment free of discrimination and harassment of any kind, 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; therefore such behavior will not be tolerated, condoned, or ignored at StageQ. If a claim of harassment or discrimination is proven, disciplinary measures will be applied, up to and including termination of the relationship between the individual and StageQ, removal from projects, or serving as a member of the board or on board committees.

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<sup>1</sup> Portions of this document were borrowed from a December 2017 document entitled “Chicago Theatre Standards,” issued by a cooperative group of 20 Chicago theatre groups.

## **Prohibited Conduct Under This Policy**

StageQ, 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*

StageQ is an Equal Opportunity Employer committed to a policy of equal opportunity for all employees, volunteers, and applicants. StageQ is also committed to maintaining an environment in which everyone is treated with respect and dignity. It is our policy to seek the most qualified personnel for employment and volunteer opportunities, benefits or privileges. It is a violation of our policy to create discriminatory work conditions or to use discriminatory evaluative standards in employment or volunteer work if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, ancestry, age, religion, disability, gender, sexual orientation, gender identity, arrest record, conviction record, military status, genetic information, or marital status.

Discrimination may also be prohibited by a variety of federal, state, and local laws, including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1975, the Americans with Disabilities Act of 1990, the Wisconsin Fair Employment Law or any other discriminatory basis prohibited by applicable local, state, and federal law.

### *Harassment*

StageQ 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 StageQ. Verbal taunting (including racial and ethnic slurs) that, in the employee's or volunteer's opinion, impairs the ability to perform the 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, ancestry, 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, ancestry, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, gender identity, marital status, arrest record, conviction record, or other protected status.

### *Names/Pronouns*

All StageQ Volunteers have the right to be addressed by their stated name and pronouns. A court-ordered name or gender change is not required. The intentional or persistent refusal to respect a fellow volunteer's gender identity (for example, intentionally referring to the volunteer by a name or pronoun that does not correspond to the volunteer's gender identity) can constitute harassment and is a violation of this policy. If you are unsure what pronoun a fellow volunteer might prefer, you can politely ask your fellow volunteer how they would like to be addressed.

StageQ is committed to creating a safe environment for transgender and gender non-conforming volunteers. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention.

### *Sexual Harassment*

Sexual harassment is a form of unlawful discrimination under Title VII of the Civil Rights Act of 1964 and the Wisconsin Fair Employment Law and is prohibited under StageQ'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 the actor goes on a date with him; a producer threatening not to hire a member of the production team if that candidate 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 language of a sexual nature, unwelcome sexual materials, or even unwelcome physical contact as a regular part of the 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 the employment, volunteer work, or casting.
- Is used as a basis for an employment, volunteer hire, or casting decision.
- Unreasonably interferes with 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 innuendos, 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 prohibited 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, fondling, and forced sexual intercourse or assault. Courteous, mutually respectful, pleasant, non-coercive interactions between members of a cast, directing, or production team that are appropriate in the theatre context and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

### *Sexual Harassment in a Theatrical Workplace*

In a theatrical context, harassment can also be defined as one or a series of comments or conduct of a gender-related or sexual nature outside the boundaries of consent or production content, which is known or reasonably ought to be known to be unwelcome/unwanted, offensive, intimidating, hostile, or inappropriate. It is worth noting that the higher the emotional/sexual risk a production asks of its artists, the greater the diligence of each member of production and artistic staff is needed to foster an environment of emotional and physical safety.

Sexual harassment in a theatrical context includes but is not limited to:

- Attempting to engage in sexual behaviors offstage that are choreographed for the stage;
- Suggesting an actor who appears naked onstage or in rehearsal is not allowed physical boundaries and/or privacy backstage or in the dressing room and/or not respecting those boundaries;
- Intentional failure to observe the dressing room standards laid out in this document;
- Inviting an actor to rehearse sexual content outside of scheduled rehearsals;
- Repeated invitation/suggestion to take relationships of a sexual nature beyond the stage;
- Using the text of a production that is sexual, violent, threatening, or offensive in offstage discourse;
- Improvising sexual content without express consent.

### *Retaliation*

No hardship, loss, benefit, or penalty may be imposed on any person 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 or volunteer status.

## **Specific Considerations for Theatre**

### *Violence*

Onstage violence can be a shove, a slap, the use of weapons, elaborate fight sequences, sexual violence and more. We believe that performers should not routinely incur pain, bruises, or other injury while enacting violence. Our intention is to prepare for and mitigate the risks of onstage violence to create a safe space in which to take artistic risks.

### *Sexual Content and Nudity*

Sexual Content and Nudity (SC/N) require careful consideration as early as the season selection process. Artists in scenes with SC/N take great personal risk, and our goal is to allow them to take that risk in an environment that is as safe, supportive, and comfortable as possible. SC/N should only be included in a production when it can be done responsibly.

- When sexual choreography is required, prospective participants can be auditioned using nonsexual choreography to determine physical control. Audition announcements should make clear which roles involve this content and audition forms should include language similar to: "Please read the script closely and confirm that you are comfortable working with this material. Feel welcome to bring questions about content to the audition process. Your level of comfort with the content of this script will not impact your casting consideration for future productions."
- Discussions around sensitive requirements and how they will be handled should begin during pre-production meetings.
- All participants in scenes requiring SC/N have the right to request an Intimacy Coordinator be hired for the production.
- Producers and Directors will carefully consider designing intimate moments with intention and appropriate consideration during pre-production as well as during the rehearsal and run
- The producer should standardize communication and protocols with directors and actors requiring SC/N.
- Actors, directors, intimacy coordinators, and choreographers should have equal status in devising SC/N scenes and a time limit for rehearsing SC/N should be established and communicated.
- Backstage areas and dressing rooms should provide reasonable accommodations for modesty/privacy. Robes should be provided and regularly laundered for all actors who will appear nude.

### *Dressing Rooms*

Performers need time and space to prepare for their performance. The space provided for this preparation should be safe, respectful, and wherever possible, private. Even in the tiniest of spaces, privacy and concentration are important when preparing for performance. We will endeavor to create a dressing room environment where all inhabitants recognize these values and participate in fostering a safe place for artists to prepare.

- Children under the age of 18 should be given private dressing room accommodations whenever

possible.

- Reasonable accommodations should be made to respect individual modesty, and designated space should be provided for participants to change clothes and prepare for their performance. This space will be referred to as a dressing room, even if it's not an entire room.
- Non-actors (with the exception of the SM and wardrobe staff) should not be allowed in the dressing room during the time between 30 minutes before the performance begins and 30 minutes after the performance ends. In the event that is not possible, communication between the dressing room inhabitants and those who need to pass through is encouraged to establish the least intrusive way to share the space.

## **Complaint Process**

StageQ will treat any person who invokes this complaint procedure courteously, and the company will handle all complaints swiftly and confidentially to the extent possible, considering the need to take appropriate corrective action. Lodging a bona fide complaint will not be used against a 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, and members are strongly encouraged 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 (CRP - Concern Resolution Path)**

### *The Goal*

The goal of the CRP is to provide a documented communication pathway to address issues in a production or within an organization. The CRP seeks to inform participants what to do and who to contact with serious issues, and to dispel the fear of reprisal for reporting issues of safety, harassment, or other serious concerns.

### *The Standard*

This Concern Resolution Path will be printed and distributed to all participants and discussed on the first day of rehearsal. It should be clearly communicated that the producer seeks to resolve concerns early, before participants or the production are put at risk and before the concern escalates.

### *What is a Concern Resolution Path?*

The CRP provides names and contact information for members of the organization and production who have agreed to be responsive to reported issues and work to resolve them.

## *Structure*

- Level One - We recognize that many concerns can be resolved through conversation with the parties involved. Whenever possible participants should be encouraged to discuss challenges and concerns with one another. Sharing and hearing concerns with openness and respect can prevent situations from escalating further.
- Level Two – The following participants should be granted a certain level of authority and trust to determine whether a concern can be resolved at this level or if it needs to be sent to the next level. All concerns should be reported to Level Three, even if no action is required.
  - Stage Managers, Producers, Directors, and Actor Deputies (if applicable)<sup>2</sup>
- Level Three—If the issue isn't resolved using levels one or two, or the concerned party feels it appropriate, the following are capable of resolving issues that have not been resolved prior to reaching this stage. They are strongly advised to consult with each other and review legal or other implications of any decision.
  - Officers of Board of Directors, Managing or Executive Directors, and At-Large Board Members
- Level Four—If the individual feels uncomfortable talking to the Company, the individual may contact QTI, the designated consultant with whom StageQ and the Bartell have a contractual relationship, to lodge such a complaint.

## *Communication*

- The CRP will be verbally explained and provided in writing at the first rehearsal (digitally and/or in print). It includes the name, title, and contact information for every individual within and outside the production and company able to investigate complaints.
- A copy of the CRP will be posted or otherwise available in the rehearsal and performance spaces as well as online.
- Everyone volunteering will complete the signature page, acknowledging that they have been informed of these policies and principles.

## *Roles and Responsibilities*

All persons involved in the StageQ and its respective business and productions are expected to uphold and abide by this policy, by refraining from any form of harassment or discrimination, and by cooperating fully in the investigation of any complaint. Board Members, directors, and producers have the additional responsibility to act immediately on observations or allegations of harassment or discrimination. Board Members, directors, and producers are responsible for creating and maintaining a harassment- and discrimination-free organization, and should address potential problems before they become serious. Producers are also required to update the Concern Resolution Path portion of the policy to ensure up-to- date information for cast and crews. Producers will be required to pass this policy out physically at the first day or rehearsal or the first day someone signs up to work on a production and have the signature page returned to them. All signature pages will be required to be given to the StageQ Board Secretary who will have the

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<sup>2</sup> An actor, chosen by a majority of the cast, who can serve as a liaison between the rest of the cast and the production team. This <sup>2</sup>is an optional role productions might consider having. It can be especially useful with larger casts or ensembles.

responsibility of keeping order of all signed policies.

## Volunteer Signature Page

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*Please sign and date this page and return it to your stage manager or producer. This page will be kept on file with StageQ's Board Secretary. Please keep the policy and Concern Resolution Path for your own reference.*

I have read the StageQ Anti-Harassment Policy and understand my role and responsibilities. I have disclosed any personal prior history to producers or company leadership that I feel may affect my ability to volunteer with StageQ based on this policy. I understand all persons present in StageQ 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 complaint.

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Print Name (Volunteer or their legal guardian)

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Signature (Volunteer or their legal guardian)

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Date