



PROMOTING SAFE, EQUITABLE, AND HARASSMENT-FREE WORKPLACES
Sample Workplace Conduct Policy for the Entertainment Industry
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A NOTE FROM THE HOLLYWOOD COMMISSION

We've developed this sample policy to promote safe, equitable, and harassment-free workplaces. It affirms the entertainment industry's commitment to providing respectful and inclusive workplaces. Changing the culture isn't just about what employers can do. It's also about workers having a shared expectation of what structures should be and are in place to prevent discrimination, harassment, and other inappropriate conduct.

Systems to address discrimination and harassment

A policy is only one element of an overall program to address harassment and discrimination. It must also be communicated, supported, understood, and enforced. The Hollywood Commission and its Partner Organizations support the industry-wide adoption of systems to address harassment and discrimination that include, at a minimum:

- Policies and procedures to address and investigate harassment and discrimination
- Training and education on policies and procedures to address and investigate harassment and discrimination
- Mechanisms to report concerns about harassment and discrimination, confidentially and/or anonymously
- Mechanisms to resolve concerns about harassment and discrimination
- Protections from retaliation or reprisal for those individuals who allege violations or who participate in the investigation of any alleged violations.

Before implementing or using this policy, employers should review the accompanying Field Manual and consult with counsel.

Implementation and use

This sample policy is intended to assist U.S.-based entertainment industry employers and unions in protecting thousands of workers in film and television, commercials, live theater and music from misconduct, particularly those who don't have a policy, are seeking to strengthen their policy or are revising their policy. This template will help workplaces to go beyond the legal requirements and create policies and procedures to:

- 1) Strengthen established internal policies
- 2) Educate and empower all persons involved in a project
- 3) Prevent harassment, discrimination, and bullying
- 4) Identify and promptly and effectively address harassment, discrimination, and bullying if it does occur – no matter the employment status or seniority of the person(s) involved
- 5) Stop retaliation against anyone who raises an issue or who participates in an investigation in good faith.

This sample will need to be made specific to your production.

Each production is unique in its values how it operates. This sample is generic. Therefore, this sample policy will require changes to align specifically to your production.

- The sample policy references the “COMPANY/PRODUCTION” generally and needs to be revised to include your company’s name and logo.
- The sample references departments (e.g., Legal, Human Resources, Employee Relations, Ethics & Compliance), position titles, or program (e.g., hotlines, online anonymous reporting sites, case management program) that may not exist or may be called something different at your company. Replace these terms with the departments, position titles or programs that are used by your company.

Legal status

The policy is a sample only and is presented in general terms so it can be applied across a range of organizations. It is not legal advice. It may not take into account all relevant local, state or federal law. Compliance with and use of the sample policy is not mandatory for any organization, including for Hollywood Commission Partner Organizations. The policy is not and does not seek to be a binding legal document and the language does not constitute a binding agreement or create any rights of enforcement. Further, nothing in this sample policy negates nor expands an employer’s obligations under any relevant federal, state, or local law. Organizations should confirm the legal requirements that apply to their organization and seek legal advice – including what should be done if there is a claim or threatened claim that must be investigated or litigated. We strongly encourage employers to thoughtfully and carefully tailor their workplace policies and procedures to individual circumstances.

The Hollywood Commission strongly recommends adopting a policy to encourage safe, collaborative, creative, and positive workplaces which are free from harassment and discrimination. The policy represents a commitment by industry leaders and stakeholders to shift the culture, including preventing harassment and discrimination before it occurs and, when it does occur, to respond promptly to address and remedy concerns.

Sincerely,

The Hollywood Commission

This sample is meant to provide general guidelines and is not a legal document. It may not take into account all relevant local, state or federal laws. Organizations should seek legal guidance and confirm applicable legal requirements.

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Culture starts with shared values. We put a premium on respect, human dignity and inclusion and take responsibility for our actions.

Respect

- Encourage everyone to appropriately express opinions and ideas, regardless of their role.
- Listen to what others have to say, question your own assumptions, and consider different perspectives.
- Consider the effect of your words and actions on others.
- Be aware of workplace power and privilege differentials.
- Don't misuse power by controlling, coercing, or exploiting.

Inclusion & Equity

- Help new perspectives be heard.
- Draw on differences among who we are, what we've experienced, and how we think.
- Reaffirm that everyone will receive an equal opportunity to succeed.
- Ensure all workers – regardless of position, place, or background – feel confident and comfortable in thoughtfully voicing their opinions and concerns without fear of humiliation, persecution, or retaliation.
- Work to eliminate individual and institutional biases, prejudices, and discriminatory practices.

Accountability

- Embrace individual responsibility for achieving a safe workplace.
- Share concerns if someone isn't being treated with respect.
- Take responsibility for outcomes.
- Encourage others to do the same.

COMPANY/PRODUCTION is committed to a work environment free of discrimination, harassment and retaliation. But beyond this basic legal requirement, our standards encourage everyone to own the responsibility for making this a safe place to work.

“Production staff” refers to staff (e.g., producers, production managers, line producers, directors, writers, office staff, studio employees), cast, crew, applicants, interns, contractors and any person affiliated in any way with a **COMPANY/PRODUCTION** project while in the workplace.

1. Every person in the workplace deserves respect

Company protects everyone in the workplace from misconduct. This includes both production staff and third parties (like financiers, guests or vendors).

2. We’re committed to treating everyone fairly and equitably

Company provides equal opportunities for employment to all production staff and applicants. We base decisions on legitimate criteria like merit, skills and experience. We don’t discriminate based on protected characteristics.

3. We don’t tolerate intimidating, humiliating or offensive conduct

All of us have the right to do our jobs without being bullied, demoralized or humiliated. We don’t hire tokens. Screaming at someone that they’re “too stupid to operate a dolly” isn’t constructive. No one should be called derogatory names like “sissy” or a “cynical bitch”. Using “#metoo” as a punchline is offensive. And no one wants a massage they didn’t ask for.

4. The creative process isn’t an excuse to behave badly

Company’s work sometimes requires materials and discussions that might otherwise violate our policy. This is allowed only if demonstrably related to the creative process, but this exception is strictly limited. Discussions or materials should never be directed at a person or group because of personal characteristic. We don’t marginalize anyone based on disability, natural hair, religion or another protected characteristic. Descriptions of sex should only take place if they are relevant to the story.

5. Ask questions, speak up and report concerns

If something happens and you’re comfortable doing so, say something. We encourage anyone who has experienced or witnessed conduct they believe violates policy to report. Talk to a supervisor/production leader, production HR, or file a report online: < [REDACTED] >. Production leaders must immediately report conduct or complaints that may violate policy.

6. We will respond to inappropriate conduct in a timely and fair manner

We may conduct individual interviews with the parties involved and, where necessary, with others who may have seen or heard the alleged conduct or have other relevant information. We cannot promise complete confidentiality, but will discuss concerns only with those who need to know. If we find conduct violates our policy we will take appropriate steps to stop it and stop it from reoccurring.

7. Discipline depends on the offense

We will implement discipline for misconduct that violates our policy, even if the violation does not rise to the level of unlawful conduct. Discipline will depend on the severity of the offense, may take disciplinary history into account, and can range from a warning to termination of employment or a contract.

8. We prohibit retaliation

We don’t tolerate retaliation against anyone who reports, resists or speaks out about inappropriate conduct. Anyone who knows about retaliation, by anyone, is encouraged to let us know immediately.

9. Complaints can be filed outside of Company

Discrimination and harassment based on a protected characteristic and retaliation may also be unlawful under applicable local, state, or federal law. Those who want to file with these agencies should contact them directly for information about their processes and time limits. A civil action may also be filed. See Legal Protections & External Remedies to learn more.

10. These standards extend to work-related settings, 24/7

Keep in mind that our policy extends to conduct sufficiently connected to or impacting our work. This can occur off set or outside regular work hours. This can include an audition, wardrobe or make-up spaces, virtual meetings, texts and social media, wrap parties, industry festivals and premieres. Alcohol won’t excuse bad behavior.

For additional information, refer to our full policy. Production staff in New York should also refer to the New York Supplement to this policy. Production staff in Illinois should also refer to the Illinois Supplement to this policy.

3 THINGS TO KNOW

We prohibit all inappropriate conduct:

#1 - Even if it isn't against the law

It may not be against the law to be a jerk. But it is against our policy. One sexually explicit joke would likely violate our policy even if it would not serve as the sole basis for a sexual harassment lawsuit. Company's test isn't, "what's legal?" Rather, our test is, "what's appropriate"?

#2 – Whether it appears to be welcome or not

Even if someone doesn't object to inappropriate behavior in the workplace, it doesn't necessarily mean it's welcome. People frequently "go along to get along" – particularly if they have less power than the harasser.

#3 – Even if ...

- It only happens once
- The person didn't mean to offend anyone
- Some people weren't offended
- The behavior was previously okay in the workplace.

*By signing this policy, you acknowledge that you are aware of your responsibilities while working **ON THIS PRODUCTION/AT COMPANY**, including in social settings and on social media.*

Print Name

Date

Signature

PROHIBITED CONDUCT / DEFINITIONS & EXAMPLES

It isn't possible to list every type of inappropriate behavior. Common sense is the best guide. But staff should be aware that we prohibit the following conduct – whether or not it's against the law:

- Discrimination, harassment and retaliation
- Abusive conduct (bullying)
- Threatening to or asking, advocating for or encouraging others to engage in prohibited conduct
- Failing to cooperate in an investigation
- Otherwise violating any **COMPANY/PRODUCTION** policy, including this conduct policy.

DISCRIMINATION

Treating someone unfairly or less favorably because of protected characteristics like age, race or sex.

It may also be unlawful under federal, state and, where applicable, local law to discriminate in employment because of protected characteristics which may include:

- an individual's age (40 and over)
- ancestry
- citizenship or immigration status
- color
- denial of family and medical care leave
- gender, gender expression, and gender identity; genetic information
- marital status
- medical condition (including cancer and genetic characteristics);
- mental or physical disability (or need for accommodation) (including HIV and AIDS)
- military or veteran status
- national origin (including language use restrictions)
- race (which may include traits historically associated with race, including hair texture and protective hairstyles, such as braids, locks, and twists)
- religion or religious creed
- sex or gender (including pregnancy, childbirth, breastfeeding and medical conditions relating to pregnancy, childbirth, or breastfeeding)
- sexual orientation
- any other basis protected by law.

Company recognizes and supports the obligation to reasonably accommodate employees with disabilities or religious beliefs or practices to allow those employees to perform the essential functions of their jobs. If an employee believes they need a reasonable accommodation based on disability or a religious belief or practice, the employee should discuss the matter with their supervisor or the human resources unit.

Examples

Depending on the circumstances the following may constitute discrimination:

- Refusing to hold auditions in a wheelchair-accessible building
- Refusing to hire writers over the age of 40
- Limiting opportunities to work on certain assignments because of, e.g., pregnancy.

HARASSMENT

Harassment is offensive, humiliating, or intimidating conduct based on protected characteristics.

Examples

Depending on the circumstances the following conduct may be harassment, including for observers:

- “You have a nice complexion, not too dark”; “He’s so bipolar” (offensive remarks about skin color, natural hair, age, mental or physical disability or any protected characteristic)
- Touching someone’s hair, unrelated to a legitimate work purpose
- “You’re pretty good for an Arab. I’m just kidding” (inappropriate jokes or teasing)
- “I didn’t know you were Black. You don’t sound like it.” (negative stereotyping).

Sexual harassment

Sexual harassment is a type of harassment that is gender-based or sexual in nature. **Gender-based harassment** conveys hostility, objectification, exclusion, or second-class status about members of a gender identity including offensive remarks about an individual’s dress, body or appearance, or an individual’s sex or gender identity). **Conduct of a sexual nature** is a form of predatory sexual behavior, including unwanted sexual advances, requests for sexual favors, inappropriate use of sexual images in work areas, repeatedly sending sexually offensive texts or emails. It includes sexual assault which is also a crime.

Hostile work environment

Conduct that unreasonably interferes with an individual’s work performance and/or creates an intimidating, hostile, or otherwise offensive work environment, even for an observer.

Quid pro quo (“this for that”)

When a person offers or hints they’ll trade something for a sexual request or takes a negative action against someone for rejecting a sexual request.

Examples

Sexual harassment may include actions described above as harassment. In addition, depending on the circumstances the following conduct may be sexual harassment, including for observers:

- “We should make sure the PAs are hotter” (off-color comments)
- Calling a female producer a “bitch” (gender-specific slurs)
- Telling a male grip he’s “such a pussy” or “sissy” (belittling and sex stereotyping)
- Repeated requests for dates, despite rejection
- Blocking someone’s exit from a wardrobe trailer
- Deliberately groping an acting partner’s buttocks when the scene and blocking call only for kissing
- Lingering hugs, hugs from behind, massages or shoulder rubs, caressing or poking or other conduct of a sexual nature.

Harassment, including sexual harassment, is unlawful when it is motivated by the target’s legally protected characteristic. Harassment must meet certain legal standards to be unlawful – e.g., enduring the offensive conduct becomes a condition of continued employment or the conduct is severe or pervasive. However, Company’s policy includes behavior that is obviously illegal as well as other actions that are offensive, even if not rising to the level of severe or pervasive. Company’s test isn’t: “what’s legal?” Rather, our test is: “what’s appropriate”?

ABUSIVE CONDUCT (BULLYING)

Abusive conduct, often called “bullying,” is a pattern of conduct that a reasonable person would find hostile, offensive, or humiliating. It can include threats and intimidation, intentional targeted isolation or intentional interference with the ability to get work done.

Bullying involves persistent cruelty and condescension directed at an individual. A single act generally isn’t bullying unless especially severe or egregious. It does not include legitimate, respectful feedback or advice intended to improve work performance. Conduct may not rise to the level of bullying if it is merely rude (inadvertently saying or doing something hurtful), mean (purposefully saying or doing something hurtful, but not as part of a pattern of behavior), or arising from conflict between people with incompatible views and/or positions.

Bullying need not be connected to a protected characteristic and may not be unlawful.

Examples

The following conduct, depending on the circumstances, may be abusive if repeated or especially severe:

- Personal attacks (“you’re too stupid to operate a dolly”)
- Ridiculing a crew member in front of others (calling ideas “ridiculous” and work “amateur”)
- Intentionally excluding someone from a relevant meeting
- Screaming, swearing, and throwing tantrums (“You must want me pissed off! Do you want me to lose control like this?!?”)
- Kicking a chair or throwing paper weights.

RETALIATION

It is unlawful to take adverse employment action because someone reported or assisted in reporting suspected policy violations or cooperated in an investigation.

A retaliatory action could be any action that negatively affects employment or could reasonably discourage someone from coming forward to make or support an alleged policy violation.

Examples

Examples of retaliation under this policy include but are not limited to:

- Replacing or terminating at the end of a season; reducing pay, demoting or suspending
- Threatening to deny employment (“if you pick up the phone, you’re dead in this town”)
- recommending a producer not to hire someone who reported misconduct because “they are difficult” or “make trouble”
- Making physical threats.

PERSONAL RELATIONSHIPS

There are risks in any romantic or sexual relationship between individuals in unequal positions (such as a UPM and crew member who reports to them). These relationships may be misconstrued by others or be less consensual than perceived by the individual whose position confers power.

To avoid accusations of favoritism, abuse of authority, or sexual harassment, we

- Prohibit production supervisors from beginning a personal relationship with their team members or those who report to their team members (directly or indirectly) during the working relationship.
- Require production staff to report to Employee Relations when they are in a direct or indirect reporting relationship with someone they have a personal relationship with.

Employee Relations will review the situation to ensure fairness and mitigate the appearance of favoritism. Employee Relations may create a new reporting relationship for performance reviews and compensation for relationships between an employee and a member of their staff (an employee who reports directly or indirectly to them), or if one of the parties is in a supervisory capacity in the same department in which the other party works. Human Resources will monitor the situation on an ongoing basis to assess for general comfort.

Subordinates will not face demotion, victimization or loss of benefits. Supervisors may receive a reprimand depending on the circumstances. We may terminate those who repeatedly disregard this restriction. This prohibition does not apply to relationships that predate the working relationship with Company. Failure to make the personal relationship known to Employee Relations is a separate and independent violation of this policy and is grounds for disciplinary action.

REPORTING CONCERNS

Anyone who experiences or witnesses behavior that they believe violates policy is encouraged to tell the offending individual that the behavior is inappropriate and, if they feel comfortable doing so, to tell them to stop.

We also encourage any worker to report a concern if they believe there has been a policy violation. There is no requirement to be certain that a legal or policy violation has occurred, that it be “serious enough,” or that the conduct is against the law to raise a concern. Early reporting and intervention can often resolve concerns and prevent additional incidents.

There are several options. We encourage people to use the one that’s most comfortable.

1. Tell your UPM, department head, immediate supervisor, or Employee Relations. You do not need to report directly to your immediate supervisor.
2. Use our written complaint form (attached).
3. By phone: _____.
4. Online: _____.

Key Considerations

Anonymous reports

Company accepts anonymous reports. “Anonymous” means that the identity of the reporter is unknown to Company. We will investigate anonymous complaints to the extent possible. However, anonymous notice may limit our ability to investigate, respond, and provide remedies, depending on what information is shared. For more information, see Understanding Anonymity and Confidentiality.

Confidentiality

“Need to know” is the standard we use when a complaint is raised. It means no information will be shared that does not need to be shared for the purpose of conducting a thorough investigation or implementing discipline. To investigate, it’s likely people will know or assume details about the concerns, including the identity of the person who was the subject of the conduct. While not needing to know the substance of the conduct physical production may need to be aware of the outcome to implement discipline. The complaint and investigation will be handled with sensitivity throughout the investigatory process. For more information, see Understanding Anonymity and Confidentiality.

Questions about reporting or our process?

If you want to ask questions or discuss an issue before reporting, we encourage you to ask us by using the following anonymous resource: _____.

Unit production managers, department heads, and other supervisors

Supervisors or managers who learn of any potential violation of this policy are required to immediately report the matter to Employee Relations, who will advise on next steps. Failure of a supervisor to report to Employee Relations is a separate violation of our policy.

INVESTIGATION & RESOLUTION

We will decide the appropriate process based on the nature and type of complaint; the best course of action in any case will depend on many factors and, therefore, our procedures will remain flexible.

Investigation Process

When we learn of a possible policy violation, we will look into the facts and circumstances promptly. This may include an investigation by a qualified, impartial investigator. Even in the absence of a formal complaint, we may initiate an investigation if we have reason to believe that conduct that violates this policy has occurred. If an affected party requests that we not conduct an investigation, we may be required to investigate to make sure we meet our legal obligations to provide a workplace free from discrimination, harassment, and retaliation.

While the process may vary from case to case, investigations will be timely, conducted by qualified, impartial investigators, and may include the following steps:

- Collecting, preserving, and reviewing documents, emails, phone records, text messages or other evidence relevant to the investigation.
- Individually interviewing the parties and relevant witnesses. We may require production staff to cooperate fully with our investigation.
- As appropriate, notifying the individual who was the subject of the conduct and the individual(s) about whom the complaint was made of the final determination and implement any disciplinary actions.

Temporary measures

It may be necessary to suspend or reassign staff or put limits in place while we complete an investigation. For example, we may instruct parties not to communicate with one another. We may put temporary measures in place (1) to allow the investigation to proceed without disrupting evidence or (2) to preserve a safe, orderly, and professional work environment. Temporary measures are available throughout our investigation.

Criminal conduct

Some conduct may also be criminal. Production staff convicted of a crime or subject to a disposition of a criminal proceeding may be subject to discipline or discharge, consistent with applicable law. If **COMPANY/PRODUCTION** learns that production staff has or may have committed a crime, we may report its concerns to the appropriate authorities. An internal investigation and disciplinary action may still occur even if authorities choose not to proceed.

No Retaliation

Retaliation against an individual for reporting harassment or discrimination or assisting in providing information relevant to a claim of harassment or discrimination is a violation of this policy and will be treated with the same strict discipline as will the harassment or discrimination itself. Good faith allegations are protected from retaliation even if the alleged underlying conduct doesn't turn out to violate the law or **COMPANY/PRODUCTION** policy.

Disciplinary Action

Effective action will be taken if **COMPANY/PRODUCTION** reasonably believes our policy has been violated. We recognize that people make mistakes. We want to give people a chance to correct their behavior when possible and assist them in the process. We also want to ensure that we thoroughly investigate and deal with serious offenses. Discipline may range from a warning to terminating employment or a business relationship. We will timely inform affected party and respondents of appropriate information related to the outcome of an investigation. We may consider prior relevant incidents and discipline.

False and Malicious Accusations

False and malicious complaints of harassment, discrimination, or other prohibited conduct are rare. They are different from complaints which are made in good faith but cannot be substantiated or represent a difference of opinion on what's appropriate conduct. A fabricated and malicious complaint will be the subject of appropriate disciplinary action.

UNDERSTANDING ANONYMITY & CONFIDENTIALITY

When you share information with **COMPANY/PRODUCTION** concerning a possible policy violation, we want you to understand how it will be used and what limits there might be on confidentiality.

Anonymity

We allow people to report anonymously.

- Anonymity means that your identity is unknown to us (an anonymous report).
- Anonymity does not mean that we protect the **information** you provide. When we receive an anonymous report, it means we don't know your **name** and therefore will not use it.

We investigate anonymous complaints, but the method and scope of the investigation will depend on the details provided. If the complaint is not sufficiently detailed the investigation may not be able to proceed in the same manner as other complaints.

Confidentiality

Confidentiality means your identity and the information you have shared will only be shared on a “need to know” basis. “Need to know” is the standard we use to conduct investigations into potential policy violations. This means that your identity and the information you provide or share may not be protected from some disclosure to conduct a thorough investigation, but will be used only if it needs to be and shared only with those with a legitimate business need to know.

It is important to understand that we cannot promise that information about the complaint will be kept secret and never be disclosed. For example, it may be necessary to disclose information obtained during an investigation to complete it and take appropriate action. It's also not possible to promise that the existence of a complaint will not be shared with anyone because:

1. If the complaint is about a potential violation of law or policy, we will need to investigate. It's likely that people will know or assume details about the allegations, including the identity of the affected individual.
2. The individual managing the complaint will usually consult with someone else at the company about what steps to take. That means the complaint will be discussed with others within the organization.
3. We may need to take disciplinary action. While the identity of the reporter may in some cases be kept confidential, the complaint itself cannot be.

If the reporter's identity is known to us, we won't identify that individual as the person who made the report, except as needed in the course of an investigation or as required by law. We will always make every effort to limit the information disclosed to the minimum necessary under the “need to know” standard.

We strongly encourage you to report inappropriate behavior so that we can address concerns, fix the problem and ensure a proper work environment. If you're concerned about confidentiality, you can speak with licensed professional counselors, rape crisis counselors, domestic violence organization counselor advocates, local or state assistance agencies or clergy/chaplains. These individuals and organizations will typically maintain confidentiality except in extreme cases of immediate threat or danger, or abuse of a minor. You should consult with the relevant individual or organization to understand their confidentiality policy.

LEGAL PROTECTIONS & EXTERNAL REMEDIES

Discrimination, harassment, sexual harassment and retaliation are not only prohibited by Company, but are also prohibited by state, federal, and, where applicable, local law.

In addition to reporting to Company, production staff and applicants may file formal complaints of discrimination, harassment, or retaliation with the relevant agencies listed below or in a lawsuit. Available remedies may include back pay, front pay, hiring/reinstatement, promotion, out-of-pocket expenses, policy changes, training, reasonable accommodation(s), damages for emotional distress, punitive damages, and attorney's fees and costs. There are specific requirements for a complaint to be accepted.

While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney. You may also choose to pursue independent civil claims for damages in court. Again, there are specific requirements for such claims.

Federal

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. §2000e et seq.). An individual can file a complaint with the EEOC anytime within 180 calendar days from the harassment, which is extended to 300 calendar days if a state or local agency enforces a law that also prohibits employment discrimination on the same basis.

There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

Contact the EEOC

The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669- 4000 (TTY: 1-800-669-6820), visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

California

Employees in California may contact the California Department of Fair Employment and Housing at 1-800-884-1684 or online at <http://www.dfeh.ca.gov>.

Georgia

Employees in Georgia may also contact the Georgia Commission on Equal Opportunity (GCEO) at 1-404-656-5458 or visit: <https://gceo.georgia.gov/>.

Illinois

Illinois Department of Human Rights (IDHR)

- Chicago: 1-312-814-6200 or 1-800-662-3942; TTY 1-866-740-3953
- Springfield: 1-217-785-5100; TTY 1-866-740-3953
- Marion: 1-618-993-7463; TTY 1-866-740-3953

Illinois Human Rights Commission (IHRC)

- Chicago: 1-312-814-6269; TTY 1-312-814-4760
- Springfield: 1-217-785-4350' TTY 1-217-557-1500

United States Equal Employment Opportunity Commission (EEOC)

- Chicago: 1-800-669-4000; TTY 1-800-869-8001

New York State

NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458
(718) 741-8400
www.dhr.ny.gov

For information about filing a complaint, contact DHR at:
(888) 392-3644
www.dhr.ny.gov/complaint.

Local New York Protections

Many New York localities enforce laws protecting individuals from sexual harassment and discrimination. Contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights.

Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml.

Contact the Local Police Department

If the conduct involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

New York Supplement

This document supplements the Company's Workplace Conduct Policy as it applies to production staff who work in New York State.

EQUAL EMPLOYMENT OPPORTUNITY

Reproductive Health Decision Making

The Company prohibits discrimination or retaliation against any production staff member with respect to compensation, terms, conditions or privileges of employment on the basis of their (or their dependent's) reproductive health decision making, including, but not limited to, a decision to use or access a particular drug, device or medical service. The Company will not access production staff's personal information regarding their (or their dependent's) reproductive health decision making, without the production staff member's prior informed affirmative written consent, nor will the Company require production staff to sign a waiver or other document purporting to deny them the right to make their own reproductive health care decisions. Production staff have the right to bring a civil action for violations of these legal rights, and a court may award damages (including back pay, benefits and reasonable attorneys' fees and costs), injunctive relief, reinstatement, and/ or liquidated damages equal to 100% of the damages award. Separate civil penalties also apply if Company is found to have engaged in retaliation.

PROHIBITION OF HARASSMENT

This document applies to employees, production staff, applicants, interns (paid or unpaid), contractors and persons conducting business with the Company, regardless of immigration status. Production staff in New York are expected to read and abide by the Company's Workplace Conduct policy, as well as the additional information contained in this supplement, which is specific to production staff in New York State.

The Company is committed to maintaining a workplace free from sexual harassment. All production staff have a legal right to such a workplace and can enforce this right by filing a complaint with the Company, with a government agency or in court under federal, state or local anti-discrimination laws.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment.
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Examples of sexual harassment

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
 - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body.
 - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
 - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments.
 - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
 - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job.
 - Sabotaging an individual's work.
 - Bullying, yelling, name-calling.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Reporting Sexual Harassment

Preventing sexual harassment is everyone's responsibility. The Company cannot prevent or remedy sexual harassment unless it knows about it. Anyone who has been subjected to behavior that may constitute sexual harassment or who witnesses or becomes aware of potential instances of sexual harassment is encouraged to report the behavior to a supervisor, department head, Unit Production Manager and/or Employee Relations partner, or the Company Guideline. Reports may be made verbally or in writing. An optional form for submitting a written complaint is attached at the end of this supplement.

When the Company receives a complaint about alleged sexual harassment, it will investigate the allegations by:

- Speaking with the complaining individual
- Speaking with the alleged harasser(s)
- Interviewing relevant witnesses
- Collecting and reviewing any relevant documents

The Company will document the findings of the investigation, along with any corrective actions taken, and will notify the complaining individual and the alleged harasser(s) of the final determination. Sexual harassment is a form of misconduct, and sanctions will be enforced against individuals who engage in harassment, or supervisory/managerial personnel who knowingly allow such behavior to continue.

Legal Protections and External Remedies

Sexual harassment is not only prohibited by the Company; it is also prohibited by state, federal and, where applicable, local law. Beyond the Company's internal complaint process, production staff may also choose to pursue legal remedies with the following governmental agencies.

New York State Division of Human Rights (DHR)

The New York Human Rights Law (HRL) (N.Y. Executive Law, art. 15, § 290 et seq.), applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the HRL may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the most recent incident of harassment. Individuals who do not file at DHR can sue directly in state court under the HRL within three years of the most recent incident of harassment. Individuals may not file with DHR if they have already filed a HRL complaint in state court. Complaining internally to the Company does not extend the time to file with DHR or in court. DHR has the power to award relief, which varies but may include requiring employers to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines. DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, 1-718-741-8400, www.dhr.ny.gov. For more information about filing a complaint, call DHR at 1-888-392-3644 or visit dhr.ny.gov/complaint. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (42 U.S.C. § 2000e et seq.). Complaints can be filed with the EEOC anytime within 300 days of the harassment. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief, but it may take other action, including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court. The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000, visiting their website at www.eeoc.gov or via email at info@eeoc.gov.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, individuals who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at 40 Rector Street, 10th Floor, New York, NY 10006; call 311 or 1-212-306-7450; or visit www.nyc.gov/html/cchr/html/home/home.shtml. If harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. In those circumstances, individuals may also choose to contact their local police department.

REPORTING FORM (SAMPLE)

If you're facing a life-threatening emergency, contact 9-1-1 immediately.

REPORTING OPTIONS

Company provides multiple reporting options. Any individual may report concerns:

- In person to _____
- By telephone _____
- Online _____
- In writing. If you wish to report your concerns in writing, please complete this form to the best of your ability and return it to: <_____> at <email address>.

Confidentiality

Company strives to maintain confidentiality to the extent permitted by law. Confidentiality is limited once we have been notified. Before sharing a concern, please be aware that Company is required by law to pursue certain issues whether the individual wants us to pursue the allegations or not. This includes sexual harassment.

BACKGROUND INFORMATION

Company encourages you to provide as much information as possible. All information you are able to provide assists Company in promptly and effectively responding to reported allegations. **You may report anonymously by omitting your identifying information.** However, remaining anonymous may limit <Company's> ability to investigate and/or respond to the information you provide.

- Your First and Last Name:
- Your Phone Number/Email Address:

INCIDENT REPORT

Please provide a detailed description of the incident below (i.e., who, what, where, when, why, and how).

Does this report involve allegations or concerns of child abuse or child sexual abuse?

Yes No

INVOLVED PARTIES

Please list the individuals involved, including (to the extent known):

- How the person is involved (i.e., witness, accused, subject of problematic behavior)
- First and Last Name
- Phone Number/Email address

SUPPORTING DOCUMENTS

You may attach any supporting documents you may have to your report.

SUBMIT YOUR REPORT

You may submit your report by <emailing it to _____> or <_____>

Illinois Supplement

DISABILITY ACCOMMODATION

This document supplements the Company's Disability Accommodation policy as it applies to production staff in the state of Illinois.

Production Staff Rights

Production staff who are pregnant, recovering from childbirth or have a condition related to pregnancy have the right to ask for a reasonable accommodation. This includes bathroom breaks, assistance with heavy lifting, a private space for expressing milk or time off to recover from their pregnancy. For more information regarding employee rights on Pregnancy in the Workplace, download the Illinois Department of Human Rights fact sheet at www.illinois.gov/dhr, or refer to the posted "Pregnancy Rights Notice."

PROHIBITION OF HARASSMENT

This document supplements the Company's Prohibition of Harassment policy as it applies to production staff in the state of Illinois.

Sexual Harassment under Illinois Law

The Company is committed to maintaining a workplace free from sexual harassment. The Illinois Human Rights Act defines sexual harassment as: Any unwelcome sexual advances, requests for sexual favors or any conduct of a sexual nature when: 1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. One example of sexual harassment is where a qualified person is denied employment opportunities and/or benefits or is terminated after rejecting a manager's sexual advances. Another example is when an individual is subjected to unwelcome sexual conduct.

Resolution Outside Company

Company has created a process to promptly, thoroughly and effectively respond to every complaint and incident so that problems can be identified and remedied internally. However, production staff also have the right to contact the Illinois Department of Human Rights (IDHR) or the U.S. Equal Employment Opportunity Commission (EEOC) about filing a formal complaint. An IDHR complaint must be filed within 300 days of the alleged incident(s) unless it is a continuing offense. A complaint with the EEOC also must be filed within 300 days. In addition, an appeal process is available through the Illinois Human Rights Commission (IHRC) after the IDHR has completed its investigation. Where an employer has an effective sexual harassment policy in place and the complaining individual fails to take advantage of that policy and allow the employer an opportunity to address the problem, the individual may, in certain cases, lose their right to further pursue their claim against the employer.

Administrative Contacts

Illinois Department of Human Rights (IDHR) • Chicago: 1-312-814-6200 or 1-800-662-3942; TTY 1-866-740-3953 • Springfield: 1-217-785-5100; TTY 1-866-740-3953 • Marion: 1-618-993-7463; TTY 1-866-740-3953

Illinois Human Rights Commission (IHRC) • Chicago: 1-312-814-6269; TTY 1-312-814-4760 • Springfield: 1-217-785-4350; TTY 1-217-557-1500 United States Equal Employment Opportunity Commission (EEOC) • Chicago: 1-800-669-4000; TTY 1-800-869-8001