

The Member Guide to Respectful Workplaces

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Don't wait to ask for help. Equity is here to support you.

If you have experienced or witnessed inappropriate behaviour in the workplace, speak to your engager or file a confidential report on Equity's website.

Respectful Workplaces

There are many types of inappropriate behaviour. When the term 'inappropriate behaviour' appears anywhere in this guide, it means any and all of the actions defined in [Equity's Bylaws](#).

Equity's goal is to ensure a workplace free from harm and all forms of inappropriate behaviour for our members and other collaborating artists. This guide will help you understand what makes a safe and respectful workplace, what can be done to promote a positive workplace and what you can do to address inappropriate behaviour should it occur.

We're all responsible for creating and maintaining a safe and respectful workplace – the engager, Equity, and you.

The Live Performance Industry

The emphasis on safe and respectful workplaces in the live performance industry has changed dramatically in the past few years. The introduction of new policies and codes of conduct, as well as increased global awareness, have had a profoundly positive impact on creating safe work environments.

Nevertheless, there are still some elements of live performance work that can make it vulnerable to inappropriate behaviour. Here are some things to consider:

You work everywhere

Everywhere you work or try to obtain work is considered your workplace. That includes the audition space, rehearsal space, theatre/venue, industry/ social events related to your engagement, and more. Virtual workplaces are still workplaces. All the same rules apply when you're online.

Additionally, most of your workplaces are short-term – which makes it even more important to find a quick and satisfactory resolution so that everyone feels safe, and the work can continue.

Requirements of the job

Physical contact, intimacy, and dealing with emotionally charged material may be part of the job. What's more, the live performance industry can often be collaborative in a way that further blurs the lines of traditional workplace behaviour. This makes establishing clear boundaries crucial. It's essential to respect the rights of everyone involved and maintain good communication while navigating the creative needs of a production.

It can be hard to speak up

A fear of reprisal can be just as debilitating as reprisal itself. Concerns about appearing to be "difficult" or "rocking the boat" can sometimes lead people to stay silent on issues of inappropriate behaviour. You're not alone in feeling this way. We want to support you in choosing the path that feels safest and most empowering.

Inappropriate behaviour on social media can potentially create a hostile environment elsewhere, including in the workplace. Equity's Respectful Workplace Policy applies to social media too!

Responsibilities

Who is responsible for creating and maintaining a safe and respectful workplace? We all are.

We're all responsible because we're all affected – the engager, venue staff, production crew, Equity, the other artists working on the project, and you.

Despite the uniqueness of our industry in some respects, it's always worth remembering that **every workplace** is subject to anti-harassment legislation and workplace safety labour laws, in all [provinces and territories](#).

Remember: Both the Equity Liaison and the stage manager can be great resources for advice, but neither should ever be expected to **resolve** an issue of inappropriate behaviour in the workplace.

Engager's Responsibilities

First and foremost, it is the engager's responsibility to create a harassment-free environment for all workers. This includes all engagers, from a large company to someone putting on their own show. It is their obligation under **both** provincial law as well as Equity's collective agreements and engagement policies.

It is also the engager's responsibility to provide information to ensure everyone is aware of their commitment to a safe workplace, how they intend to achieve that, and what steps may be taken to address issues should they arise. It's important that the engager identify who you can speak to about any concerns or issues that come up.

The engager has an obligation to be available and receptive to any concerns raised by workers (both employees and freelance contractors) and to investigate any incidents of inappropriate behaviour immediately. But perhaps more importantly, it is the engager's job to create a positive, safe, respectful workplace that **prevents** inappropriate behavior **before** it happens.

As per Equity's collective agreements, an engager must have a Respectful Workplace Statement or anti-harassment policy in place, which must be shared with Equity and presented to everyone – the artistic, creative, and production teams – during a **First Day Talk**.

What should be in a First Day Talk?

- Engager's Respectful Workplace Policy
- Who on the engager's team you should speak to if you have any concerns
- Equity's Not in OUR Space! program
- Reporting through Equity's online form
- Resources available on Equity's website

Small-scale engagers, collectives and indie companies are also required to have an anti-harassment policy. Many use [Equity's Respectful Workplace Template](#) to create their own!

Any engager can use Equity's [First Day Talk Template](#) to develop their own statement and list of items to cover.

Equity's Responsibilities

[Equity's Respectful Workplace Policy \(RWP\)](#) outlines all the ways the Association will support you in our effort to prevent inappropriate behaviour in the workplace, respond promptly should anything happen, and empower you to stand up for your rights without reprisal. The RWP is Equity's commitment to:

- Education and awareness of safe and respectful workplaces.
- Talk you through your options, providing fair and impartial advice with the goal of finding a resolution before things escalate.
- Enforce the rules of the agreement or engagement policy you're working under.
- Ensure the engager has an anti-harassment policy and assist you in locating and reviewing it.
- Ensure the engager follows through on their commitments outlined in their anti-harassment policy by conducting their own thorough and impartial investigation in a timely manner, if required.
- Provide the Equity Liaison and Stage Manager with access to resources so they can guide you to the support you need.
- Provide emergency support through an emergency telephone number (1-800-387-1856, press '4' and leave a message).
- Provide access to an Equity Respectful Workplace Advisor, a staff member with specialized training who can provide informed and supportive strategies.
- Provide a service for you to report experiencing or witnessing inappropriate behaviour in the workplace.
- Guide you in identifying other support resources such as the appropriate provincial workplace safety commission, sister organizations, or how to source legal assistance (e.g. for advice on non-disclosure agreements, etc.).
- Ensure members adhere to the professional standards they've established for themselves in the Association's Bylaws.
- Help you understand your options and navigate the process of filing a complaint against another Equity member under the Association's Bylaws.

Equity won't know there are workplace issues unless you tell us.

An engager is required to inform Equity that a workplace complaint has been filed and an investigation is underway, but none of the details are shared with Equity – including who is involved. This is done to ensure you consent to having the information shared.

Equity is not involved in the workplace investigative process and what's more, the resolution of the complaint won't be shared with Equity unless you ask the engager to do so.

Even if you have resolved the issue, please take the time to tell Equity that there is something going on and ask the engager to share all of the information with your Association! This will help us improve member support and allow us to recognise if there is a recurring pattern with a particular engager.

Make sure we know!

Your Responsibilities

Equity's membership relies on common goals and solidarity for its strength. This includes a joint commitment to maintain the highest standard of professional behaviour as defined in the Association's Bylaws, agreements, and engagement policies.

Many Equity members work as writers, directors, and producers – and that might mean being in a position of authority with other members. In those instances, it's important to fulfill your obligations as both a member and an engager.

Standard of Professional Conduct

As per the Bylaws, Members of Canadian Actors' Equity Association are artists who uphold professional standards in the practice of their craft and behave in a way that favourably reflects on themselves, the Association, and the live performance community in which they work.

Specifically, members are expected to:

- Execute their professional commitments and responsibilities with integrity.
- Uphold and participate in collaborative and inclusive work environments that respect the dignity and well-being of coworkers.

As an expression of these values, members will refrain from engaging in Inappropriate Behaviour, as defined in the Bylaws.

Prevention

The most effective way to prevent inappropriate behaviour from happening is the empowerment that comes from **education** and **awareness**. Here are some helpful tools and ideas to consider:

Room/Community Agreements

A room agreement is a collaborative contract or communal statement of behaviour and values. It's not what someone else says should happen, it is what the people who are actually in the room agree will happen; how ideas will be heard, how each other's time will be valued, how the creative, collaborative process will be respected, and more.

Think about your favourite experiences working on a production. What made those experiences safe and respectful ones? Now think about the worst experience you had on a project. What do you want to ensure never happens again?

A room agreement is a framework for accountability, a touchstone for check-ins, a way for individuals with different perspectives and backgrounds to voice concerns about the process and address the power structures in the room, and a reference for addressing any issues should they occur.

Remember: a community agreement is not the goal. It is a tool that you can use to achieve the goal – a safe and respectful workplace for everyone.

Equity's [Member Guide to Creating a Community Agreement](#) offers a helpful starting point to develop your unique community agreement.

Not in OUR Space!

Not in OUR Space! is an anti-harassment and respectful workplace program developed by Equity to promote awareness and provide education for everyone working on the production, from artists to engagers.

Various materials are available that engagers must display prominently in all workplaces - demonstrating a commitment to professionalism and the principles of respectful behaviour, and establishing an expectation of working in a safe environment.



Equity Liaisons and stage managers often ensure the materials are present in the workplace, but any member is welcome to access them and use them to promote a safe and respectful workplace.

Mini posters, guidelines, and more can be downloaded from [Equity's Not in OUR Space!](#) page or you can request hard copies of brochures and posters to display by contacting communications@caea.com.

Let's Talk About Consent

Consent is the act of agreeing to an action. It is an absolute necessity to ensure a respectful workplace throughout the creative process.

Consent in our industry can be uniquely complex. You have the right to ask questions, set limits, and revisit your boundaries. Your comfort and safety matter as much as the creative process.

Here are some things to remember when it comes to consent:

- **Saying 'yes' once doesn't mean 'yes' forever.** You have the right to change your mind. That could also mean requesting a conversation to talk about how to make you feel safer with what you had consented to.
- **Not saying 'no' isn't the same as saying 'yes'.**
- Inappropriate behaviour doesn't become acceptable because consent has been given.
- **Informed consent** can be especially important where a production deals with violence, trauma or oppression, or where your culture or identity intersects with the work. Equity's agreements (through provisions such as "**Cast by Consent**") encourage engagers to share information about their approach to these issues prior to contracting. Get informed, so you can discuss concerns before accepting an offer.
- **Consent is an ongoing process of discussing boundaries.** Things evolve over the course of a production – sometimes even after opening! Be attentive to changes in script, design, directorial approach, etc. and whether those changes affect your sense of safety. Keep the lines of communication open.
- **An engager may provide the performer with a rider** outlining the actions which require consent (e.g., nudity, simulated sex scene, culturally stereotyped violence in service to the play). In that instance, signing the rider expresses your consent to the actions.

Riders are separate documents attached to your contract that address specific details, conditions or terms that go beyond those in the collective agreement or engagement policy and require mutual consent. Riders are negotiated conditions and should be communicated clearly.

When you change your mind about consent...

Consent is based on specific parameters that have been presented to you. The script says this. The performance space will look like that. Your scene partner will touch you here, but not there. If those parameters are changed by production, you have every right to decide whether or not you are comfortable with the new parameters.

For example...

You agree to perform a kiss during a scene. During rehearsals, discussions are had about the intensity of the kiss, and the director suggests perhaps the scene requires physical contact beyond just a kiss.

That is when a conversation should be had, in a neutral, safe space, free from any undue pressure (or power dynamic), about what can be done to make you comfortable with the new parameters that have been suggested or what alternative approaches may exist. And perhaps the answer is simply, nothing can be done, and you no longer consent.

The situation may be more complicated if the creative team hasn't changed any of the parameters you agreed to, but something has changed for you, personally. Speak to the creative team. Be honest. Appreciate that from the engager's perspective, they are fulfilling their responsibility, but remember that you can always say 'no' to something that makes you uncomfortable.

Working with an Intimacy Director

Intimacy Directors are members of Equity and engaging them on a production is becoming industry standard, similar to fight directors. They are an essential part of many productions, helping the artists (performers, directors, and others involved in the project) to navigate the complex matters of scenes with intimacy or some potentially distressing material, and helping to establish beforehand what each person consents to. **They are there to help find a respectful balance between the creative needs of the project and your safety.**

If there isn't an intimacy director on your project, ask your agent or an Equity Business Rep for guidance on having a conversation about consent.

Identifying Inappropriate Behaviour

Inappropriate behaviour can take many forms. It may be physical or psychological. It can include comments, actions, or even gestures. It may be directed towards an individual or a group, or it may be directed at no one in particular and still create a harmful work environment.

Remember: Just because you weren't offended by certain behaviour doesn't necessarily mean the behaviour wasn't inappropriate. Inappropriate behaviour doesn't need to be directed at you to create a hostile work environment that adversely affects you.

Here are the definitions of inappropriate behaviour, as they appear in our [Bylaws](#), the rules governing all Equity members:

Abuse of Power

Abuse of Power is using official or vested authority to improperly disadvantage, discriminate, or harass a person, or to procure personal advantages for oneself.

Example

You're a stage manager who is pressured by the general manager to be more of a 'team player' by doing unpaid tasks that are not in your job description.

A choreographer implies that a disagreement with them will result in their giving you an unfavourable review to the Artistic Director or to others.

Discrimination

Discrimination is the unfair or unequal treatment of a person on the basis of their protected personal characteristics or the Prohibited Grounds of Discrimination, as established in the Canadian Human Rights Act, and/or applicable provincial human rights legislation".

Example

The director refuses to audition a performer in a wheelchair because they don't want to have to "deal with the hassle of blocking things differently."

The hair and make-up artist expects you to do your own hair and make-up while everyone else in your cast has assistance because your skin tone and hair texture are not something they have experience working with.

Discrimination or harassment can sometimes take the form of "microaggressions". This is a term used for commonplace verbal, behavioral, or environmental slights, whether intentional or unintentional, that communicate hostile, derogatory, or negative attitudes toward stigmatized or culturally marginalized groups.

Equity defines **Anti-racism** as the belief or practice of recognizing pervasive racism in society, and actively combating racial prejudice and discrimination in order to promote racial justice and equality.

Harassment

Harassment is any action, conduct, or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation, or physical or psychological injury or illness. Though harassment is generally behaviour that persists over time, serious individual incidents may also be considered harassment.

Example

A fight director uses a particular member of the company as a scapegoat for problems that arise.

At a dance audition, you're asked to remove work-appropriate clothing under the guise of creative evaluation.

Harassment, sexual harassment, and bullying can create a toxic work environment for everyone.

A person does not have to be the direct target of harassing behaviour to be adversely affected by it.

Reprisal

Reprisal is any action, or threat, that is intended as retaliation for claiming or enforcing a right under the Association's Bylaws, or negotiated or promulgated agreements (i.e. agreement and engagement policies)

Example

After raising concerns about inappropriate behaviour with the director, you learn that the director suggested to the engager that you not be hired again because you are "difficult" to work with.

Unprofessional behaviour

Unprofessional Behaviour is any workplace behaviour not otherwise specified in the Bylaws that would reasonably be regarded as inappropriate and unprofessional within the context of a professional live performance workplace.

Example

An artist shows up for work impaired, or steals personal property, or does not respect the safety or dignity of others in the workplace.

Violence

Violence is any action, conduct, threat or gesture that can be reasonably expected to cause harm, injury, or illness. Violence can include verbal threats, abuse, or intimidation.

Example

A disagreement escalates and one performer shoves another to the ground.

What Isn't Considered Inappropriate Behaviour?

Not all disagreements or disputes are necessarily instances of inappropriate behaviour. It is perfectly reasonable to expect colleagues to:

- Respectfully express differences of opinion.
- Respectfully offer direction, feedback, guidance, or advice related to work – assuming they have the authority to do so (for example, as a director, choreographer or stage manager giving notes).
- File a good faith disciplinary complaint either through the engager's anti-harassment policy or Equity's Disciplinary and Complaints Policy.

Equity defines **respect** as “due regard for the feelings, perspectives, rights, or beliefs of others”.

Finding a Resolution

Despite all efforts to promote a safe and respectful work environment, it is still not a certainty. Knowing what to do in the case of inappropriate behaviour is important. As is understanding your rights as an Equity member, whether you are a victim of inappropriate behaviour or someone facing an accusation of behaving inappropriately.

While every situation is unique, a valuable reminder in any instance is document everything! Memories can fade and specifics are important, so it's important to write everything down as soon as you can. Be sure to include factual details, including dates and times.

What Are Your Options?

There are a lot of different pathways to resolution with a wide range of contact points for anyone seeking advice or help. In every instance, it's worth noting that dealing with the situation immediately could help to bring about a resolution before the situation grows into a bigger issue.

We understand that speaking up — especially in a tight-knit industry — can be deeply distressing. You're not alone in feeling this way. We want to support you in choosing the path that feels safest and most empowering.

It's always best to address an issue as soon as possible – to restore a healthy, positive workplace where artists can thrive creatively and professionally. **Please, don't wait until the show closes to ask for help!**

Related but different...

Workplace complaint: Bringing an issue to the attention of an engager for them to address according to their legal obligations to provide a safe workplace.

Disclosure: Bringing an issue to Equity's attention for consultation without requesting formal action.

Formal disciplinary complaint: Filing a complaint with Equity against an Equity member for violation of the Association's Bylaws.

Speak to the engager

It is in the engager's interest to help you resolve any issue you have with inappropriate behaviour in the workplace. The engager has a legal obligation under provincial law to ensure a safe and respectful workplace and an obligation under Equity's agreements to ensure you are made aware of exactly how to bring forward your concerns and who to speak to. If you are unsure of who that person may be or how the process works, you can always consult the engager's anti-harassment policy, ask the Equity Liaison or the stage manager, or contact the Equity Business Rep for help. The same policy and process also protects your rights in the case of a complaint in the workplace being brought against you.

Remember, it is the engager's responsibility to prevent inappropriate behaviour in the workplace, and failing that, their job is to investigate the matter and take appropriate action should it occur.

Speak to Equity

Equity is always prepared to help you resolve concerns of inappropriate behaviour in the workplace. The easiest way to report inappropriate behaviour in the workplace to Equity is to submit a report through Equity's website.

We understand that a fear of reprisal can make it difficult to speak up. The online form allows you to report confidentially or anonymously, though anonymous reports greatly limit any action that can be taken to investigate or resolve the situation. **Reporting confidentially, however, offers you an opportunity to bring the issue to the attention of your Association while still protecting your identity.**

The website also provides a list of mental health resources to help support you.

An Equity Respectful Workplace Advisor (RWA) can also talk you through the steps of filing a formal complaint under the Association's Bylaws – should you choose to go that route. Remember, Equity has a duty to provide fair representation to all members, whether they are filing a complaint under the Association's Bylaws or the respondent to a complaint.

If you want to know more about what your options are, you can indicate in the report that you wish to be contacted by an RWA, though you will need to provide your name at that time. An RWA can suggest approaches for de-escalating and possibly resolving an issue to help everyone return to work.

You may also report an incident after the production has ended – **though we advise you not to wait.** The goal is to provide a positive workplace for you to thrive creatively and professionally.

Speak to the Equity Liaison or stage manager

Sometimes talking through a situation is what is needed to help you choose a course of action. You may find support in the Equity Liaison or stage manager, both of whom can help identify additional resources available to you.

Equity Business Reps are responsible for protecting your rights under the collective agreements and engagement policies.

Equity Respectful Workplace Advisors (RWA) are Equity staff members who can provide informed and supportive strategies for addressing questions and concerns related to inappropriate behaviour in the workplace specific to Equity's jurisdiction.



It is important to remember that while they may be able to provide helpful advice, the Equity Liaison and the stage manager cannot be expected to resolve the issue.

Remember, if the Equity Liaison isn't available or you don't feel comfortable speaking to them about your concerns, you can always reach out to Equity directly!

What Does a Resolution Look Like?

A 'satisfying resolution' to a problem can mean different things to different people. Here are some examples of what a resolution might look like:

You go to the engager to report a cast member who touched you inappropriately.

- The engager begins an investigation. While the investigation is ongoing, the engager collaborates with you on creating a very specific set of rules that make you feel comfortable for when and how the cast member is allowed to interact with you at work, so the work can continue.
- Following the investigation, based on the findings, the engager proposes a Restorative Remedy as a resolution: the engager will mediate a discussion in which the cast member apologizes, and the cast member will also be required to attend a respectful workplace training course.

You contact an Equity RWA because a crew member has been making inappropriate comments that, while not directed at you, are creating a toxic work environment.

- The RWA suggests ideas for handling the situation, such as bringing the concern to the attention of the engager so that they may mediate a conversation with the crew member to make them aware of the inappropriateness of their actions.

Some months after your show has ended, you are still troubled by what you felt was bullying behaviour by the show's director. As the director is also a member of Equity, you contact your Association about filing a formal complaint.

- An Equity RWA talks you through the process for filing a complaint under Equity's Bylaws and provides guidance on what information should be included.
- Council's Review Panel recommends to Council that the complaint go forward and Council agrees. The Equity Complaints Manager administers the process, coordinating with you (the complainant), the director (the respondent), and the 3rd party investigator hired by Equity.

The Equity Complaints Manager is a staff member who is tasked with providing administrative support throughout the Complaints and Disciplinary Process to everyone involved, including the complainant(s), respondent(s), 3rd party investigator, Equity Council, and Disciplinary Committee

- The 3rd party investigator's findings are presented to the Equity Disciplinary Panel, made up of Equity Council members. A decision is rendered on a penalty which includes fining the director.

Remember – a resolution may not look like only one of these examples. It may be some blend of all of these outcomes, or a number of other possibilities. The truth is, when your rights have been violated, sometimes there's no resolution that will feel fair.

Regardless of which pathway to resolution you have chosen and what the outcome may have been, the option to file a disciplinary complaint under Equity's Bylaws is always available. But since the goal is to enjoy doing the work you love, we always encourage you to speak up in the moment and find a resolution that restores your workplace to one where that's possible.

Filing a Formal Complaint with Equity

Equity's Complaints Process addresses inappropriate behaviour by a member of Equity. It is not a practical first step for dealing with immediate workplace issues. It is a means for lodging a complaint against a member for a breach of the Association's Bylaws, and establishes next steps (i.e., investigation, mediation, etc.), leading to a resolution.

Information on the process can be found in [Equity's Complaints Process Guide](#), which explains the steps in the process and relevant timelines, whether you wish to file a complaint or have had a complaint filed against you.

A Final Word...

Your rights are important. Being informed is important. Ask questions. Ask for advice. Say something. Equity is always available to support you and there are resources out there for you – so please don't be afraid to ask for help.

Value your rights and the rights of others to a safe and respectful workplace.