

ISLAND SHAKESPEARE FESTIVAL NON-DISCRIMINATION AND ANTI- HARASSMENT POLICY

ADOPTED: 2018; REVISED BY RESOLUTION: May 10, 2024

At Island Shakespeare Festival (ISF), we are committed to a work and performance environment in which all individuals feel welcomed and are treated with respect and dignity. We expect that all relationships among participants will be professional, respectful, and free of implicit or explicit bias, prejudice, and harassment.

Concurrently, we seek to understand the realities of harassment as it pertains to the theatre and commit to preventing it. We recognize there is a deep history of sexual harassment perpetrated by cisgender white men in our industry and predominantly focused on women. We recognize that sexual and other discriminatory harassment takes many forms and the layers of factors that inhibit disclosure are myriad and personal. We encourage everyone to examine how their behavior might harm others and encourage anyone experiencing harm to come forward.

To this end, ISF has developed this policy to ensure that all participants can work in an environment free from unlawful harassment, discrimination, and retaliation. This policy also outlines recourse if any form of harassment occurs. ISF will make every reasonable effort to ensure that all concerned are familiar with these policies and are aware that any complaint in violation of such policies will be investigated and resolved appropriately.

These policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected identity, from participating in business or work-related social activities or discussions. In other words, no one should engage in discrimination or exclusion to avoid allegations of harassment. The law and the policies of ISF prohibit disparate treatment based on sex or any other protected identity, regarding terms, conditions, privileges, and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them. Protected identities are enumerated below.

All company members, staff, board members, and volunteers are responsible for supporting and adhering to ISF's anti-harassment policy. Any company member who has questions or concerns about these policies should speak with any of the following people:

Angelica Metcalfe	Operations Director	angelica@islandshakes.org	360-305-6171
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Olena Hodges	Executive Artistic Director	olena@islandshakes.org	360-929-3754
Roxanne Shepherd	Board President	roxanne@islandshakes.org	425-736-9876

Any company member who believes they have been the target of any form of harassment as outlined in this policy should refer to our **Concern Resolution Path** for guidance on how to bring your concerns to our attention.

EQUAL EMPLOYMENT OPPORTUNITY

In keeping with federal law, it is the policy of ISF to ensure equal employment opportunity without discrimination or harassment based on race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, genetic information, caregiver status, or any other characteristic protected by law. ISF prohibits any such discrimination or harassment.

RETALIATION

Also in keeping with federal law, ISF prohibits retaliation against any individual who complains about discrimination, files a charge of discrimination based on harassment, or participates in an investigation of such reports. ISF encourages reporting of all perceived incidents of discrimination or harassment.

ISF encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of ISF to investigate such reports promptly and thoroughly.

FALSE AND/OR FRIVOLOUS COMPLAINTS

False, frivolous, or malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may also be the subject of appropriate disciplinary action if warranted due to the seriousness of the consequences for the accused.

SEXUAL HARASSMENT

We acknowledge theatre environments can court confusion about the difference between chemistry, artistic freedom, and harassment. We recognize the potential for harassment in rehearsal, during performance, and among participants, staff, board, and audience members. Further, we believe participants can be bold and live "in the moment" of theatrical material while maintaining fellow participants' safety and agreed-upon boundaries.

Everyone working with ISF is expected to take appropriate measures to prevent sexual harassment. Unwelcome behavior of a sexual nature is not tolerated in the workplace. Clear boundaries should be established and agreed upon among all participants involved, both in rehearsals and performance, particularly in scenes depicting violence, sex, intimate contact, abuse, or gestures of intimacy.

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We recognize that anything we've outlined in these policies can occur outside of the rehearsal and performance space and hours. We encourage you to disclose any concerns so we can deal with them promptly.

HARASSMENT CAN INCLUDE (BUT NOT BE LIMITED TO):

- Unwelcome remarks, jokes, innuendoes, or taunts about a person's body, attire, gender, or sexual orientation outside the boundaries of consent or production content
- Negative stereotyping of race, gender, gender identity, religion, color, national origin, ancestry, marital status, sexual orientation, ability, or other status protected by law outside the boundaries of consent or production content
- Any unwanted or inappropriate physical contact such as touching, kissing, patting, hugging, or pinching outside the boundaries of consent or production content
- Unwelcome inquiries or comments about a person's sex life or sexual orientation outside the boundaries of consent or production content
- Leering, whistling, or other suggestive or insulting sounds outside the boundaries of consent or production content
- Inappropriate comments about clothing, physical characteristics, or activities outside the boundaries of consent or production content
- Posting or displaying materials, articles, or graffiti that is sexually oriented outside the boundaries of consent or production content
- Requests or demands for sexual favors that include or imply promises of rewards for complying (e.g., advancement opportunities) and/or threats of punishment for refusal (e.g., denial of advancement or opportunities)
- 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
- 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 sexualized language to give complements
- Using the text of a production that is sexual, violent, threatening, or offensive in offstage discourse

All or part of the above grounds may create a negative environment for individuals or groups. **A person does not have to be a direct target to be adversely affected by a negative environment.** It includes conduct or comments that create and maintain an offensive, hostile, or intimidating climate.

CONSENSUAL INTIMATE RELATIONSHIPS

ESTABLISHED RELATIONSHIPS

We recognize the interconnected nature of regional repertory theatre and that it is possible that members of an established consensual social relationship may be employed during the same season at ISF. Consensual social relationships should not interfere with work and participants engaging in

relationships should be conscientious of behavior that may make colleagues uncomfortable. This may include public displays of affection, flirtatious or sexual comments, and other behavior detailed above.

- To avoid perceived and real conflicts of interest, members of consensual **peer-peer** social relationships are **encouraged** to disclose their relationship prior to beginning work.
 - Disclosure is private and will help ensure support for both parties in concern resolution and other potentially challenging circumstances.
- To avoid perceived and real conflicts of interest, members of **non-peer** (director & actor, stage manager & designer, choreographer & actor, etc.) consensual social relationships are **required** to disclose their relationship prior to beginning work.
 - The member with higher perceived or real participatory power is obliged to lead communication of disclosure
 - Disclosure helps mitigate perceived or real conflicts of interest
 - Disclosure is private among members of the relationship, Executive Artistic and Operations directors, and any other collaborators to whom all parties agree to disclose.

DEVELOPING RELATIONSHIPS

We recognize that consensual social relationships sometimes develop between consenting adults within the company. Consensual social relationships should not interfere with work and participants engaging in relationships should be conscientious of behavior that may make colleagues uncomfortable. This may include public displays of affection, flirtatious or sexual comments, and other behavior detailed above.

To avoid perceived and real conflicts of interest, we **encourage** disclosure of consensual relationships between participants in peer-peer relationships and **require** disclosure of relationships that develop between non-peer (director & actor, stage manager & designer, stage manager & actor) individuals. We encourage non-peer relationships in development to maintain a professional boundary until at least one party's contract has concluded.

- Members of **peer-peer** intimate relationships are **encouraged** to disclose when a relationship has developed during their contract.
 - Disclosure is private and will help ensure support for both parties in concern resolution and other potentially challenging circumstances.
 - Disclosure adds a measure of accountability if behavior becomes impactful for colleagues
- Members of **non-peer** (director & actor, stage manager & designer, choreographer & actor, etc.) intimate relationships are **required** to disclose if a relationship has developed during their contract, though ISF strongly encourages these relationships to wait until one party's contract has concluded.
 - The member with higher perceived or real participatory power is obliged to lead communication of disclosure
 - Disclosure helps mitigate perceived or real conflicts of interest
 - Disclosure is private among members of the relationship, Executive Artistic and Operations directors, and any other collaborators to whom all parties agree to disclose.
- If a consensual social relationship develops between participants and is reported to ISF leadership by a third party, ISF leadership may ask those participants to sign a disclosure form to ensure accountability measures are in place.

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For more information, please see our "Conflict of Interest" policy.

To disclose a relationship, please see attachment at end of this document.

OTHER FORMS OF DISCRIMINATORY HARASSMENT

Harassment against individuals based on their race, color, religion, or national origin is a form of unlawful discrimination and is prohibited under Title VII of the Civil Rights Act of 1964. When harassment based on an individual's race, color, religion, or national origin has the "purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment," it rises to the level of unlawful discrimination. In addition, these principles apply to harassment based on age, disability, and genetic information. ISF, through its nondiscrimination statement, also applies these principles to harassment based on an individual's sexual orientation, gender identity, and gender expression.

Harassment based on any personal characteristic is also strictly prohibited. Under this policy, harassment is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, disability, marital status, citizenship, genetic information, or any other characteristic protected by law, or that of their relatives, friends, or associates, and that has the purpose or effect of:

1. Creating an intimidating, hostile, or offensive work environment, and/or
2. Unreasonably interfering with an individual's work performance, and/or
3. Otherwise adversely affecting an individual's employment opportunities or experience.

Harassing conduct includes (but is not limited to) epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group that is placed on walls or elsewhere on the employer's premises or circulated in the workplace, on company time or using company equipment by email, phone (including voice messages), text messages, social networking sites or other means.

For additional information see our Anti-Racism and Intersectional Inclusion policy document.

REASONABLE ACCOMMODATIONS

ISF will provide reasonable accommodations so that any individuals with disabilities and/or unique needs can engage in our work in the capacity of their choice, and that anyone with disabilities can perform the essential functions of their positions. It is the responsibility of the individual to request from ISF any reasonable accommodation and to work with us to make it happen.

SEEK SUPPORT AND RESOLUTION

It is important that all ISF company members, staff, board members, and volunteers enjoy a workplace and performance environment free from implicit and explicit behavior used to intimidate, influence, control, or affect the well-being of any member of our community. Anyone who believes they have

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been the target of any form of harassment as outlined in this policy should refer to our **Concern Resolution Path** for guidance on how to bring your concerns to our immediate attention.

DOCUMENT REVIEW & REVISION HISTORY

ACTION	DATE	AUTHORIZED BY
Adopted	2018	Rene Neff - BOD
Revised	April 17, 2022	Olena Hodges - EAD
Adopted by Resolution	April 19, 2022	Rob Scott - BOD
Reviewed	June 1, 2023	Olena Hodge - EAD
Revised	June 18, 2023	Olena Hodges, EAD
Revised	May 10, 2024	Olena Hodges, EAD

CONSENSUAL SOCIAL RELATIONSHIP DISCLOSURE

[Employee A Name], employed by Island Shakespeare Festival as a [job title], and [Employee B Name], employed by Island Shakespeare Festival as a [job title], hereby notify Island Shakespeare Festival that we [have entered into/are in an established] voluntary and mutual consensual social relationship.

We both understand and agree to the following:

- Our personal relationship is voluntary and consensual.
- We are both free to end the relationship at any time.
- If the social relationship should end, we both agree that, to the best of our ability, we shall not allow the end of this relationship to negatively impact our job performance.
- We will act professionally in the workplace without public display of affection.
- We have received and reviewed Island Shakespeare Festival's sexual-harassment policy.
- We acknowledge that the social relationship between us does not violate Island Shakespeare Festival's policies and that the social relationship has not been made a condition or term of employment.

Employee A (print name): _____

Employee A (signature): _____

Date: _____

Employee B (print name): _____

Employee B (signature): _____

Date: _____