

Non-Equity Theatre Code of Conduct

Introduction / Preamble

The initiative to create a **Code of Conduct** for Chicago theatres was born in March 2015 of artists and administrators at all levels of our community seeking to respond to and prevent sexual harassment, discrimination, violence, intimidation, and bullying in our theatres. When at risk, artists are often afraid to speak out – particularly when having a serious problem with a director, administrator or artist in authority. An enthusiastic interest in taking on nothing short of a cultural paradigm shift emerged, with great interest in a creating a **Code of Conduct** developed by theatres for theatres. Developed over the course of a year by members of the Chicago theatre community and a pilot group of Chicago-area theatres, this is the resulting document.

The goal of this Code is not to define our artistry, or prescribe how it is created, but to protect the human in the art – to ensure that we are creating safe places to do dangerous things.

This **Code of Conduct** seeks to strengthen our collective experience by working together to protect and develop our artists, our theatres, and our community. By adopting this **Code of Conduct**, we recognize that the power differentials inherent in any human relationship create the possibility for influence and abuse, intentional or not, and we hope that by calling attention to these possibilities we will create a safer space more conducive to creating work with integrity for its participants, audience, and supporters. The overarching tenants of this Code are communication, safety, respect, and accountability.

Mission Statement

The **Code of Conduct Pilot Group (COCPG)** is a group of theatres in Chicago that seeks to create, adopt, and abide by a **Code of Conduct (COC)** for creating and performing live theatre and performance. The **COC** seeks to nurture communication, safety, respect, and accountability of participants at all levels of theatrical production. Particular interests include:

- Spaces free of harassment; whether it be sexual, or based in race, gender, religion, ethnic origin, color, or ability;
- Nurturing environments that allow even-greater challenge to ourselves, our audience and our communities; risk of mind and body, and freedom to create theatre that represents the full-range of human experience;
- Encouraging additional theatres to adopt the COC, and to provide mentorship during that process.

Definitions & Notes

Definitions

Actor	A performer in a live theatrical production.
Casting Authority	An individual or individuals who determine which actors are cast in a production.
Participant	An employee, contractor or volunteer engaged by the theatre to participate in, administrate or support making theatre. This includes actors, designers, directors, production staff, box office staff, board members, volunteers, donors and anyone involved in the work of the theatre.
Production	A theatrical undertaking that results in one or more public performance.
Producer	The person or organization (theatre company) responsible for mounting a production.

Notes

Requires Disclosure & Even Better

Some sections of this code include additional information about activities that need to be discussed or disclosed in advance (“Requires Disclosure”) and best practices that go above and beyond the baseline code of conduct (“Even Better”). Suggestions listed in “Even Better” sections may require specialized equipment, facilities, or other significant expenses, and these suggestions should be the goal for theatres endeavoring to further professionalize their environments and create an even-safer place for theatremaking.

We/Our

Sections of the COC written in the first person are from the perspective of the producer adopting the COC. For example, “we recognize our responsibility to...,” can be read as “we, ABC Theatre Co., recognize our responsibility to....”

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Auditions

We recognize our responsibility to make sure actors and other prospective participants are fully informed regarding the goals, requirements, and expectations for a particular show, project, or season. For the purpose of this section, an audition may constitute interviews, readings from a given text, presentation of prepared pieces, improvisations, singing, movement and callbacks.

Audition Notices or Invitations will, wherever possible include and/or disclose:

- For which role(s) the actor is being called in, and which role(s) have been cast.
- If available, the full text of the script or a detailed project outline.
- The Producer's inclusivity policy. Inclusive casting is understood as being open to casting roles with artists that may not reflect the original description of a role in terms of age, ability, ethno-cultural identity, gender, or sexual identity; and in roles where ethnicity, gender, age, or ability is not prescribed.
- Any role that depicts a character with a specifically stated disability.
- Known requirements or potential of stage combat, feats of physical daring, nudity, partial nudity, sexual contact, or other unusual activities.
- For devised works, possibilities for stage combat, feats of physical daring, nudity, partial nudity, and sexual contact.
- The name(s) and accreditations/associations of any choreographer(s).
- Assertion that actors can decline auditions without fear of losing future audition invitations.
- Disclosure if the audition will be recorded.

Auditions

- The producer will provide a safe space for the audition including:
 - A smoke-free environment.
 - Audition rooms which are clean, sufficiently lighted, and appropriately heated and ventilated.
 - A safe surface for dance or fight calls.
- Actors will not be asked to attend more than three (3) calls for a single production.
- Audition calls will be no longer than three (3) hours, and will not run later than 11pm.
- Required materials (scripts and sides) will be provided at the audition.
- Actors will never be asked to audition with scenes that include violent or sexual contact, unless it was disclosed in the audition notice or invitation.
- Any physical contact required for an audition will be disclosed and choreographed. Performers will never be asked to improvise violent or sexual contact.
- Actors will never be asked to disrobe at an audition. (See Sexual Content & Nudity)
- Actors will be made aware of people present that are not the casting authority.
- The casting authority will confirm with the actor that they have reviewed the supplied materials and are aware of the requirements as outlined in the audition notice or invitation.
- Auditions will not be recorded unless specified in the notice or invitation.
- The producing entity will make reasonable accommodations to facilitate access, which may include providing interpreters, accessible facilities, and advanced access to audition materials, for artists with disabilities.
- At each audition, a Disclosure Form will be clearly posted (see the example below).
- Actors will not be charged a fee to audition.
- Actors have the right decline a casting offer without fear of losing future opportunities.

Sample Audition Disclosure Form

- This theatre is part of the **Code of Conduct Pilot Group (COCPG)**, which seeks to strengthen an atmosphere wherein communication, safety, respect, and accountability are high priorities as is the health, safety and wellbeing of Chicago theatres and artists therein. We hope the following disclosures help you make an informed choice should you be offered a role in this production.
- All theatres that abide by the COC make the following audition commitments to you:
 - You will not be asked to audition more than 3 times for this production;
 - You will not be kept at any audition more than 3 hours; or past 11pm;
 - You will not be asked to disrobe, or perform any intimate contact or violence as a part of your audition;

First day of rehearsal: _____

Range of rehearsal hours: _____

Tech begins: _____

First preview: _____

Opening: _____

Closing: _____

Days/times of planned performances: _____

Performance venue: _____

DISCLOSURES (check all that apply):

- There is a possibility that the production will be extended through _____
- Costumes will be supplied by the producer
- Actors will be expected to help build and strike the set
- There will be understudies for this production
- There will be pay for this production in the amount of _____
- This production contains sexual content
- This production contains nudity
- This production contains violence
 - If yes, A fight choreographer will be on staff for this production
- This production is accessible to performers who use a mobility device
- This production will have a non-traditional audience seating arrangement
- There is at least one preview planned for this production

Further Disclosures: _____

The COCPG welcomes feedback at help@notinourhouse.org at NotInOurHouse.org. Please fill out an anonymous e-comment card at NotInOurHouse.org and let us know suggestions for this Disclosure Form, or any experience you have relative to the COCPG. We respect your anonymity. Thank You!!

Understudies

It will be disclosed at the time of audition whether or not understudies will be used for said production.

We make the following commitments regarding understudies:

- Understudies will have a written agreement detailing expectations and compensation.
- The following will be disclosed to understudies at the time they are contracted:
 - Specific expectations of the understudy during the rehearsal process, including work with dialect coaches and other specialists.
 - Specific expectations and opportunities of the understudy during the run of the show.
 - The number of understudy rehearsals that will be held.
 - Whether a put-in rehearsal will be scheduled, if notice allows.
 - Whether the understudy will be provided with his/her own costume(s) or will wear the costume(s) of the actor being covered.
 - If a performer leaves a production permanently, whether the understudy will replace that performer or the role be re-cast.
 - The understudy comp policy.

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Agreements

Agreements will be presented to all parties hired, and serve as an understanding and intention relative to a single production with said Producer. Agreements include, at a minimum, the following clauses:

- Schedule – the planned rehearsal and performance schedule
- Compensation – the amount the participant will be paid, and when that payment will be made
- Responsibilities – a general outline of the responsibilities of the participant
- Disclosures – any information that should be communicated to the participant in advance of the production. This code of conduct includes a number of suggested disclosures.

Sample Agreement

(Your Producing Company) AGREEMENT

This production agreement (“Agreement”) entered into as of this (DATE), 20____, between _____ (“Actor”) and (YOUR PRODUCTION COMPANY) (“Company”) and its producer(s).

Company is producing (NAME OF PLAY) (“the Play”) at the (THEATRE NAME), Chicago Illinois; and seeks to engage Actor to provide such services to Company pursuant to the terms and conditions of this Agreement:

1. Services Provided. Actor agrees to accept role(s) as directed relative to the Play by Company. Rehearsals begin (DATE). Tech week begins (DATE). Closing will be on (DATE).
Previews: (DATES) Opening night: (DATE) Regular Run: (days, dates, times) Closing (DATE).
1. Performance Calls. Actors are required to arrive no less than 30 minutes before performance times. Put-ins, fight, dance, etc. calls, warm-ups will be specified, communicated and posted.
2. Conflicts. Actor will notify Company at the time of audition and/or offer of all conflicts with any rehearsals and performances.
3. More Remunerative Employment (MRE). Actor may be excused from a reasonable number of rehearsals in the event of temporary MRE. MRE does not apply to black-out dates that cover tech, previews and opening .
4. Code of Conduct (COC). Actor has read, understood, and agrees to abide by the COC.
5. Personal Effects. Company, and (FILL IN RENTAL SPACE NAME) are not liable for the Actor’s personal property.
6. Notice. All notices under this Agreement shall be in writing. Schedule changes and relative notifications will be posted by Company at a designated location within the rehearsal space, theatre, and e-mail.
7. Compensation. Company agrees that Actor will be paid a minimum of but not limited to (FILL IN AMOUNT and TERMS)
8. Tech Week and Strike. Tech week rehearsal calls are outside of the commonly designated rehearsal schedule, and will be designated as called, and include open ended calls as needed but not exceeding a 12 hour call.
10. Actor will / will not be required at strike (circle one).
11. Production dates may be changed upon the mutual agreement of the production team.
12. Additional performances will be at the democratic discretion of Actor in conjunction with the production team.
13. Extension. Company agrees that any extension beyond the (FILL IN DATE) closing will be discussed with Actor and mutually agreed upon in conjunction with the production team. Any extension could necessitate a new venue.
14. Absences. Should the actor be unable to execute any duties, replacement of Actor is at the discretion of Company.
15. Budgets and Receipts. Actor may make pre-approved purchases, and agrees there will be no reimbursement without a receipt to be provided to the Producer by the conclusion of strike. All items purchased with Company funds become the property of the Company. All items borrowed or rented from Actor will be returned as contracted and replaced by the Producer if not in contracted condition at the conclusion of the contract. Sales tax reimbursement according to 501 ©(3) status.
16. Theatre Rental Space Regulations and Rules. Actor agrees to abide by all regulations and rules as posted by (FILL IN THEATRE OR THEATRE RENTAL SPACE) staff, and accepts all terms for fines regarding violations.
17. Warranty. Actor warrants that he/she is not under contract (and will not execute a contract) that might infringe upon their ability to fulfill the terms of this agreement.
18. Insurance. Company will maintain significant accident and liability insurance underwritten by (Insert Insurance Company Name).

This Agreement (and its Riders) constitutes the entire Agreement between Actor and Company and supersedes all prior agreements with respect to the subject matter hereof.

Actor:(signature) _____ Producer: (signature) _____
Date: _____ Date: _____

Additional Agreements can be found at www.notinourhouse.org.

The Role of the Stage Manager Regarding the Code of Conduct

The Stage Manager (SM) plays a crucial role in any production, and an equally crucial role in facilitating compliance with the Code of Conduct. The SM is a primary communication conduit between participants in a production and the producer as well as between performers and directors. We believe that the SM should be empowered to make decisions related to the safety of the participants and the integrity of the production and is expected to play a pro-active role in keeping all relevant parties informed of any actual or potential issues.

The SM should be well versed in the contents of the COC, the complaint path detailed by the producer, and the SM's role in both.

When reporting an injury, documenting staging and choreography (including sexual choreography), making nightly reports, receiving complaints and administrating solutions, the role of the SM does not change in theatres that adopt the COC. The significant potential additions to those responsibilities include

- Knowing and following the theatre's published complaint path;
- Being present for, and documenting consent as it relates to rehearsal boundaries;
- Documenting sexual content in detail (similar to fight or dance choreography).
- Inducing the Non-Equity Deputy in considerations of the First Rehearsal & First Technical Rehearsal Safety Walk in addition to knowing the duties of the Non-Equity Deputy.

Non-Equity Deputy

We recognize the importance of the role of a Non-Equity Deputy (NED) and will set aside time for electing a Non-Equity Deputy on the First Day of Rehearsal. The Non-Equity Deputy agrees to be the point of communication between the cast and crew and the stage manager when a complaint or issue cannot be resolved by an individual.

Productions often present no issues of concern, either to an individual or to all, but it is reassuring to have a Non-Equity Deputy in the production and there are lots of tasks a Non-Equity Deputy can undertake on behalf of their colleagues that are greatly appreciated. It is the job of the cast and crew to keep open and fair communication with The NED, who serves as an important tool in keeping the workplace safe and open.

Roles and Responsibilities of the Non-Equity Deputy (The NED)

- The NED volunteers, or is elected by secret ballot. The NED agrees to:
 - Serve as the liaison between cast, crew and SM when necessary issues in the workplace arise.
 - Protect anonymity. Reports to The NED remain anonymous when requested.
 - Is familiar with the COC, and assures the theatre's rules and safety notices is posted.
 - Assist in providing access to the COC.
 - Alerts SM of COC infractions.
 - Shadows the SM on the safety walk as outlined the Basic Health and Safety code.
 - Wherever possible, includes complainants of the process of resolution.
 - Provide contact information and availability for consult outside rehearsal space/hours.
 - Agrees to respond to complaints as soon as possible, and wherever possible within the same day; including addressing SM immediately whenever possible.
 - Has authority to contact the producer, according to the complaint path provided by the theatre, if the SM is not responsive to an issue or if the issue is beyond the SM's scope of authority.

Basic Health & Safety

We recognize the importance of maintaining an environment that prioritizes the basic health and safety of its inhabitants, whether it's an established theatre venue or a non-traditional space. We seek to identify and remedy situations that might be considered unsafe or unhealthy. Many performance-day problems can be prevented through careful planning. Health and safety considerations will be a regular topic at production meetings.

We are responsible for making sure that all parties receive immediate attention if they are taken ill or are injured in rehearsal or during performances. Accidents and illness can happen at any time and first aid can save lives and prevent minor injuries from becoming major ones.

We will strive to promote basic health and safety practices by providing the following:

- toilets and sinks, with soap and towels or a hand-dryer;
- drinking water (or disclosure if drinking water is not available);
- proper ventilation – a supply of fresh, clean air drawn from outside or a ventilation system;
- a reasonable working temperature (between 65 and 75 degrees);
- lighting suitable for the work being carried out;
- clean and maintained rehearsal spaces;
- regular equipment maintenance (see High Risk Physical Theatre) ;
- floors and traffic routes that are free from obstruction and tripping hazards;
- compliance The City of Chicago's fire codes;
- functional, non-expired fire extinguishers;
- a suitably stocked first-aid box.

At the first rehearsal, and the first technical rehearsal with actors, a basic Safety Walk Through with the SM and the Ned should include the following:

- Fire exit locations;
- Locations of first aid kits;
- Emergency procedures;
- Tripping or safety hazards in rehearsal settings and constructed stage settings;
- Locations of restrooms;
- Anticipated health and safety issues;
- Scenic units, stage floor surfaces, and special effects;
- Areas of potential hazard that have or may require glow tape;
- Wardrobe special needs, food allergies reported, and footwear to protect from debris.
- If an unsafe condition or unsafe act is discovered, it must be immediately reported to the SM. Records should be kept by the SM and the channels of remedy should be followed. Typical health and safety record keeping includes:
 - Accident, incident and first-aid reports;
 - Checklist of first rehearsals and first tech rehearsal walk-throughs

Even Better

- Staff within the organization should be trained in first aid and CPR.
- Fire extinguishers should be regularly inspected by a professional.

Audience and Front of House

Audience members impact the safety and secure environment of the performance. Increasingly, theatre is made in a variety of spaces that may not have traditional elements such as a stage and specific audience area. This code will outline:

- The difference between “traditional” and “non-traditional” environments in this context,
- how the producer can prepare artists for interaction with the audience,
- how the producer can establish a safe environment for this interaction,
- how the producer implement measures to uphold security during the performance.

Traditional Audience Environment is understood to be a performance that takes place in a theatre where the audience space and the performance space are defined and separate from one another. In a Traditional Audience Environment, performers are not typically expected to directly interact with the audience.

Non-Traditional Audience Environment include, but are not limited to, site specific theatre, performances with direct audience interaction, promenade theatre, and performances where the performers move throughout and/or interact with the audience.

Pre-Production

The type of audience environment will be disclosed to artists at the time of audition, or as early as possible thereafter.

Preview Performances

Non-Traditional Audience Environments require that special attention be paid to the preview process in order to predict how an audience will interact with the performance, and preview performances are strongly suggested.

Performances

The nature of any audience interaction or other non-traditional audience environment should be communicated to audience members before the performance begins. This will allow the audience to be willing participants in the production and will help to prevent unexpected audience behavior during the performance.

Audience conditions that effect performers will be communicated to the performers before the performance.

For all public performances, including previews, the producer should designate an individual to oversee box office and front of house operations. In Non-Traditional Audience Environments, additional responsibilities should include:

- attend at least one run-through or technical rehearsal prior to the first audience.
- conduct a pre-performance meeting with any and all front of house staff prior to every show to cover:
 - building safety requirements, audience configuration;
 - expectations of audience engagement;
 - any frequent unacceptable audience behaviors (drunkenness, inappropriate interactions with performers); and discuss a prevention and response plan.

Onstage Violence

We seek to prepare for and mitigate the risks of onstage violence to create a safe space in which to take great risks.

Pre-Production & Auditions

- Should a violence designer be required for a production, they will be engaged by the first production meeting.
- Auditionees will be notified of the following
 - The nature of the on-stage violence (weapons, physical combat, or sexual violence) acknowledging that concepts may change.
 - The name and bio of the violence designer/fight choreographer.

Rehearsal

- At the first rehearsal, the responsibility chain for violence should be clearly laid out for the cast, ideally introducing the violence designer, and discussing how the violence will be handled.
- Adequate time will be given to teach, rehearse, and adjust all choreographed violence.
- Fight Captains: a fight captain (typically the cast-member with experience in onstage violence) should be chosen to ensure that violence is rehearsed and doesn't change unintentionally. The fight captain will also bring any issues the attention of the stage manager and/or designer.
- Recording fights: Choreography should be either written down or video-recorded, so that actors and fight captains can keep the fights accurate.
- Fight calls: Ideally every rehearsal should have time set aside to run any fights that have already been choreographed. This is especially important before running the show. The designer, fight captain and SM should work together to make sure enough time is given.
- Fight calls need a safe space. Either on the stage or in a rehearsal space, but either way, when fight calls are happening, nothing else should be happening in that space – lights should not suddenly be shifting while people are fighting, and the space should be in, or close to, performance conditions.
- Communication with designer: Daily rehearsal reports should be sent to the violence designer and should include notes to the designer if any adjustments need to be made to the fights, or if any problems develop.
- Prop management: Weapons should be kept carefully managed – the only people handling props should be those who are required to.

Performance

- Fight calls should occur before every show.
- Communication should continue: ideally every performance should get a performance report distributed, and that distribution should include the violence designer, noting any issues that arise, or injuries (whether related to the fights or not).
- Performers should have a communication plan with the SM to report (on the day it occurs) any inappropriate and unsafe changes in the performance of violence and/or use of weapons. This communication plan should be provided to all members of the production.

Sexual Content & Nudity

The goal of this code is to create an atmosphere of trust and communication wherein great risks, involving Sexual Content and Nudity (SC/N) can be taken. Communication, safety, respect, accountability, artistic freedom, collaborative integrity, and personal discipline are the cornerstones of this code.

Pre-Production & Auditions

- SC/N will not be required or requested at any audition.
- Actors performing nude must be at least 18 years old, and should provide proof of age at the audition.
- Actors will confirm consent to SC/N at the time of audition, both verbally and in writing.
- All artistic staff will provide auditionees with SC/N policies.
- A designer or choreographer of SC/N will be established. This person may be the director.

Rehearsal

- The SM and director commit to rehearse SC/N as scheduled.
- Prior to rehearsing scenes with sexual content and/or nudity, the performers, director and SM will be present to discuss the content, and create consent for the rehearsal.
- Initial SC/N rehearsals will be closed. SC/N rehearsals will be opened after agreement by the SM, director and performers involved.
- No unexpected visitors will be allowed at any SC/N rehearsals.
- Actors performing nude scenes will be allowed to have and wear robes when not rehearsing.
- Before work starts, actors, director and SM will agree to the requirements of the planned activity (kiss, slap, etc.). Actors are responsible for staying within those agreed-upon boundaries.
- Actors, director and stage manager will build consent and discuss boundaries before rehearsing scenes with SC/N. A safe-word (like “hold”) should be established for SC/N rehearsals.
- SC/N choreography will be documented and maintained by the SM.
- Performers have the option to decline SC/N elements added after audition disclosure.
- Nude performers will not be photographed.
- A temperature comfortable for nude performers will be maintained in the rehearsal space.

Tech

- The director will publicly transfer the reins of authority to the SM, and will articulate what that means regarding SC/N and complaint path to entire production staff.
- Nudity during technical rehearsals will be limited to those times when it is absolutely necessary. Flesh-colored clothing or a robe may be worn when nudity is not required.
- Technical rehearsals will be closed to visitors during scenes with SC/N.
- Nude performers may not be photographed.
- A comfortable temperature will be maintained in the theatre.
- The SM should be vigilant in identifying and resolving potential physical hazards for nude actors.

Performance

- The SM should check in before and after performances with each actor individually regarding SC/N; confirming that the choreography is maintained and consent/boundaries have not been overlooked.
- If choreography is altered, actors are required to notify SM as soon as possible.
- A comfortable temperature will be maintained in the theatre.
- Nude performers may not be photographed.

Consent – creation of consent is defined by:

- A conversation that specifies the range of contact that is acceptable (e.g., anything but bikini area is within the range, or kissing is always closed mouth, etc.).
- The boundaries may change over the rehearsal process. The boundaries may narrow, or broaden. But any change to the boundaries must be discussed and agreed upon before the rehearsal.
- There will be an opportunity to discuss potential boundary violations at the end of each rehearsal.
- Maintain the integrity of the agreed-upon structure of intimate contact once a show is in production.
- All sexual content and intimate contact will be documented and kept by the SM.
- Performers should report any variations from the agreed-upon boundaries or actions to SM.
- Actors will inform the SM and their scene partner/s if they are sick (sore throat, cold sore, etc.). Alternate choreography should be defined for sick days.

Requires Disclosure

- SC/N will be disclosed in notices, invitations, and at auditions.
- Pre-cast performers or hired designers should be made aware of SC/N prior to accepting their roles.
- Designers will receive disclosure of SC/N and known design requirements.

Even Better

- When sexual choreography is required for the show – audition using non-sexual choreography to determine physical control.
- Discussion around sensitive requirements and how they will be handled occur in Pre-Production meetings.
- Producer should standardize communication and protocols with directors requiring SC/N.
- If a full script is made available to auditionees, the following language should be included: “Please read the script closely and confirm that you are comfortable working with this material. Feel welcome to bring questions about content to the audition process. Your level of comfort with the content of this script will not impact your casting consideration for future productions.”
- Robes will be provided for all actors who will appear nude.
- A deputy will be selected to receive actor concerns in the event that the stage manager is not available or responsive, or is the source of complaint.
- Performers, directors and choreographers should have equal status in devising SC/N scenes.
- A time limit for rehearsing SC/N should be established and communicated.
- Backstage areas and dressing rooms will seek to provide reasonable accommodations for modesty/privacy.

High-Risk Physical Theatre

High-Risk Physical Theatre uses performance techniques that carry with them a greater chance of injury than traditional theatre practices. This includes, but is not limited to, acrobatics, tumbling, performing on silks or other equipment, and performing in motorized set pieces. This is a guideline for providing safe rehearsal and performance spaces for actors performing in such a capacity, outside the categories of violent or sexual content.

Facilities

The following will be provided in all rehearsal and performance spaces in which high-risk physical theatre takes place.

- First Aid Kit, including cold packs
- Accident report forms
- Water
- Telephone for emergencies
- Adequate on- and off-stage lighting
- Temperature control
- Ventilation
- Space for warm ups
- Appropriate surface for activity
- Cleaned and maintained floors and surfaces
- Padded/glow-taped marked corners/hazards
- Proof of liability insurance

Acrobatic Equipment & Costumes

- All specialized equipment used on-stage and costumes worn for physical theatre shall be:
 - Suitable for the required movement/choreography
 - Installed by qualified rigger, if applicable
 - Inspected/maintained by trained technician before each use
 - Inspected by performers who use equipment before each use
 - Maintained as needed

Auditions & Rehearsals

- A movement and/or circus director/choreographer will be present at auditions and rehearsals.
- An accurate description of expectations of performers will be provided at auditions.
- Auditionees will be required to provide accurate descriptions of their physical abilities and physical limitations/injuries.
- SM and/or movement captain will record all choreography.
- Time will be allocated for stretching and warm up before all movement rehearsals.
- Time allotment at end of rehearsal for cool down, questions, and concerns.
- The director/choreographer will communicate expectations before each new piece of choreography is rehearsed.
- Performers will communicate any injury, discomfort, or fatigue experienced before, during, and after rehearsals.
- A 10-minute break will be provided after every 80 minutes of physical work.
- The director/choreographer and performers will agree on a vocabulary of safety (i.e.: the word "bail" could be used to abandon a trick mid-execution).

Sexual Harassment & Intimidation

According to the U.S. Equal Opportunity Commission (EEOC), sexual harassment is defined as follows.

“It is unlawful to harass a person (an applicant or employee) because of that person’s sex [sic]. Harassment can include “sexual harassment” or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person’s sex. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex [sic]. Although the law doesn’t prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim’s supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.”

The EEOC covers “employees” only, not contractors and volunteers. For that reason, this Code of Conduct seeks to provide definition for sexual harassment in the theatrical workplace for participants not covered by EEOC laws, to address the lack of sexual harassment codes in the AEA rulebook, and to provide an understanding of and sensitivity to the nuances of a theatrical workplace.

Harassment in a broader sense includes, but is not limited to:

- Inappropriate or insulting remarks, gestures, jokes, innuendoes or taunting about a person’s gender, gender identity, sexual identity, racial or ethnic background, color, place of birth, citizenship, ancestry, creed, or ability;
- Unwanted questions or comments about a participant’s private life outside of the boundaries of consent established in rehearsal;
- Posting or displaying materials, articles, or graffiti, etc. which may cause humiliation, offence or embarrassment on prohibited grounds that are outside the parameters of the production. A production about pornography, violence, racism, etc. may involve such images, but such images are not appropriate for open display in dressing rooms, bathrooms, etc.;

Sexual Harassment in a theatrical workplace:

- In a theatrical context, harassment will be additionally defined as one or a series of comments or conduct of a gender-related or sexual nature outside the boundaries of consent or production content, that is known or ought reasonably be known to be unwelcome/unwanted, offensive, intimidating, hostile or inappropriate. It is worth noting that the higher the emotional/sexual risk a production asks of its artists, the greater the diligence of each member of production and artistic staffs is expected to foster an environment of emotional safety.
- Sexual harassment includes but is not limited to:
 - Unwelcome remarks, jokes, innuendoes or taunting about a person’s body, attire, gender, or sexual orientation outside the boundaries of consent or production content;
 - Negative stereotyping, 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;
 - Unwanted touching or 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 preference 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, etc. which is sexually oriented outside the boundaries of consent or production content;
- Requests or demands for sexual favors which include, or strongly imply, promises of rewards for complying (e.g., job advancement opportunities, and/or threats of punishment for refusal (e.g., denial of job advancement or opportunities) outside the boundaries of consent or production content.
- **Participants have the right to be free from:**
 - Sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement outside production content;
 - Reprisal or threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made by a person in a position to grant, confer, or deny a benefit or advancement outside production content.

All or part of the above grounds may create a negative environment for individuals or groups. This may have the effect of "poisoning" the work environment. It should be noted that a person does not have to be a direct target to be adversely affected by a negative environment. It includes conduct or comment that creates and maintains an offensive, hostile, or intimidating climate. It is understood that creative atmospheres are not "emotionally sanitary" – they can safely be bawdy, profane, vulgar, and challenging. We assert that having (a) an environment of building consent and (b) an environment that allows for response to clear boundary violations can broaden our opportunity to be challenging and fearless in our work.

Sexual Harassment as it relates to Performances with Sexual Content and Nudity

We are committed to maintaining a workplace of risk supported by communication, safety, respect, and accountability, free of harassment and discrimination. We seek an atmosphere where actors can be bold and live moment-to-moment in the given circumstances of the material while being vigilant to their fellow artists' safety and boundaries. Clear boundaries must therefore be established and agreed upon among the artists involved, both in rehearsals and performance, particularly in scenes depicting violence, sex acts, intimate contact, abuse, or gestures of intimacy.

Theatre environments can court confusion about what is freedom, and what is violation or harassment. Theatre can be bawdy, challenge social norms, shock, offend and even arouse. We do so with integrity when that freedom to express, engage and risk is collective, inclusive, and accountable. We believe that freedom in the theatre can engender both freedom and boundaries. With that in mind, we seek to clarify sexual harassment as it pertains to rehearsal and performance, and to outline recourse when abuses occur.

Sexual harassment in theatrical workplaces also includes, but is not limited to:

- Attempting to engage in sexual behaviors offstage that are choreographed for the stage;
- Suggesting a performer 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;
- Not respecting the dressing room codes set forth by the COC;
- Inviting a performer to rehearse sexual content outside of scheduled rehearsals;

- Repeated invitation/suggestion to take relationships of a sexual nature beyond the stage;
- Using the text of a production that is sexual, violent, threatening or offensive in offstage discourse;
- Improvising with sexual content without expressed consent.

Repeated violations of sexual staging, violation of boundaries, or ignoring the limitations of consent, can be grounds for a sexual harassment complaint. Deviating from sexual content choreography is tantamount to deviating from fight choreography. It is considered unsafe, unethical, and grounds for response from stage management and the producer.

Sexual harassment can result in immediate dismissal.

Concerns about harassment, safety, or a negative environment may be reported through the channels set forth in the Complaint Path portion of this Code of Conduct.

DRAFT

Diversity, Inclusion & Discrimination

The COC takes no position on who should be cast in any production. The COC also does not control content, or prescribe how art is made. Storytelling may represent issues of gender, race, religion, cultural origin, color, and ability in uncomfortable ways including violence, racism, abuse and other uncomfortable elements of the human experience. We seek an ethical atmosphere of through disclosure, communication, respect and accountability when staging culturally challenging content and working with diverse companies.

We acknowledge that in diverse environments, bias and misrepresentation (both intentional and unintentional) can occur. We seek to maintain integrity, freedom, risk, and cultural challenge within the art without sacrificing the integrity of the artists. Responding to these issues may create awkward moments in the rehearsal process. The COC seeks to allow these moments to happen with integrity and respect.

We make the following commitments to all participants who work with us:

- We recognize inquires of cultural representation as professional and artistic. To that end, actors have the right to make inquiries about how the producer plans to use their cultural personhood within the context of any given piece of art. Whether inquiries are made at the time of audition or upon an offer of casting, a thoughtful response from the producer will be provided and remain confidential.
- The actor has the right decline a casting offer without fear of losing future opportunities.
- After roles have been offered, accepted, and agreements have been signed, participants have the right to speak up if they feel that relevant agreements are not being upheld. Contradicting a relevant written or verbal agreements may include but is not limited to:
 - Costume pieces that can reasonably be understood as culturally demeaning not disclosed at audition/casting.
 - Staging (culturally based violence or abuse not disclosed at the time of auditions/casting, for example) not disclosed at the time of audition/casting.
 - Accents to underscore a cultural presentation not disclosed at the time of auditions/casting,
 - Make-up that can reasonably be described as “black face” or “brown face” not disclosed at the time of audition/casting.
- We agree that if a person is being asked to play a reasonably-understood stereotype, or participate in reasonably-understood culturally based violence, or other hate-based activities or language, it is tantamount to asking an actor to perform nude insofar as it demands disclosure at the time of audition, and an applied understanding of the emotional risk taken by the actor.
- Staging scenes of cultural violence, and other hate-based narratives and language will incorporate the “consent” elements outlined in this COC, and be approached with the same awareness and care as violence design, and SC/N.
- We seek to address concerns with generosity and humility through the channels of The Complaint Path and/or the Non-Equity Deputy as outlined in this COC.

Dressing Rooms

Dressing room/s will be provided wherever possible for this production. Respective of the often close-quarters and gender-neutral environments of dressing rooms, we make the following commitments:

- Reasonable and possible accommodations will be made to respect individual modesty.
- Non-performers (with the exception of the SM and wardrobe staff) will not be allowed in the dressing room between 30 minutes before the performance begins and 30 minutes after the performance ends.
- Where dressing rooms are separate for men and women, performers may occupy with the dressing room of their gender identify.
- Where costumes are used, a clothing rack and hangers will be provided.
- Dressing room space will accommodate a reasonable amount of the actors' personal belongings.
- While it is always advisable to leave valued possessions at home, provisions will be made for a reasonable quantity of "valuables" to be collected before each performance and returned as soon as possible after the end of the performance.
- Recording by any means, and posting anything recorded online, will not be permitted in the dressing room without the prior consent of all individuals present.
- Reasonable accommodations will be made to foster an environment of focus and professionalism, such as disallowing music and discussion of reviews.
- Inhabitants of dressing rooms will respect the property and personhood of fellow inhabitants by limiting perfumes, smelly or messy food, talking on cellphones and other noisemaking devices.
- Items belonging to one actor will not be used by another without prior permission.
- Dressing room issues will be reported to the SM and may be reported to The NED.
- Valuable personal items should not be left in the dressing room between performances.
- The theatre is not responsible for lost or stolen personal items.

Complaint Path

A cornerstone of this Code of Conduct is accountability, and therefore recognize that no code of conduct can be effective if participants don't have recourse for violations of the code. We have detailed the complaint path specific to our theatre and provided that information to all participants.

What is a complaint path?

A complaint path describes the process of reporting a complaint and the responsibilities of those involved in responding to a complaint. A complaint path consists of:

- Written, clear and transparently shared procedures for filing a complaint.
- Written, clear and transparently shared list of persons with whom the complaint should be filed.
- A readiness to give filed complaints priority and a reasonable timeline for resolutions.
- Contingencies when the persons receiving the complaint are the ones about whom the complaint is being filed or when the priority/timeline standards are not being met.

Structure

- Level One –a complaint that can be resolved through conversation with the parties involved.
- Level Two – The following staff should be granted a certain level of authority and trust to determine whether a complaint can be resolved at this level or if it needs to be sent to the next level. All complaints should be reported to Level Three, even if no action is required.
 - Non-Equity Deputy
 - Stage Manager
 - Production Manager
 - Director
- Level Three – these people should be considered the final level of the path, capable of resolving issues that have not been resolved prior to reaching this stage. They are strongly advised to consult with each other and review legal or other implications of any decision.
 - Artistic Director
 - Managing and/or Executive Director
 - Board Members

Communication

- The complaint path should be clearly articulated at the first rehearsal and provided in writing for future reference. This communication should include the name, title, and contact information for every individual on the complaint path.
- Participants should be encouraged to submit complaints in writing.
- It should be made clear that submitting a complaint is a serious mechanism, to be used with purpose.

Record Keeping

- The producer should maintain personnel files, which should include any complaints made by or about the participant. Such files are to be kept confidential and accessible only to the individual(s) responsible for maintaining the files.

Legal Remedies

- A complaint may include civil or criminal charges, which may require legal advice or action.
- A violation of civil rights should be reported to the Illinois Attorney General:
<http://www.illinoisattorneygeneral.gov/rights/civilrights.html>

Sample Complaint Path

Creating a safe and comfortable environment for all members of our team is important to this company. We take complaints seriously and seek to address concerns in a sensitive and timely manner.

If you wish to file a complaint, and contacts that will be involved depending on the level of complaint. We encourage complaints to be made in writing when possible.

Level One-

If you feel comfortable doing so, we encourage the first line of action to be directly addressing your concern with the parties involved. This helps to foster an honest and open community and is often the fastest path to a resolution.

Level Two-

If you are not comfortable directly addressing the other parties involved or no resolution can be agreed upon, your next points of contact can be any of the following:

NAME: _____
TITLE: Stage Manager
EMAIL: _____
PHONE #: _____

NAME: _____
TITLE: Director
EMAIL: _____
PHONE #: _____

NAME: _____
TITLE: Non-Equity Deputy
EMAIL: _____
PHONE #: _____

NAME: _____
TITLE: _____ (other individual)
EMAIL: _____
PHONE #: _____

Level Three-

If your issue has not been resolved through levels one and two, or if you are an individual of the Complaint Path Identified in Level One who needs further assistance to resolve the complaint, your next points of contact can be any of the following people. The contacts at this level will consult with each other and review legal or other implications of any decision.

NAME: _____
TITLE: Artistic Director
EMAIL: _____
PHONE #: _____

NAME: _____
TITLE: Managing or Executive Director
EMAIL: _____
PHONE #: _____

NAME: _____
TITLE: Board Member
EMAIL: _____
PHONE #: _____

NAME: _____
TITLE: _____ (other individual)
EMAIL: _____
PHONE #: _____

A complaint may include civil or criminal charges, which may require legal advice or action.

A violation of civil rights should be reported to the Illinois Attorney General:

<http://www.illinoisattorneygeneral.gov/rights/civilrights.html>

In case of physical emergency or criminal activity, call 911.