



SAFE SPACE AND SEXUAL HARASSMENT POLICY

The Jean McDonough Arts Center, which is inclusive of the PopUp gallery and Brickbox Theatre, and staff do not tolerate hate or harassment of any kind. We affirm that Black lives matter, that love is love, that gender is a spectrum, that science is real, and that the arts are vital.

We endeavor to understand, define, and prohibit harassment in all contexts, and with particular emphasis on the performing arts context. This policy is an evolutionary process to be refined and updated as the organization and safe space best practices evolve.

During your time as a Licensee, it is expected that all members of your own organization will adopt these standards to their fullest extent. Failure to do so will result in immediate termination of the Lease Agreement, without a refund.

In the performing arts context, the potential for harassment can arise in rehearsal, during performance, and beyond the theater amongst participants, staff, board, and audience members. Theater environments can invite misunderstanding and confusion regarding the differences between performance chemistry, artistic freedom, and harassment, and we believe that performers and participants can fully engage in theatrical material while remaining within agreed-upon boundaries.

The US Equal Opportunity Employment Commission (EEOC) states that:

“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. Rev 12-11-17 23 Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person’s gender [sic]. For example, it is illegal to harass a woman by making offensive comments about women in general. Both victims and harassers can be either female or male, and the victim and the harasser can be of 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 does not cover contractors or volunteers, but rather employees only. The EEOC similarly does not include mention of non-binary individuals. Therefore, this handbook and policy statement is inclusive of all individuals of all genders who are working, presenting, or volunteering at the Brick Box, and with any Licensee.

In general, harassment 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;
- persistent unwanted questions or comments about a participant's private life outside the boundaries of consent established in rehearsal;
- posting or displaying materials, articles, graffiti, and so on, which may cause humiliation, offense, or embarrassment on prohibited grounds that are outside the parameters of the production. A production about pornography, violence, or racism may involve such images in the rehearsal space or in a dramaturgy packet, but such images are not appropriate for open display in dressing rooms, bathrooms, or other similar spaces.

In the performing arts context, harassment can have further and more nuanced definitions. These may include, but are not limited to:

- comments regarding the conduct of a gender-related or sexual nature outside the boundaries of consent or production content, which is known or should reasonably be known to be unwelcome/unwanted, offensive, intimidating, hostile, or inappropriate (a heightened diligence is required in cases where the emotional/sexual risk of a production is elevated.)

Sexual harassment includes but is not 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, massaging, patting, hugging, or pinching outside the boundaries of consent or production content, or unwelcome inquiries or comments about a person's sex life or sexual practices 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, especially those that include, or imply, promises of rewards for complying (e.g. job advancement or opportunities) and/or threats of punishment for refusal (e.g. denial of job advancement or opportunities) outside the boundaries of consent or production content.
- 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 dressing room privacy 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 the text of a production that is sexual, violent, threatening, or offensive in offstage discourse;
- improvising sexual content without expressed consent.

All parties 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.

The behaviors and actions described above can negatively impact an otherwise positive environment for individuals or groups. An individual need not be a direct target to be adversely affected by a negative environment. While theatrical, artistic, and creative environments are by nature not always “emotionally sanitary” - we believe that a tone of building consent and understanding boundaries can foster creativity and comfort to develop work.

Concerns about harassment, safety, or a negative environment should be reported using the following paths for resolution:

- Level One - If you feel comfortable doing so, we encourage you to first directly address your concern with the individual(s) 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 individual(s) involved, or if no resolution can be agreed upon, your next points of contact can be any of the following:

Mainstage Artistic Director & VP of Programming

Troy Siebels

troy@thehanovertheatre.org

Senior Director of People and Culture

Patrice Beckford

pbeckford@thehanovertheatre.org

Hanover Theatre President + CEO

Alan Seiffert

aseiffert@thehanovertheatre.org

All concerns will be kept confidential at all times, however, stage management, deputies and production management may report concerns to the above individuals, who will advise and outline options for next steps with the reporter and will have full consent of the reporter before pursuing any actions.

When a complaint is received, it will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances, and will include a private interview with the person filing the complaint, with witnesses, and with the person alleged to have committed harassment.

If it is determined that inappropriate conduct has occurred, there will be prompt action to eliminate the offending conduct. When appropriate, disciplinary action may also be taken, and may range from counseling to termination.

- Level Three - In addition to taking the steps above, anyone who believes they have been subjected to unlawful harassment may file a formal complaint with either or both of the government agencies set forth below. Each of the agencies has a short time period for filing a claim (EEOC and MCAD - 300 days).

The United States Equal Employment Opportunity Commission

475 J.F.K. Federal Building
Government Center
Boston, MA 02203-0506
617 565 3200

The Massachusetts Commission Against Discrimination

Boston Office:
One Ashburton Place
RM 601 Boston, MA 02108

617 727 3990

New Bedford Office:
800 Purchase Street, Room 501
New Bedford, MA 02740
508 990 2390

Springfield Office:
436 Dwight St., Suite 220
Springfield, MA 01103
617 739 2145