

Preventing and addressing violence and harassment in film and TV production

KNOWING THE LAW

PROMOTING SAFE ENVIRONMENTS

LISTENING AND PROTECTING VICTIMS

PROMOTING GENDER EQUALITY

BALANCING POWER STRUCTURES

MONITORING AND SANCTIONING

INFORMING AND TRAINING

IMPROVING WORKING CONDITIONS

NEGOTIATING PROTOCOLS

CONDITIONING PUBLIC FUNDING

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This publication has been prepared by the EURO-MEI secretariat with the support of a working group of affiliates convened in the context of a European project on promoting dignity and preventing violence at work; a project co-financed by the European Commission¹.

One of the key objectives of this project was to increase the capacity and expertise of trade unions to successfully prevent and address violence and harassment in film and TV production but also to effectively engage in sustainable dialogue with international employers' federations, funding bodies and regulatory authorities on minimum standards in film and TV production.

The EURO-MEI working group on the prevention of violence and harassment in film and TV production met twice in 2019, in Madrid and Brussels, and twice in 2020, once in Berlin and once virtually. Thanks to the information shared during those meetings – state-of-play in the different countries, key demands and needs from unions' members and representatives, and the good practices identified – the present guide could be prepared.

This publication aims at offering unions representing off screen workers in film and tv production across Europe and beyond the necessary knowledge and tools to enhance their action in the field of the prevention and protection from violence and harassment.

In times of Covid-19 and taking into account the impact the virus had and will have on the sector of Film and TV production, it will be crucial to maintain this work in both the existing structures and the structures that will be created in the future. Prevention of violence and harassments should never be considered as a rhetorical question or as something exceptional going against “work as usual”. On the opposite, it should become “work as usual”. We have to remember this in times of crisis.

¹ Promoting dignity and preventing violence at work behind screen & set (project VS/2018/0354)

1. Definitions

Quoting the International Labour Organization (ILO) in its introduction to the [Violence and Harassment Convention \(N° 190\)](#)²: ***‘Violence and harassment in the world of work is pervasive. It affects all countries, occupations and work arrangements. It manifests in different forms and contexts. It deprives people of their dignity and is incompatible with decent work and social justice’.***

Adopted in June 2019 - in conjunction to the [Violence and Harassment Recommendation \(N°206\)](#)³ - and to enter into force in June 2021, the ILO Convention defines violence and harassment as *‘a range of unacceptable behaviours, practices or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm’* (Article 1.1).

Violence and harassment in the world of work can therefore be:

(1) **physical** (e.g., physical attacks, beating, kicking, slapping, stabbing, shooting, pushing, biting, etc.);

(2) **psychological** (e.g., verbal abuse, mobbing, bullying and cyberbullying; psychological harassment at work particularly can include manipulating a person’s reputation, isolating a person, withholding information, slandering and ridiculing, devaluating rights and opinions, setting impossible goals and deadlines, underutilizing talent, etc.);

(3) and/or **sexual** (e.g., sexual assaults, sexual blackmail, sexual advances, sex-based comments, disparaging remarks about the sex of the target, innuendos, the display of sexually suggestive or explicit material, etc.).

Violence and harassment at work can be perpetrated **between co-workers** (horizontal violence), **between supervisors and subordinates** (vertical violence), or **by clients/customers/patients** (third party violence).

The ILO Convention acknowledges that gender-based violence and harassment disproportionately affects women (gender-based violence and harassment being defined as violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and that includes sexual harassment).

² C190 - [Violence and Harassment Convention](#), 2019, International Labour Organization

³ R206 - [Violence and Harassment Recommendation](#), 2019, International Labour Organization

It therefore recognizes that an inclusive, integrated and gender-responsive approach of violence is necessary; an approach which tackles the underlying causes and risk factors of violence and harassment, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations.

Sexual harassment is a manifestation of sex-based discrimination. It has been addressed in the framework of the ILO Discrimination (Employment and Occupation) Convention 1958 (N°111).

Key element of sexual harassment are:

- requests for sexual favours to obtain or maintain a job, a promotion or other employment conditions or benefits (quid pro quo harassment);
- situations at work or in work-related environments causing individuals discomfort or humiliation, because of sexually suggestive behaviour or images or hostile conduct directed at someone because of their gender or gender identity (hostile work environment harassment)⁴.

The roots of sexual harassment against women in the work environment are multiple: the devaluation of women and of women's work; their lower presence as a working population; their lower levels of power and authority; their lower wages and their worse working conditions.

The persistent culture of sexism present in work environments also explains the difficulty for many men to identify with women and for many women to support other women who suffer from discrimination and/or violence or harassment.

The pervasive nature of gender-based violence and harassment in film & tv production - and in our societies in more general terms - came under a crude light in 2017 in the wake of the #metoo movement. If sexual harassment is certainly not a new phenomenon, #metoo highlighted how widespread the problem is in the sector and how interlinked it is to gender equality.

Both men and women play a role in those unequal structures, and both women and men can contribute to maintain the status quo or to challenge it.

⁴ From the 2002 General Observation of the ILO Committee of Experts on the Application of Conventions and Recommendations as quoted in the [ILO Policy Brief on sexual harassment in the entertainment industry](#) (November 2020)

2. Knowing and understanding the law

When the ILO Convention will enter into force in June 2021 it will be applicable to the countries that have ratified it.

For the moment only three countries have ratified the document: Uruguay, Fiji and Namibia. Hopefully, many more will take action in the months and years to come.

When Member to the Convention, a country '*shall adopt, in accordance with national law and circumstances and in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work*' (art. 4).

Such an approach should:

- **prohibit in law violence and harassment;**
- establish or strengthen **enforcement and monitoring mechanisms;**
- ensure access to **remedies and support for victims;**
- provide for **sanctions;**
- develop **tools, guidance, education and training**, and raise awareness;
- and ensure effective means of **inspection and investigation** of cases of violence and harassment (including through labour inspectorates or other competent bodies).

If laws prohibiting violence and harassment already exist in many countries, enforcement mechanisms and sanctions are too often lacking, which leads to situations of abuse and impunity.

The law of the European Union (EU) prohibits harassment on the ground of a person's sex and sexual harassment and equates both with sex discrimination⁵. Neither harassment on the ground of sex nor sexual harassment can be justified.

In line with EU directives, all countries members of the EU have prohibited harassment and sexual harassment in their national legislations. French law has taken a step further as it also prohibits sexist behaviour at work. Depending of the country, dispositions against sexual harassment can be found in criminal law, labour law, specific dedicated laws or human rights law.

⁵ Article 2(1)(c) and (d), and (2)(a) of Directive 2006/54/EC (recast); Article 3(c) and (d) and Article 4(2) of Directive 2010/41/EU

In the different national contexts, definitions vary but they all present common elements: a behavior of a sexual nature, not desired, perceived by the victim as creating a hostile work environment and leading to humiliation.

Despite the existence of a legislative framework, experts⁶ have reported that the number of cases that concern harassment on the basis of sex and sexual harassment taken to courts across the EU is low and that there is a general lack of measures addressing harassment and sexual harassment in employment.

Reasons why victims are hesitant to go or are dissuaded from going to court include: the length and costs of judicial proceedings; sanctions that are too low to have a deterrent effect; the difficulty to provide proof of harassment, especially as there are often no witnesses; the fear of victimisation and/or the risk of acquiring a 'bad reputation' in the labour market, sometimes worsened by a general precariousness in the labour market, and the existence of non-disclosure agreements.

Knowing the law, understanding it and making sure it is applied properly is therefore key to efficiently protect individuals from sexual harassment in the work environment going forward.

⁶ A comparative analysis of gender equality law in Europe 2019, European network of legal experts in gender equality and non-discrimination, European Commission

3. The responsibilities of employers

The ILO Violence and Harassment Convention in its article 9 asks Member States to '*adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment*'.

In particular, employers shall:

- (a) adopt and implement, in consultation with workers and their representatives, a **workplace policy** on violence and harassment;
- (b) take into account violence and harassment and associated psychosocial risks in the management of **occupational safety and health**;
- (c) **identify hazards and assess the risks** of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them.

Employers should also provide to workers and other persons concerned **information and training** on the identified hazards and risks of violence and harassment, and on the associated prevention and protection measures.

The responsibilities of employers, depending on the national legislative framework, vary from one EU country to another.

Here is a sample of national legislations.

All Nordic countries have a law that defines sexual harassment and the responsibilities of employers⁷.

According to **Denmark's** equal treatment legislation, employers are required to stop all occurrences of sexual harassment that they are or should reasonably be aware of. If the employer fails to act, a case can be taken to court and the employer be fined for noncompliance with the equal treatment legislation.

In **Finland**, sexual harassment is regulated in the gender equality act and the occupational health and safety act. Employers must ensure that employees are not subjected to sexual harassment in the workplace. The law requires both public and private employers to promote gender equality and to have a gender equality plan in place. The plan should include a specification of how sexual harassment is to be prevented and dealt with. Employers are also required to take appropriate action in the event of sexual harassment.

⁷ What does the law say about #Metoo - Review of sexual harassment laws in the Nordic countries, Nordic Council of Ministers, 2018

In **Iceland**, employers must implement measures to protect employees from sexual harassment in the workplace. According to the gender equality act, every workplace with more than 25 employees must establish a gender equality plan that addresses the issue of sexual harassment. The plan must furthermore specify the employer's response should it occur. According to the occupational health and safety act, Icelandic employers must also establish an action plan specifying procedures for the handling of harassment, bullying or violence in the workplace. The plan shall primarily address psychosocial risks, bullying and sexual harassment. Each employer is legally responsible to maintain a reasonable work environment that is free from sexual harassment. Employers that do not comply with the law may be fined or have their operations shut down.

In **Sweden**, the Discrimination Act requires employers to actively implement measures to prevent discrimination and promote equal rights and opportunities. Employers are also required to actively assess the existence of sexual harassment in the workplace, for example by paying attention to jargon and checking for the presence of offensive pictures. The results of the assessments must be analysed and appropriate measures taken. This work must be carried out in consultation with employee representatives. The law also requires employers to establish guidelines and procedures for prevention of sexual harassment. The procedures should specify how the employer is to act should sexual harassment occur.

In **Ireland** there are 2 primary pieces of legislation for dealing with violence and harassment in the workplace.

The Safety, Health and Welfare and Work Act 2005, specifies that an employer's duty extends to managing and conducting work activities in such a way as to ensure the safety, health and welfare at work of his or her employees. This includes the carrying out of risk assessments and putting in place measures to eliminate and mitigate risk. Accordingly, the risk assessment should also cover welfare, i.e. behaviours likely to cause risk or harm to others. Accordingly, appropriate elimination / mitigation measures need to be identified and communicated to the workers. This results in the creation of procedures to identify inappropriate behaviours and to prevent violence in the workplace.

Under the Employment Equality Acts 1998-2015, sexual harassment and harassment of an employee (including agency workers and trainees) in the workplace are against the law. This includes sexual harassment and harassment by: co-workers, the employer; clients, customers or other business contacts of the employer, including anyone the employer could reasonably expect the worker to come into contact with.

The Department of Justice, Equality and Law Reform developed the [Code of Practice on Sexual Harassment and Harassment](#) which seeks to promote the development and implementation of policies and procedures which establish working environments free of sexual harassment and harassment and in which the dignity of everyone is respected.

The code states that employers should adopt, implement, and monitor a comprehensive, effective and accessible policy on sexual harassment and harassment. The policy should be devised in consultation with employees and trade unions and should set out what constitutes sexual harassment and harassment; who is responsible for implementing the policy; and how complaints will be dealt with. The provisions of the code are admissible in evidence and if relevant may be taken into account in any criminal or other proceedings before a court.

In **Spain** all companies are obliged by law to elaborate 'protocols against sexual harassment'⁸. They should put in place specific procedures for its prevention and channel the complaints or claims that may be made by those who have been subject to it. Those measures have to be negotiated with the workers' representatives.

In **France**, sexual harassment in the workplace is forbidden under Labour Law and punishable under Article 222-33 of the Criminal Code. Employers have to take the necessary measures to ensure the security and protect the physical and mental health of workers, including for the prevention of sexual harassment acts, to end their occurrence and sanction them. Employers and human resources managers who have not put in place prevention and protection measures are responsible under civil and criminal law in case of harassment. Their responsibility is also engaged if they were informed of an act of harassment, an aggression or an act of sexism and did not react.

In **Germany**, under the General Act on Equal Treatment, employers have the duty to create a working environment that does not tolerate discrimination or harassment. The law is applicable in the private and public sectors and it obliges employers to prevent and protect victims against sexual violence and harassment. The employer is responsible for creating internally a complaints procedure and mechanisms to deal with the case, sanction the perpetrator(s), not discriminate the victim and prevent any form of sexual harassment.

⁸ Article 48 of the Spanish Organic Law 3/2007

In the **United Kingdom**, the employer is legally liable for actions by their employees that are carried out in the course of employment. This applies whether or not the harassment is done with the employer's knowledge or approval. This concept of vicarious liability means a worker can bring a claim of harassment against an employer for actions carried out by other employees. The claim can also be brought against the individual perpetrator of the harassment. However, an employer has a statutory defence to a claim if they can show they took all reasonable steps to prevent the harassment occurring.

In those countries, and in others with similar obligations, what is too often lacking is a monitoring and reporting process on these obligations (through labour or health & safety inspectorates, unions' visits in the work places, regular reports and in dialogue with unions, etc.). Such processes should be systematically implemented or created when they do not exist.

1. Collecting information and monitoring the field

The reasons for unions to engage in the prevention of and protection from workplace violence and harassment are clear: it is a work-related issue, it threatens health & safety in the workplace and, as long as it disproportionately affects women, it is a gender equality issue.

In film & tv production, reasons for unions to engage are even more numerous.

In a workforce predominantly of freelance nature, unions are often the only port of call for isolated workers. In an industry that privileges informality and sometimes sees itself as 'different' because of its creative and artistic nature, a key role of the unions is also to recall the law and remind employers of their obligations.

In addition, as they strive for the improvement of the film & tv industry working conditions, unions also work for the transformation of a work environment too often conducive to enhance risks of violence and harassment.

To demand change and offer adequate support to workers, a first important step for unions is to know the field, monitor the situation on the ground, and collect information. They must stay informed on the state-of-play regarding the specific work environments in the sector and the existence or the lack of protocols in place to prevent and react to violence and harassment.

This first step is comforted by the 190 ILO Convention as it requests the identification of the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment, and the implementation of measures to effectively protect such persons.

Risks of violence and harassment in the workplace are aggravated by many factors such as work organisation, contractual arrangements, forms of interactions between employees and employers, and the way hierarchies manage conflicts.

In the film & tv industry many of such aggravating factors exist and must be addressed: long hours, night work, precarious working conditions and a large part of the workforce working freelance, high stress levels and competition for work, etc.

As harassment is very often the result of a misuse of power, hierarchy structures on set and the increased vulnerability to harassment of certain roles is also very important. The high workload and pressure during productions is also a key aggravating factor as there is often not enough time, nor space for victims to voice their concerns and/or report wrongful acts. Surveying members on the situation regarding violence and harassment at works and on the support systems in place to assist victims and ensure due process is therefore very important.

By contributing with facts and figures about the working conditions in the sector and their impact on the professionals' well being, unions can play a great role. They can make visible the risk factors that enhance the chances of seeing violence and harassment emerge in the work place and negotiate concrete changes with employers. By raising awareness about those risks through campaigns and public statements in the media, unions can also affect change in the longer term at societal level.

Irish Equity, which sits within the Arts & Culture Sector of the Services Division of SIPTU, ran a Membership Survey on bullying and harassment in 2016. There were 285 responses to the survey, over 63% of respondents were female and over 80% were between the ages of 25 and 54, with 62% describing their working situation as freelance. Over 57% of respondents said they had experienced bullying in the course of their work with almost 74% confirming that they did not report this behaviour to anybody. The effects of the bullying are quite significant with symptoms ranging from anxiety and depression, feelings of dread, not wanting to go to work and sleeping problems among the number of symptoms described.

The **BECTU's** workplace behaviours [survey](#), carried out in 2018, saw more than 700 BECTU members in broadcasting, theatre, the arts, film and telecommunications in the UK share their experiences.

The survey results indicated that more than half (51%) of women and a quarter (28%) of men have experienced or witnessed bullying, harassment or unwanted behaviour on grounds of sex. Workers were exposed to sexual harassment, sexual remarks and sexist behaviour more than any other kind of inappropriate behavior. More than half (58%) of respondents have experienced or witnessed "jokes" of a sexual nature. Half (50%) have experienced or witnessed comments of a sexual nature. A quarter (25%) have experienced or witnessed unwanted and/or inappropriate touching, hugging or kissing at work. 18% have experienced or witnessed the circulation of pornography in the workplace.

Fear of repercussion and a lack of trust in managers are major barriers to speaking out, with 43% saying they wouldn't trust managers to deal with an issue and 42% saying they would be concerned about the impact on their career. Workers also harbour fears of damaging their working relationships; being blamed by colleagues, and not being taken seriously.

In October 2017, BECTU had also published '[Eyes Half Shut – A Report on long hours and productivity in the UK film and TV industry](#)'. This report, based on a survey of 476 respondents working mostly in film/commercials and TV drama, highlighted the difficult working conditions in the sector with widespread overtime and irregular hours, no proper rest between the end of the day and the next morning start and a knock-on effect on family life and tiredness. The survey also demonstrated that long hours and the cumulative impact on personal and family life is turning people away from the industry with nearly two thirds of women surveyed saying that they did not expect to be working in the industry in the long term. The Eyes Half Shut campaigns also highlighted how long hours can create an environment where bullying takes place.

In 2016 Local 871 of the **International Alliance of Theatrical Stage Employees and Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada (IATSE)** commissioned an [in-depth assessment](#) of gender bias in compensation for four female-dominated Local 871 crafts involved in film, television and other media production: Script Supervisors, Production Coordinators, Assistant Production Coordinators and Art Department Coordinators⁹.

In the context of this study, conducted between November 2016 and January 2018, interviewees also identified examples of sexist behavior and incidents, as well as general disrespect for their work as highly gendered, and specific examples of sexual harassment. In the survey responses, the majority of women reported experiencing or witnessing recent incidents of sexual harassment. Nearly half of all respondents (female and male) reported experiencing or witnessing sexual harassment in the last three years. And among the female respondents, nearly one in seven (13%) reported experiencing or witnessing sexual harassment "often" in the last three years.

In 2019 IATSE Local 891 in British Columbia, Canada, which at the time represented over 9,000 active members in the motion picture production sector in the region, also published a study that examined pay equity among its male and female members, explained the factors behind pay inequity and proposed strategies to address them.

⁹ [Script Girls, Secretaries and Stereotypes – Gender Bias in Pay on Film and Television Crews](#), Working Ideal prepared for IATSE Local 871, June 2018

The study showed that: there was a significant occupational segregation by gender across departments, that, on average within the IATSE Local 891 membership, men earned more income than women, men worked more hours than women, men worked more overtime than women, men earned more on an hourly basis, and men in the union were older and more experienced.

In November 2020 the ILO published a [Policy brief on sexual harassment in the entertainment industry](#)¹⁰. The survey was carried out by the ILO with the International Arts and Entertainment Alliance (IEAE), which is made of 3 global federations: FIA (International Federation of Actors), FIM (International Federation of Musicians) and UNI-MEI.

The survey collected responses from 74 trade unions from 42 countries (18 in Europe, 8 in Africa, 8 in Latin America and the Caribbean, 6 in Asia and the Pacific and 2 in North America). Survey answers came mainly from unions covering live entertainment, film and television production and broadcasting.

86 percent of the unions responding to the survey claimed that sexual harassment was a concern for their members and affiliates. 38 per cent of survey respondent mentioned that incidents of sexual harassment had been reported in the last 12 months by their members.

¹⁰ [ILO Policy Brief on sexual harassment in the entertainment industry](#) (November 2020)

2. Raising awareness and training unions' reps and members

To proactively and visibly engage with the issue of violence and harassment at work unions also have to be equipped with the right knowledge and skills to inform and assist their membership and engage in constructive dialogues with employers, law makers and institutions.

For equipping unions to be genuine vectors of change, awareness raising and training on the topic of discrimination, violence and harassment need first to be organised in-house. An internal violence and harassment policy and relevant protocols should also be put in place.

To do so transformations of internal structures and work processes might be needed within the unions themselves, in order to increase gender equality and the representation of women and therefore render the unions more relevant at the time of receiving complaints, of treating them and of demanding more actions from the employers and the legislators.

Training union representatives and union staffs on legal frameworks, definitions, on how to handle concrete cases, etc. is a second important step to be taken.

Training sessions – in person and/or online – can be supported by the development of guides and leaflets that puts forward key information on the relevant laws, protocols, employers' obligations in a given national context.

There are many examples of unions having developed such tools.

BECTU has drafted [a workplace guide to dealing with sexual harassment](#) in the UK. It defines sexual harassment, recalls the law, gives clear and straight forward advice to victims of sexual harassment and to individuals who have been accused of it, and indicates where to receive union support, advice and information. In the context of its 'Dignity at Work' campaign, BECTU has also created a [short film](#) on sexual harassment.

In Ireland **AmplifyWomen**, an umbrella group of organisations who represent or carry out research, on women working in the cultural and media industries, has developed a [Harassment toolkit](#) that outlines the rights of employees and freelancers, the definitions of the different types of harassment, the situations where it may be appropriate to make a complaint under criminal law and where to get further assistance. Unions and other sector organisations have endorsed the initiative and distributed the toolkit.

MEAA Australia has published a [Sexual Harassment Fact Sheet](#) to help members understand their rights and how to get help.

Both branches of the **Writers Guild of America**, [East](#) and [West](#), also offer resources to their members on sexual harassment. Those resources outline definitions, the legislative framework, the role of the employers and what the guilds can do to assist their members.

In some countries, unions have partnered with other sector stakeholders – employers’ organisations, film funding agencies, ministries, etc. – to develop guidelines and toolkits. Some of those initiatives will be presented in more details in the chapter dedicated to sector initiatives.

3. Maintaining hotline and offering legal advice

In-person counselling, legal advice and representation of members are traditional tasks taken up by unions. In cases of violence and harassment, support can be provided through general support channels or through dedicated ones.

In Canada, **ACTRA** and the **Directors Guild of Canada (DGC)** jointly launched the [HAVEN \(Harassment and Violence Emergency Network\) Helpline](#), a 24/7 bilingual critical incident reporting line available to ACTRA and DGC members across Canada. The HAVEN Helpline offers 24/7 support from Morneau Shepell, the leading provider of assistance programs in Canada.

In the UK, **Equity** have set up a similar [Bullying and Harassment Helpline](#) dedicated to advising members about their situation as well as providing support for any mental health concerns.

MEAA Australia have devised a PDF that lists a range of [regional and national helplines](#) for harassment victims regarding legal support, counseling and mental health.

1. Through sector commitments (codes of conducts, principles, charters, etc.)

In the wake of #metoo and the wave of testimonies of sexual harassment in the cultural & creative sectors it revealed, initiatives were taken at sector level in a number of countries to discuss the situation, adopt joint statements and, at times, create new support systems and protocols. Those sector initiatives were sometimes instigated by unions, sometimes by funding bodies or by other sector organisations like women networks.

Such industry initiatives were important to recall that sexual harassment in the work place is against the law, and that the law also applies to film & tv production workplaces; that it engages the responsibilities of employers, and that all professionals in a production process could and should be sanctioned in case of proven facts of harassment.

In the United Kingdom, a [set of principles](#) to tackle and prevent bullying and harassment in the screen industries' were commissioned in 2018 by the British Film Institute (BFI) working in partnership with the British Academy of Film and Television Arts (BAFTA), and with the input of leading screen sector industry organisations including unions and employers' organisations.

This set of principles were amended in 2020 to also cover racism.

The principles state that bullying, harassment and racism have no place in the screen industries and that they aim to eradicate such abuse and all forms of discrimination which are unethical and against the law. They also aim at helping employers meet legal requirements and offer a shared vision to promote and maintain a safer, more inclusive workplace environment for everyone working within the industry. It is finally stated that all employers, employees, officers, workers, agency workers, trainees, volunteers, trustees and freelancers in the industry should adhere to the principles.

The principles are accompanied by [guidance notes](#) to help workplaces go beyond the legal requirements and create policies and procedures to identify and deal with bullying and harassment if it occurs.

Since the adoption of the principles, the BFI '*expect all projects that seek to benefit from their public funding to sign up to these principles and adopt a zero-tolerance approach to breaches of the principles*'.

In France a [charter 'For women in the media against harassment and sexist acts'](#) was presented in March 2019 at the initiative of a women-led organisation, and under the auspices of the French Ministry of Culture and Communications. It was signed by almost all public and private broadcasters in France but the monitoring of its implementation is not closely followed.

In the French film & tv production sector, an initiative against violence and harassment was launched by the [Collectif 50/50](#) in November 2019 following Adèle Haenel's statements in the online newsmedia Mediapart. The national film funding body – CNC – announced a series of actions and the Collectif 50/50 has published in November 2020 a '[White paper on Harassment & sexual violence in cinema and the audiovisual sector](#)'.

In Sweden, the #metoo movement also had a great impact with more than 700 actresses publicly denouncing abuses and harassment in the film & live performance industries.

Straight away, in November 2017, the Swedish Union for Performing Arts and Film (Teaterförbundet) met the Swedish Performing Arts Association (Svensk Scenkonst – the employers' association) to talk about the joint efforts and the action needed. They decided to put together an independent commission, launched a survey and then commissioned a report entitled '[An Opportunity to create Change](#)'.

The joint council has continued to work together on this issue. Since 2017 several seminars were organised and audio podcast produced.

In November 2017 as well, the Swedish Film Institute introduced new sexual harassment training program to which production companies were now required to participate if they wished to receive funding from the Institute.

In Germany the shock created by #metoo led to the setup by a broad industry coalition that includes unions and employers of a new independent body called [Themis](#). Funded by the government, it offers a hotline aimed at informing and at collecting violence reports. It also provides psychological and legal advice to individuals, as well as supports companies that want to do more to prevent violence in their workplaces. It will be interesting to assess in the future if such initiative had a positive impact on the ground and managed to reduced situations of bullying and harassment.

In Denmark, the [Film and Performing Arts Initiative](#) also came about in the wake of #metoo. It has been set up by different sector stakeholders including unions, employers and educational bodies. It offers a helpline for all sector professionals as well as an 'ethical code' and guidelines for the industry.

Similarly, **in the Netherlands**, [Mores](#), was launched in May 2018. It is the central, collective disclosure office for undesirable behaviour in the performing arts, film and television sectors. This office and its confidential advisors are independent. It was initiated by various organisations (unions, guilds, employers' associations, educational bodies, professional associations, etc.) and is for everyone working in these sectors.

In Belgium, [ENGAGEMENT](#) started in 2017 as an artist-led movement tackling sexual harassment, sexism and abuse of power in the Belgian arts field. It was first rooted in the dance community and then transformed into an organised platform active across all artistic disciplines. It received the support of key sector stakeholders, including unions and employers' organisations, and developed a number of tools such as guidelines for individuals and for organisations.

[Guidelines](#) for the prevention of sexual harassment in the film and television industries were also adopted by a large group of sector stakeholders including unions and employers **in Finland**.

In Canada, the [Creative Industries Code of Conduct to Prevent and Respond to Harassment, Discrimination, Bullying and Violence](#) has a long list of signatories and, in Québec, the cultural sector set up a dedicated resource and contact point called [L'aparté](#).

In the United States [TIME'S UP](#), founded by more than 300 women in entertainment following #metoo, works for the defense of women against sexual harassment and related forms of discrimination in all workplaces and across all sectors of the economy. It has created the TIME'S UP Legal Defense Fund '*to help survivors of sexual harassment and retaliation, especially low-income women and people of color, achieve justice*'.

2. Through collective bargaining

Going a step further than only asking employers' to voluntarily endorse code of conducts, principles or charters, collective bargaining can also be a strong instrument enhancing the actions against violence and harassment in film & tv production.

First unions can include in collective agreements a **reminder of the national laws** prohibiting violence and harassment, as well as of **the obligations falling upon employers** in this context.

Through collective bargaining, unions can also demand from employers to adopt a **dedicated workplace policy and protocols** when they are not required to do so in the national legislative framework.

Agreements on **contact/trust persons on set** can also be made, as well as on the **training** requirements for those persons, the managers, the heads of department but also, eventually, for all professionals involved in the production (through, for example, an online training module such as the [free online training module](#) created by ScreenSkills in the UK). The mutualization of means at sector level to develop a sector training offer in the field of the prevention of violence and harassment can be advocated for by unions as well.

A reminder of the law, of the workplace policy and of the protocols to be followed in case of violence and harassment could be attached to **each individual contract**, mentioned on **call sheets** and **displayed in the workplace**.

Formal information session presenting the law, the workplace policy, the protocols and the contact persons could be organised at the beginning of each shooting or even, possibly, in pre-production.

Unions can ask for a **transparent monitoring and reporting process** on the implementation of the violence and harassment policy to be put in place with eventually a formal role for the union in this process.

Unions can finally negotiate with employers broader **gender equality policies** that would also aim, by correcting the power unbalances between men & women, at reducing the violence and harassment in the workplace that currently disproportionately affects women.

Those policies could include actions in the field of equal pay (pay transparency and proactive corrective measures), of women representation (in certain roles and in management positions) and of work/life balance (reducing long hours, better accommodating caring responsibilities for women and men, facilitating flexible working, etc.). Those strategies should follow clear targets and also be evaluated regularly to ensure impact.

3. Through the conditioning of public funding

Finally unions can put pressure on public authorities/public funding bodies to make sure all types of public support to productions are conditioned to the fulfillment of obligations in the field of harassment and violence prevention.

This could mean the obligation for producers to have a dedicated policy and protocols in place and/or to be in a position to prove that its staff has followed dedicated training sessions.

As mentioned above, this is already the case in the United Kingdom with the **British Film Institute** '*expecting all projects that seek to benefit from their public funding to sign up to the [Set of principles to tackle and prevent bullying, harassment and racism in the screen industries](#) and adopt a zero-tolerance approach to breaches of the principles*' and in Sweden, where the **Swedish Film Institute** asked all production companies that wish to receive funding to participate in a sexual harassment training program. Similar demands will also be made by the **Centre National du Cinéma et de l'Image Animée** (CNC) to French producers when submitting a request for funding.

Through Screen Training Ireland, **Screen Ireland** has made a number of training courses available to the industry, with a particular focus on dignity in the workplace.

Screen Ireland also conditions the granting of the Tax Credit for Film, Television and Animation to '*have in place written policies and procedures in relation to: (I) Grievances (II) Discipline (III) Dignity at work (including harassment, bullying and equal opportunity)*'.

Since April 2018 projects approved for production funding by **Screen Australia** need to comply with the [Code of Conduct to prevent sexual harassment](#), which forms part of the funding contract for the production.

PREVENTING AND ADDRESSING VIOLENCE IN FILM & TV PRODUCTION

1) WHAT UNIONS CAN DO:

- Surveying the membership and/or the sector on the prevalence of violence and harassment and on information/protocols in place
- Offering Training programmes for unions' staff and representatives
- Drafting and distributing workplace guides / toolkits
- Creating hotlines accessible to all members offering information, support and legal advice
- Including prevention of violence and harassment in collective bargaining
- Campaigning for dignity at work

2) WHAT UNIONS CAN ASK FOR:

TO EMPLOYERS

- Organising compulsory training programmes for managers, head of departments, etc.
- Creating online information modules for all crew
- Placing information posters in the workplace
- Attaching information on law and protocols to each individual contract
- Organising a collective information session at the beginning of each production
- Developing (in partnership with unions) and adopting a dedicated policy incl. clear protocols
- Appointing and training (a) dedicated person(s) of trust for each production

TO PUBLIC FUNDING BODIES

- Conditioning funding to producers taking a training course and adopting a dedicated policy for each production
- Monitoring the implementation of this clause in the course of the production

- [ILO Convention to combat violence and harassment in the world of work \(N°190\)](#)
- [ILO Violence and Harassment Recommendation \(N°206\)](#)
- [ILO Policy Brief on sexual harassment in the entertainment industry \(Nov 2020\)](#)

Belgium

- [Engagement: An Artist-led movement to tackle sexual harassment, sexism and abuse of power in the Belgian arts field](#)

Denmark

- [Film and Performing Arts Initiative](#)

Finland

- [Guidelines for the prevention of sexual harassment in the film and television industries](#), Sector-level initiatives, Finland, February 2018

France

- [Guide pour la prévention et la lutte contre le harcèlement sexuel & les violences sexistes et sexuelles dans l'audiovisuel et le cinéma](#), Collectif 5050, november 2020

Germany

- [Themis](#) - Sector initiative for the prevention of sexual harassment and violence in the film, television, and live performance industries

Ireland

- [Harassment Toolkit](#) by Amplify Women

Netherlands

- [Mores](#) - Disclosure office for undesirable behaviour in the performing arts, television and film sectors

United Kingdom

- [BAFTA/BFI Guidance: A practical workplace guide for the prevention of bullying and harassment in the screen industries](#) and
- [Set of principles: To tackle and prevent bullying, harassment and racism in the screen industries](#)
- [BAFTA/BFI Dignity at Work Policy](#)

- [BECTU workplace guide to dealing with sexual harassment](#)
- [2018 BECTU workplace behaviours survey](#)
- [BECTU Eyes Half Shut campaign](#)
- [Safe Spaces](#) – Equity UK’s campaign against harassment (includes guidelines, posters and a helpline)
- [Equity Casting Manifesto](#)
- [Agenda for Change](#) – Equity UK’s vision for addressing sexual harassment
- [Film & TV Charity 24-hour support line](#)
- ScreenSkills – [Free online training ‘Tackling harassment and bullying at work’](#)
- [Bullying and Harassment Policy, BBC](#)
- Directors UK - [Bullying and harassment handbook](#) for screen directors working in the film and television industry and [Code of Conduct](#) for members of Directors UK

Australia

- [Code of Conduct to prevent sexual harassment](#) - Screen Australia (projects approved for production funding from 2 April 2018 need to comply with the Code, which forms part of the funding contract for the production)

Canada

- [Canadian Creative Industries Code of Conduct to Prevent and Respond to Harassment, Discrimination, Bullying and Violence](#)
- [L’aparté](#) – resources against harassment and violence in the cultural environment (sector level initiative, Québec)

United States

- [Statement against sexual harassment in the Entertainment industry](#) - IATSE
- [Script Girls, Secretaries and Stereotypes – Gender Bias in Pay on Film and Television Crews](#), Working Ideal prepared for IATSE Local 871, June 2018
- [Sexual Harassment Resource Guide](#) - Writers Guild of America East
- [Resources on sexual harassment](#) – Writers Guild of America West
- [The Women in Film helpline For Sexual Harassment and Misconduct in the Entertainment Industry](#)

Additional bibliography

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- [Safe and healthy working environments free from violence and harassment](#) - Geneva: ILO 2020
- [What does the law say about #Metoo](#) - Review of sexual harassment laws in the Nordic countries, Nordic Council of Ministers, 2018
- [One year after Me Too - Initiatives and action in the Nordic and Baltic countries](#), Nordic Council of Ministers, 2018