



Policy

**Against
Discrimination
and
Harassment**

Adopted: February 21, 2021

Monumental Theatre Company
Since 2015

Policy Against Discrimination and Harassment

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Purpose

Monumental Theatre Company (“Monumental”) strives to create and maintain a work environment that is characterized by mutual trust, creative exploration, and artistic freedom. To be truly inclusive and safe for all participants, we firmly believe that this environment must be free from all forms of intimidation, oppression, exploitation, humiliation, discrimination, and harassment. Therefore, Monumental recognizes that all company, Board, and audience members must work together to create a safe space for each other, including taking responsibility for the power we each have over others and treating all individuals with whom we come into contact during Monumental activities with dignity, decency, and respect.

We pledge to implement progressive and evidence-based methods for keeping our community safe, including but not limited to: hiring consultants and other professionals where necessary and appropriate, such as intimacy directors and fight choreographers; evaluating our policies on a yearly basis; and adapting our best practices to ensure the security, wellbeing, and inclusiveness of Monumental programs, events, staff, volunteers, and community members.

In order to ensure these goals are met, Monumental hereby adopts and pledges to vigorously enforce this Policy Against Discrimination and Harassment (“the Policy”). Pursuant to the following guidance, requirements, exclusions, and procedures, sexual harassment and discrimination, in whole or in part, on the basis of actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, disability, sexual orientation or identity, gender identity or expression, familial status, family responsibilities, genetic information, matriculation, political affiliation, veteran status, or any other characteristic protected by the laws of the District of Columbia, Maryland, Virginia, or the U.S. government, shall constitute inappropriate and abusive conduct that runs contrary to the mission of Monumental and the safety of its participants. Failure to abide by the expectations set forth in this Policy may result in appropriate discipline, up to and including termination of employment or prohibition of involvement in Monumental’s activities.



Covered Entities and Individuals

All persons participating in any event or communication venue that is sponsored by, hosted, or otherwise under the authority of Monumental ("participants") are covered by and are expected to comply with this Policy and to take appropriate measures to ensure that any and all prohibited behavior or conduct does not occur or is reported to an authority listed below if it does occur. These individuals may include but are not limited to all staff and independent contractors doing business with Monumental, directors, actors, musicians, designers, stage managers, choreographers, crew, house managers, donors, consultants, box office associates, volunteers, and audience members.

Covered Venues

Monumental is committed to providing a healthy and respectful work environment for everyone involved in bringing its mission to life. Therefore, this Policy extends to any on-site, off-site, or virtual Monumental events, including but not limited to:

- Rehearsals and performances
- Fundraising events
- Opening/closing night events
- Talkbacks or other related events
- Staff and/or crew holiday events
- Any other after-hours staff social events

Prohibited Conduct

Prohibited behavior and/or conduct under this Policy includes but is not limited to:

(a) Discriminatory Speech. Discriminatory speech includes disparaging, demeaning, or offensive remarks made about or directed at any individual or group on the basis of actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, disability, sexual orientation or identity, gender identity or expression, familial status, family responsibilities, genetic information, matriculation, political affiliation, veteran status, or any other legally protected characteristics or is otherwise enumerated herein or referenced in any other policy adopted by Monumental.

(b) Threatening Conduct. Threatening conduct includes intimidation, threats, or stalking; unwelcome following, photography, or recording; unwelcome or violent physical contact; or any other verbal or physical conduct intended to threaten, intimidate or coerce.

(c) Harassment. Harassment includes any comments or conduct initiated by one person towards another which causes discomfort, distress, and/or embarrassment; has the effect of unreasonably interfering with the person's work; or creates an intimidating, humiliating, hostile, or offensive environment for the intended recipient of such comments or conduct or any other person who has borne witness to such incidents. Harassment also includes "quid pro quo" or



“hostile work environment” sexual harassment, as defined by the U.S. Equal Employment Opportunity Commission.

Verbal harassment generally includes comments that are offensive or unwelcome regarding a person’s nationality, origin, race, color, religion, sex, gender expression, sexual orientation, age, body, disability, or appearance. These comments may include epithets, slurs, negative stereotypes, threats, and sexual advances. Non-verbal harassment is sometimes harder to define or identify, but may include the distribution, display, or discussion of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility, aversion, or disrespect toward an individual or group.

All forms of harassment, including sexual harassment and bullying, are prohibited under this policy. Such prohibited harassment may include:

- Inappropriate, offensive, or sexual gestures, comments, stories, or jokes;
- Any action that leads to personal humiliation;
- Sexual propositions or advances, including insinuating or sexualized remarks;
- Leering, ogling, or other suggestive and insulting sounds;
- Any form of intimidation or overly critical remarks;
- Comments about a person’s body, attire, gender, race or sexual orientation;
- Any direct threats to cause harm or any physical attacks;
- Unwanted touching and/or inappropriate physical contact;
- Unwelcome enquiries or comments about a person’s sex life or sexual preference;
- Distribution or discussion of any sexually explicit material that is not narrowly and appropriately tailored to the subject matter or substance of the piece being rehearsed or performed;
- Someone in a senior role asking someone in a junior role to work outside normal hours in their private home;
- Recording by any means within a dressing room without the prior consent of all individuals present, whether or not those recordings or photos are posted online or shared with others;
- Sexually objectifying a person’s body;
- Sending overly personal or suggestive communications, especially to a junior colleague;
- Pressuring someone to share a personal experience or, where personal information is shared willingly, disclosing or discussing such information with individuals outside of the working room;
- Promises of advantage for sexual concessions; and



- Insults, threats of force or disadvantage, or displays of physical force in response to or in anticipation of rejection of sexual advances.

Please note that this list is not exhaustive and is not intended to constitute a full or complete list of possible violations under this Policy.

(d) Retaliation. Retaliation against any individual who complains of or reports behavior or conduct prohibited under this Policy is strictly forbidden and is considered prohibited conduct under this policy. Any allegations of retaliation will be investigated and handled using the same procedures described below. All persons accused or suspected of taking adverse action against an individual who engaged in protected activity under this Policy shall be sequestered from the investigation of such allegations, except insofar as their cooperation is required by Monumental staff or Board members to conduct a fair and impartial investigation of those claims.

Each Monumental participant must exercise their own good judgment to avoid engaging in conduct that may be perceived by others as discriminatory, harassing, threatening, bullying, retaliatory, or otherwise unwelcome or hostile. Failure to comply with this Policy will result in remedial action up to and including removal from the production or company.

Complaint Reporting and Investigation Procedure

Monumental has established following procedure for reporting, investigating, and resolving alleged violations of this Policy in a timely, thorough, and impartial manner. While the process may vary slightly from case to case, all allegations should be addressed and investigated promptly and resolved as quickly as possible. All complaints of discriminatory, harassing, or otherwise inappropriate or unwelcome behavior shall be taken seriously and treated with sensitivity and appropriate discretion by all company members. The confidentiality of those involved in a particular incident or complaint and any related investigation shall be respected to the greatest extent reasonably practicable and consistent with Monumental's legal and ethical obligations.

Monumental recognizes that experiencing discrimination or harassment can be complex and thoughts and feelings around a particular incident may change throughout the reporting and investigation procedure detailed below. Therefore, the advancement of a complaint to each stage of this procedure should be agreed to, in writing, by the complaining party, except where escalation to a necessary third party is required by law.

Monumental further recognizes that logging inappropriate conduct is important to track behavioral patterns, even if the complainant does not want the company to engage in further action in response to the complaint. Monumental leadership is committed to maintaining a secure record of every complaint submitted or incident reported under this Policy to help identify repeat offenses.



NOTE

At all stages of this procedure, if a supervisor is named in a complaint or too intimately related to the context or persons involved in a complaint, that supervisor must be conflicted out of participating in the investigation and resolution of the complaint. A chart outlining this procedure is incorporated and attached to this Policy for the reader's reference and convenience (Attachment A, Complaint Reporting and Investigation Procedure Flow Chart).

STAGE 1

Monumental acknowledges that many concerns can be addressed and resolved through direct conversations between the parties involved and we encourage participants to resolve conflicts in this manner, where such resolution is safe and appropriate.

In the event that a Monumental participant observes behavior in violation of this Policy, they should take appropriate measures to restore the safe space and act upon witnessing or experiencing instances of bias, discrimination, intolerance, harassment, or bullying. In these instances, participants are encouraged to calmly, firmly, and respectfully (i.e., without the use of insults or personal attacks) inform the person that their actions are unwelcome, unacceptable, and wrong, unless the participant feels intervening in this way would be unsafe for themselves or others. In many cases, "calling someone in" may be what is needed to resolve a conflict.

However, there may be times when reporting the conduct to an individual listed in Stages 2 or 3 of this procedure is necessary. In more heightened or violent situations that appear or continue to be unsafe or life-threatening, you may consult with the person in trouble or call the police.

STAGE 2

Any individual who feels harassed, discriminated, or retaliated against, or any individual who has observed such conduct or behavior, may file an informal (verbal) or formal (written) complaint with any of the following individuals:

- Cast Representative
- Stage Manager
- Production Manager
- Director
- Music Director
- Board Member

Community members are encouraged to complete and submit the model complaint form attached to this Policy (see Attachment B, Discrimination and Harassment Complaint Form). Where possible, the complaint should include all relevant and necessary information. Direct or circumstantial evidence to support the allegations included in the complaint may be attached as exhibits.



NOTE

If any complainant does not feel comfortable going to one of the above-listed individuals, they may file their complaint directly with any individual listed in Stage 3 of this procedure. Furthermore, if any Monumental staff member becomes aware of or believes that behavior or conduct in violation of this Policy has occurred, they must immediately report the alleged or potential violation to a member of the Leadership Team or Board of Directors.

STAGE 3

After receiving a formal or informal complaint of a violation of this Policy, the recipient must immediately refer the complaint to all members of the Leadership Team (Managing Director and Co-Artistic Directors) who are not involved, referenced, or implicated in the complaint. Those non-conflicted members of the Leadership Team shall promptly review the complaint and any attached evidence.

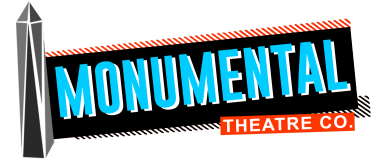
NOTE

In the event that all three members of the Leadership Team are referenced in or implicated by the complaint, recipient must refer the complaint to the Chair or Vice Chair of the Board of Directors, who shall fulfill all duties and responsibilities assigned to the non-conflicted members of the Leadership Team throughout all stages of the Complaint Reporting and Investigation Procedure described herein. If the Leadership Team, Board Chair, and Board Vice Chair are all referenced in or implicated by the complaint, any other member of the Executive Committee of the Board of Directors may serve in their stead for the purposes of the investigation under this Policy.

Within two (2) days of receiving the complaint, the non-conflicted Leadership Team members shall arrange to meet informally with the complainant in a safe, neutral, and confidential environment to discuss the events detailed in the complaint. The complainant may bring a colleague or friend to this meeting.

During this informal meeting, the non-conflicted Leadership Team members must ascertain whether the complainant would like to:

- A. Initiate a formal investigation of the allegations contained in their complaint pursuant to Stages 4 through 8 of this Policy;
- B. Attend a mediation session with the person(s) referenced in their complaint, which shall be facilitated by a trained, neutral, third-party mediator; or
- C. Decline further investigation and mediation but require Monumental to maintain a record of their complaint in the company's permanent files



(Complainant may choose to file the record as an anonymous report of misconduct).

STAGE 4

Within five (5) days of receiving the complaint, the non-conflicted Leadership Team members must notify the person(s) charged with violating the Policy ("respondent(s)") and schedule a mediation session or initiate an investigation of the complaint to determine whether there is a reasonable basis for believing that the alleged violation occurred.

If the complainant chose to attend a mediation session during their Stage 3 informal meeting, the non-conflicted Leadership Team members shall work with the complainant, respondent, and a trained mediator with experience in sexual harassment and discrimination claims to schedule a session as soon as possible, during a mutually convenient time and in a neutral setting. If the parties are unable to come to a mutually beneficial plan for moving forward during their mediation session, the complainant retains the right to initiate a formal investigation under this Policy.

If the complainant chooses to move forward with a formal investigation of the allegations contained in their complaint, the non-conflicted Leadership Team members shall appoint an ad hoc committee of three (3) neutral Monumental Board of Directors members to review the allegations according to the investigation procedure outlined below.

STAGE 5

Within fifteen (15) days of the complaint being filed or the matter being referred to the Leadership Team, the ad hoc committee shall separately interview the complainant, respondent, and any relevant witnesses and conclude the investigation by submitting a written report of their findings and final recommendations ("investigative report") to the non-conflicted members of the Leadership Team.

If the committee requires additional time to complete a comprehensive and careful review of the evidence and obtain witness testimony, they must submit a timely, written request for an extension of the investigation under this Policy to the non-conflicted Leadership Team members and receive formal (written) approval prior to ten (10) days after the complaint has been filed.

STAGE 6

Within five (5) days of the conclusion of the investigation, the non-conflicted Leadership Team members must:

1. Review the investigative report;



2. Meet with the ad hoc committee to discuss their findings and recommended outcomes of the investigation. This meeting may include the direct supervisors of both parties, where necessary and appropriate. The non-conflicted Leadership Team members may also form a wider confidential committee of senior staff and/or Board members to discuss the ethical implications of nuanced cases which may have serious repercussions for either party.
3. Separately meet with the complainant and respondent to notify them of the committee's findings and inform them of any recommended corrective action(s), which may be therapeutic, educational, remedial, or disciplinary in nature.

STAGE 7

Within five (5) days after their separate meetings with the non-conflicted members of the Leadership Team, the complainant and respondent may submit statements challenging the factual basis of the investigation's findings and/or the recommended action(s).

STAGE 8

Within five (5) days from the receipt of any statement(s) from the parties, the non-conflicted Leadership Team members must review the investigative report and party statements and draft a report of their final decision. The company's final decision shall be in writing and must include findings of fact and a statement for or against corrective action. During this time, the non-conflicted Leadership Team members may discuss the results of the investigation and recommendations with a staff member in a supervisory role as may be necessary to determine what action(s), if any, should be taken to address the findings contained in the investigative report.

If it is determined that harassment or discrimination in violation of this Policy has occurred, the non-conflicted Leadership Team members shall recommend appropriate corrective action. The corrective action shall be determined based on the following factors: (a) the severity, frequency and pervasiveness of the conduct; (b) prior relevant complaints made by the complainant; (c) prior complaints made against the respondent; and (d) the totality of the available evidence (e.g., first-hand knowledge, credible corroboration, photos, videos, screenshots, and other forms of direct or circumstantial evidence).

The non-conflicted Leadership Team members shall report the company's final decision to the complainant, the respondent, and all necessary management staff assigned to the department(s) in which the complainant and/or the respondent work. If disciplinary action is to be taken, the respondent shall be informed of the nature of the discipline and how it will be executed.



A record of the final decision shall be maintained in Monumental's permanent files.

NOTE

If the recommended action(s) include the termination or removal of the respondent, the non-conflicted Leadership Team members must submit the investigative report, recommendations, and related statements to the Board of Directors for review and approval of a majority of non-conflicted Board members.

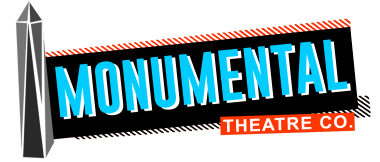
The non-conflicted Board members must meet to discuss findings and recommendations within five (5) days of receiving of the investigative report and related statements. Immediately after this meeting, all non-conflicted Board members shall have 48 hours to submit their votes regarding: (1) whether to adopt the findings of the report, and (2) whether to approve the recommended action(s). Voting may occur electronically and need not occur at a meeting of the full Board.

Distribution of Policy

This Policy shall be posted in full on Monumental's website and shall be incorporated by reference in and included as an attachment to every contract Monumental enters into, including within the terms and conditions of all Monumental ticket sales. Every member of the Board of Directors, production and artistic teams, cast, crew, and all other volunteers are obligated to acknowledge that they received and reviewed the foregoing Policy and agree to comply with its requirements and procedures. All aforementioned individuals must sign the statement of acknowledgement below and submit it to the Audience Services Manager before they may be allowed to participate in any activities or communications related to any Monumental production or event.

Nothing in this policy shall prevent any party from pursuing formal legal remedies or resolution through local, state, or federal agencies or courts.

(Acknowledgment Form located on next page)



Acknowledgement

I, _____, hereby acknowledge that I have received and read Monumental Theatre Company's Policy Against Discrimination and Harassment in its entirety and that I fully understand and comprehend the objectives, requirements, and procedures it details. I agree to comply with each provision of the Policy and commit myself to upholding the values of dignity, decency, and respect it espouses in every aspect of my participation in Monumental events, activities, and communications. I understand that failure to comply with the Policy could result in disciplinary action up to and including termination or removal.

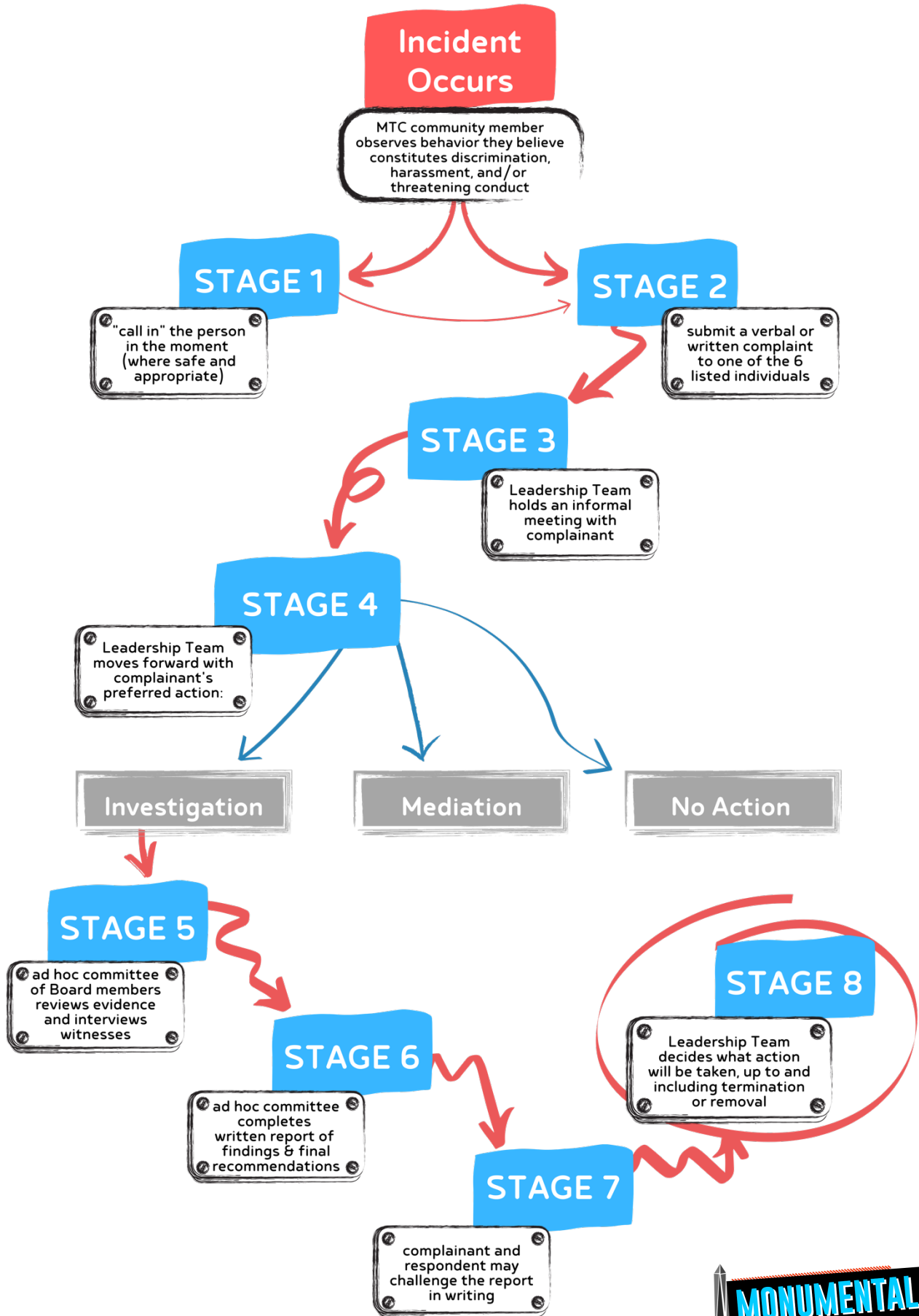
Signature

_____/_____/_____
Date

ATTACHMENT

A

Complaint Reporting and Investigation Procedure Flow Chart



ATTACHMENT

B



Discrimination and Harassment Complaint Form

This form may be used by reporting individuals or complainants who wish to file a complaint of discrimination, sexual harassment, and/or threatening conduct pursuant to Monumental Theatre Company's Policy Against Discrimination and Harassment ("the Policy"). Monumental's policy prohibits retaliation against any person who reports misconduct, assists someone making such a report, participates in any manner in an investigation or resolution of a misconduct complaint, seeks interim or supportive measures or accommodations pursuant to the Policy, or opposes in a reasonable manner an act or policy believed to constitute a violation of the Policy.

Name of Complainant (optional):

Type of Complaint: Discrimination Harassment Threatening or Violent Conduct

Other:

Basis of Complaint:

Race Religion National Origin Age Disability Physical Appearance Sex

Gender Identity or Expression Sexual Orientation or Preference Pregnancy Marital Status

Parental Status Military Service/Veteran Status Sexual Assault Sexual Harassment Retaliation

Other:

1. Your complaint of misconduct is made about:

Name:

Title/Role:

Relationship to you: Supervisor Subordinate Co-Worker Other:

2. Please describe what happened and how it is affecting you and your work or experience with Monumental. Please use additional sheets of paper if necessary and attach any relevant documents or evidence.

3. Date(s) misconduct occurred:

Is the misconduct continuing or of a continuing nature? Yes No

4. Has anyone witnessed the alleged behavior? Yes No

5. Please list the name and contact information of any witnesses or individuals who may have information related to your complaint:

6. Did you take any action to stop the alleged behavior? Yes No

7. If yes, please summarize the action taken:

The following questions are optional:

8. Have you previously complained or provided information (verbal or written) about related incidents? If yes, when and to whom did you complain or provide information?

9. How would you like to see the situation resolved?

10. Additional information or comments:

I feel that a formal complaint is appropriate to resolve the discrimination and harassment I allege in this complaint. I am aware that several options are available to me to resolve my complaint, including mediation and formal investigation. I understand that I may have rights to relief under the state and federal laws, and that complaints of discrimination may be filed with state and federal civil rights agencies. I agree to cooperate within reason with any investigation conducted by Monumental Theatre Company into this matter.

Signature

____/____/_____
Date

Please return this form to:

*Your Cast Representative, Stage Manager,
Production Manager, Music Director, or Director.
If you feel uncomfortable returning this form to any
of the above-listed individuals, please submit it to
a member of the Monumental Leadership Team
(Managing Director and Co-Artistic Directors)
or a member of the Board of Directors.*

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