

BEST-PRACTICE-GUIDE TO THE CASE OF AN INCIDENT

If you find improper contact, that you are being sexually harassed or subjected to physical contact in the course of your artistic activity, we recommend the following best practice procedure:

- > Those who feel secure enough should first address the incident directly with the person(s) involved and demand that the improper conduct be avoided. This contributes to an honest and open community and is often the fastest way to find a solution.
- > If the direct confrontation is not possible for you and you have a trusting relationship with the person in charge, talk to her. Or contact a suitable colleague. If you would like to confide in someone outside the workplace and /or be advised on how to proceed, please contact SzeneSchweiz: salva.leutenegger@szeneschweiz.ch, T +41 44 380 77 77
- > Any measures or legal steps will only be implemented with your consent.



- > The contact person you choose will meet you in a secure, confidential environment to discuss the events in more detail and to assess the emotional situation. This meeting has an informal, moderate character. You can take a colleague or a confidante with you.

- > The contact person discusses the further procedure with you. Only if you agree, the accused person will be contacted by the contact person. If the employer has a suitably professional organizational structure and there are people whom you trust, the contact person will – in consultation with you – pass on the results of these conversations to the competent body.

OUR PRINCIPLES

Inadmissible behaviour, discrimination, bullying and sexual harassment will not be tolerated. We call on all artists and supervisors to be aware of the possible effects of their actions or comments and to take responsibility for their own behaviour.

We encourage all those affected to address and /or report cases of inadmissible behaviour and /or sexual harassment and also call on their colleagues to make observations. Peer-to-peer support will help to create a working culture in which inappropriate sexual behaviour or inappropriate language is unacceptable and can be treated as such either at the moment of occurrence or in a formal procedure.

We call on employing institutions to create and advertise an internal or external body to which interested parties can turn.

SzeneSchweiz provides personal and legal advice to its members in the context of its legal advice services at all stages of an incident.

All cases reported to us are taken seriously and treated confidentially.

The Berufsverband Darstellende Künste SzeneSchweiz is Switzerland's largest and most important professional organization for freelance and salaried performers working in theatre, film and tv.

Legal advice and protection regarding employment, contract and social insurance concerns. Expert advice regarding contracts, fees as well as issues relating to copyright and neighbouring rights. Advice and assistance with career changes through our own retraining foundation.

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Berufsverband Darstellende Künste
Associazione dei professionisti delle arti sceniche
Association des professionnels des arts de la scène

CODE OF CONDUCT

Policies for inappropriate behaviour, bullying and sexual harassment in the workplace

CODE OF CONDUCT

Harassment includes any discriminatory, offensive, intimidating, or hostile behaviour. It is a behaviour that disturbs artistic creation, causes stress, anxiety or illness in the person being harassed and /or sexualises the workplace.

Discrimination based on age, sex, race, disability, sexual orientation, ethnic or national origin, religion or belief or harassment of a sexual nature is unlawful and may result in legal action for those responsible, including criminal proceedings.

These anti-harassment, harassment and discrimination policies are intended to guide both freelance and permanent artists, as well as their employers on stage, freelance productions, film and TV / radio.

We consider it an indispensable responsibility of all supervisors, directors, managers, human resource managers and artistic directors of the respective cultural organizations to ensure that these guidelines are adhered to and clearly communicated to all participants.

DEFINITION OF SEXUAL HARASSMENT

Sexual harassment in the workplace means any harassing behaviour of a sexual nature that is undesirable by one side and that violates or interferes with the dignity of a person.

This may include unwanted physical, verbal or non-verbal behaviour, in which the behaviour is inappropriate, offensive or incriminating for the person to be addressed. Such behaviour creates an intimidating, hostile, humiliating or sexualized working environment. Behaviour or comments become harassment if they are unwelcome for others or if the person addressed feels distressed or threatened. This also applies to any utterance intended as a joke; intent is not the same as impact.

FORMS OF SEXUAL HARASSMENT

Such behaviour may include both physical and verbal and non-verbal behaviour:

- > Suggestive and ambiguous remarks, sexualized statements
- > Unwanted touching, deliberate touching in an unpleasant way
- > Seemingly accidental touching
- > Gaze, meaningful looks
- > Unwanted invitations with a clear intention, suggestive sexual gestures, sexist remarks and jokes about sexual characteristics, sexual behaviour and sexual orientation of colleagues
- > Derogatory remarks about the body, clothing, sexual activities or type of person
- > Showing, hanging, hanging up or sending (also electronically) pornographic or sexist material
- > Insults or discriminatory treatment after rejecting an unwanted approach and / or rejection of repeated unwanted invitations
- > Advances (including written or electronic communications) that involve promises of benefits or threats of disadvantage
- > Unauthorized, undesirable comments in social media
- > Sexual assaults, coercion or rape

This list is not exhaustive and unwanted sexual attention can come in many forms.

DEFINITION OF BULLYING

Bullying means that someone – mostly at the workplace, in the social media (cybermobbing) or in other constellations – is constantly annoyed, harassed, tormented, including in a passive form (refusal to contact or engage) by being avoided or excluded by the majority or otherwise treated as anti-social and injured in his dignity.

PATTERNS OF BULLYING BEHAVIOUR AND HARASSMENT

- > Bullying and harassment refer to a pattern of behaviour and not to a single action. The procedures are systematic, which means that they are constantly repeated.
- > Harassment behaviour can be verbal (such as abuse, reduction, threat), non-verbal (for example, withholding information, exclusion). Such acts are usually considered hostile, aggressive, destructive and abusive.
- > A person sees himself as being superior to another person, which does not require a difference in rank. Inequality can be due to the sheer number: many people against one person.
- > In the course of the action a victim is formed who, as a result of unequal power relations, has difficulties defending itself.

DEFINITION OF DISCRIMINATION

Discrimination is an unequal treatment of individuals or groups. Inferior treatment in comparable situations is directly related to belonging to a particular group or personality trait – such as gender, social or ethnic origin, language, religion, political beliefs, age, disability, sexual orientation or gender identity.

