

# **Sexual Harassment and Entertainment: How Attorneys Can Help Navigate a Way Forward for Survivors and the Industry**

**UCLA Meyer & Renee Luskin Conference Center**, Los Angeles  
March 9, 2018

## **Why You Should Attend**

For the past several months, allegations of sexual harassment and abuse in the entertainment industry perpetrated by high level male executives, producers and actors have flooded the media, with new accounts announced each week. These stories have opened a national dialogue on workplace harassment and the power imbalances within Hollywood that have allowed this problem to continue seemingly unchecked. The emergence of the #MeToo movement and the bravery of women and men coming forward to share their experiences have shined a light on the inner workings of the entertainment industry and many high profile actors and industry leaders are advocating for change and greater gender equality.

Attorneys play important roles in shaping Hollywood's response. Whether staffing in-house corporate departments or representing survivors of assault and harassment, unions, accused abusers, or trade associations, attorneys can help shape harassment law, negotiate for transparent and fair settlements and implement and uphold anti-harassment, anti-bias and gender equity policies. This program will provide a framework for understanding the current state and federal law on sexual harassment as well as discuss ways that attorneys, advocates and industry leaders can craft positive solutions.

## **What You Will Learn**

- How a lack of gender diversity in the industry, gender bias and gender discrimination contribute to a culture of harassment and what tangible steps the industry (studios, unions, and boards, etc.) can take to address this imbalance.
- Overview of federal and state sexual harassment laws and their relationship to other antidiscrimination laws.
- What obligations arise when studios, production companies, agencies, unions, boards, etc., learn of harassment and does the industry as a whole have a duty to address harassment and assault? What possible liability might

these entities face for a failure to investigate or follow HR or other sexual harassment policies or conversely for disciplining an accused harasser?

- What contract terms can individuals, studios, unions, etc. draft and negotiate to address harassment issues and possible liability?
- What are the potential dangers and benefits of confidential settlements, nondisclosure agreements, and forced arbitration? By enabling these settlement tools and enforcing such agreements, have courts become complicit in a culture of silence that has allowed the problem of sexual harassment to continue unnoticed?
- How can the industry create robust harassment reporting, investigation and accountability systems that work, foster communication, and ward against retaliation? Are there examples of model policies that are working?

### **Who Should Attend**

All attorneys who want to gain a deeper understanding of sexual harassment issues in the entertainment industry would benefit from attending. Human resources, diversity and inclusion, professional development and other employment-related professionals, as well as law students, are also encouraged to attend.

## **AGENDA**

9:00

### **Opening Remarks**

***Professor Frances E. Olsen***

9:15

### **Framework of Sexual Harassment – What Roles Do Gender Diversity, Bias and Discrimination Play?**

- History of antidiscrimination law and sexual harassment jurisprudence.
- Overview of current federal and state harassment laws.
- Is there a culture of harassment in Hollywood? Are things changing for the better?
- How does a lack of gender diversity and gender bias throughout the industry, including a lack of women in leadership, influence how harassment allegations are treated?
- Are there tangible steps survivors, studios, unions, and boards can take to address gender imbalance?
- What are current diversity initiatives and are they working?

***Professor Frances E. Olsen***

10:15

Networking Break

10:30

### **Common Sexual Harassment Claims Issues – Reporting, Investigation, Settlements and Liability**

- What obligations arise when studios, production companies, agencies, unions, boards, etc., learn of harassment and does the industry as a whole have a duty to address harassment and assault?
- What possible liability might these entities face for a failure to investigate or follow HR or other sexual harassment policies or conversely for disciplining an accused harasser?
- What contract terms can individuals, studios, unions, etc. draft and negotiate to address harassment issues and possible liability?
- What are the potential dangers and benefits of confidential settlements, nondisclosure agreements, and forced arbitration? By enabling these settlement tools and enforcing such agreements, have courts become complicit in a culture of silence that has allowed the problem of sexual harassment to continue unnoticed?

***Professor Frances E. Olsen, Christina T. Tellado***

11:30

Networking Break

11:45

**Where Does Hollywood Go From Here? Creative Solutions to Combat Sexual Harassment**

- How can the industry create robust harassment reporting, investigation and accountability systems that work and foster communication and ward against retaliation.
- Are there examples of cutting-edge policies or solutions?
- What role do advocacy groups, the media and social media play in shaping the next steps and industry response?

***Bonnie E. Eskenazi***

12:45

Adjourn

**Faculty:**

**Chair:**

**Frances E. Olsen**

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