

INCLUSION RIDER POLICY

IMPLEMENTATION + RESOURCE GUIDE

INTRODUCTION

IMPLEMENTATION +
RESOURCE GUIDE

THE HISTORY OF EXCLUSION AND ERASURE IN HOLLYWOOD IS LONG AND UNFORGIVABLE.

We can break the pattern, and change that trajectory. The understanding of Hollywood's impact on society has never been more widespread, and the demand for addressing systemic discrimination in Hollywood has never been greater. We must answer the call to action.

We are calling on the industry to begin to systematically address inequity and exclusion by developing new standards and practices for hiring with the adoption of the Inclusion Rider Policy.

The **Inclusion Rider** is an addendum added to a contract that sets forth a process for hiring and casting to expand and diversify the candidate pool, encourage hiring qualified cast and crew who have been traditionally underrepresented in productions, track progress and create accountability. It is a flexible template that should be tailored to particular settings and productions with the involvement of counsel.

The **Inclusion Rider Policy, is policy meant for company-wide adoption that is based on the four essential principles** that define our Inclusion Rider, and without which your policy will not be truly inclusive or effective: **1)** an obligation to deepen and diversify hiring pool; **2)** the need to establish benchmarks and targets; **3)** ways to collect, measure, and analyze cast and crew hiring data; and **4)** accountability measurements that can be implemented if you fall short of your goals.

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HOW-TO GUIDE

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PURPOSE:

To guide you through every step of the Inclusion Rider Policy Implementation & Resource Guide and to provide you with a roadmap for how you can implement the Inclusion Rider Policy company-wide.

IMPLEMENTATION GUIDE RESOURCES:

INCLUSION RIDER POLICY TEMPLATE

This is a template for facilitating systemic change in hiring, specifically for roles on-camera and behind the camera.

Although the policy is a template, so it is designed to be altered to fit your specific organization, there are four components that **must** be incorporated in your policy in order for it to be classified as Inclusion Rider Policy. **The four components are listed at right.**

SURVEY CONSENT TEMPLATE

The introduction language is the language that is provided at the beginning of every survey: explaining the purpose of the survey, confidentiality, and privacy standards; outlining how the data will be used and destroyed; and offering helpful information regarding resources you can take advantage of for participating in the survey.

INCLUSION RIDER POLICY SURVEY TEMPLATE

The questionnaire includes a list of questions for you to ask applicants, and cast and crew (once hired), as part of your data collection process.

DATA COLLECTION TEMPLATE

Whether your data is analyzed internally or externally, in order to provide the data to whomever will be performing your analytical review, this data template provides you with an example of how you can collect your data.

FOUR COMPONENTS IN ANY INCLUSION RIDER:

1 DEEP AND DIVERSE HIRING POOL

There must be an initiative to deepen diversity in your talent pool.

2 TARGETS/BENCHMARKS

There must be inclusive hiring targets set for increased representation for both the cast and the crew. These are not quotas.

3 DATA/MEASUREMENTS

There must be a mechanism in place to measure your interviewing and hiring efforts for key roles on-camera and behind the camera.

4 ACCOUNTABILITY

If it is determined that the Company has been unable to satisfy the terms of the commitments made for on-screen and/or off-screen roles, the Company shall make a meaningful commitment to deepening diversity and to advancing content from individuals from underrepresented groups. *Examples can be found in the FAQs and in the Inclusion Rider Template.*

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FAQS

The FAQs consist of the most commonly asked questions regarding the Inclusion Rider Policy. Within the FAQs, you will also find the following:

- **Diverse Hiring Databases:** For companies looking to deepen their talent pool having trouble finding diverse candidates, we have curated and provided the links to several databases that specialize in locating underrepresented talent.
- **Data Collection & Analysis Experts:** For companies seeking advice regarding data collection, data evaluation, and counsel, we have curated a list of experts and interested firms with proven success in this area for you to choose from.
- **Accountability Options:** If it is determined that the Company has been unable to satisfy the terms of the commitments made for on-screen and/or off-screen roles, the Company shall make a meaningful commitment to deepening diversity and to advancing content from individuals from underrepresented groups. Three examples of how to proceed if the Company is not reaching its benchmarks or meeting its commitments are below, and more can be found in the FAQs:
 1. A meaningful internal budgetary commitment for diversity, equity, inclusion, and accessibility (DEIA) work, including analysis of their slate and pipeline of projects, analysis of their internal demographics, investment in DEIA leadership and staff.
 2. A substantive investment in pipeline development programs for below-the-line crew.
 3. A monetary contribution to a 501c3, non-profit whose focus is on investing in underrepresented talent in Hollywood.

IMPLEMENTATION PROCESS SUGGESTIONS

- Review Inclusion Rider Policy
- Identify all of the individuals at your production company and/or studio who are responsible for hiring, and review the Inclusion Rider Policy as a group.
- Identify which parts of the policy you are currently doing, and which parts that need to be implemented.
- **Download the policy template** and draft your version of the Inclusion Rider Policy. Remember, your policy must include the four main elements: Deep and Diverse Hiring Pools, Targets & Benchmarks, Data & Measurements, and Accountability.
- Once your document is drafted, review it with your primary stakeholders and begin putting it into practice.

APPLICATION PROCESS SUGGESTIONS

- Embed your new Inclusion Rider Policy into your Production Handbook.
- At your production kick-off meeting, review the policy with your showrunner/director, line producer/unit production manager, and department heads before the start of production.
- As a group, set your hiring targets and goals for the production. Hiring targets can be based on past performance, incremental increases by x percent or Census data.

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- Create your data collection survey using the provided [survey template](#).
- Decide what data you would like to collect. Refer to the example questionnaire and [Inclusion Rider Policy Template](#) for guidance.
- Decide how the data from the cast and crew will be collected. There are several options including:
 1. Applicants can self-ID before or after the interview process by way of an anonymous, confidential survey. For companies that are federal contractors, you are already collecting data at the applicant stage for race, ethnicity, gender and disability pursuant to OFCCP requirements. That same infrastructure can be utilized here. This applicant stage process has the advantage of guiding the hiring process to locate qualified individuals from underrepresented backgrounds.
 2. The production company or studio can send a survey to all of the applicants after the job has been filled.
 3. The production company can incorporate an inclusion survey as part of the deal memo and onboarding process.
 4. The production company can send an inclusion survey to cast and crew, several times during the course of the production.
- Begin your hiring process. Look to post your role on public platforms and to leverage inclusive talent databases.
- After your hiring process is complete, collect your survey data and house it in a safe place.
- As a team, decide whether or not you would like to analyze your data on a per production basis or on a slate basis, for a time span of one year.
- After that time period has passed, work with whomever will be looking at your data and analyze it against your targets.
- Look for areas of improvement and areas in which you performed well, and decide as a team on the areas of focus and the behaviors you need to replicate in an effort to continue accomplishing your goals.
- If you did not achieve your targets, implement one of the following accountability metrics mentioned earlier in the document, recalibrate as a team, and continue moving forward.

POLICY TEMPLATE

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WE AT XYZ STUDIO/PRODUCTION COMPANY RECOGNIZE THE NEED TO INCREASE OUR EFFORTS SO THAT OUR PRODUCTIONS AND THE CONTENT WE CREATE REFLECT THE DIVERSITY IN OUR COMMUNITIES.

We understand the importance of increasing representation of people in underrepresented groups, including Black, Indigenous, and non-Black people of color, women of all backgrounds and identities, people with disabilities, people over the age of 40, people from certain religious minorities, and LGBTQ+ people, in casting, and in hiring behind-the-camera positions.

Adopting the Inclusion Rider Policy reflects our commitment to increasing the representation of qualified people from underrepresented backgrounds in both our cast and crew, when and where possible, in addition to fostering particular attention to those who experience intersectional discrimination, discrimination that is the result of multiple underrepresented identities, including racism, sexism, colorism, sizeism, ageism, ableism, discrimination for being a member of an underrepresented religious group, or on the basis of sexual orientation or gender identity.

Our goal in adopting this policy is to help move the needle forward in diversity, equity, and inclusion throughout the entertainment industry. In order to do so, our focus will be in four areas, deepening and diversifying our hiring pools, setting target and benchmarks, ensuring we have a mechanism in place to measure our hiring data, and implementing means of accountability that we can activate if we don't successfully accomplish our goals.

OUR COMMITMENT

As part of our commitment to the Inclusion Rider Policy, we will do the following:

- Identify an expert, academic, data analyst, or organization, internally or externally, to consult with and/or to evaluate the collection of data and undertake analysis of representation data, essentially performing a full analytical review of our content slate, in the areas outlined below of “On-Screen, Off-Screen, and Production Company/Studio Positions.”
- Once an overall slate analysis is complete, we will commit to a cumulative “incremental increase” in our overall slate, in each “underrepresented category,” year over year.
- Make a reasonable effort to ensure that the production creates the opportunity for a meaningful acknowledgment of Indigenous peoples’ past and present relationship to the land on where activity related to the Picture occurs and where the Picture is being filmed.
- At the earliest stages of production for each studio project, we will bring together decision makers (director, producers, casting director, writers, counsel, experts) for a planning meeting focused on opportunities for deepening representation on-screen and behind-the-camera, in addition to setting targets/benchmarks for cast and crew diversity.
- Create and/or advertise our Diversity Value Statement in our production handbook, job postings, and crew/deal memos and call sheets—and make this Statement accessible to the public via our social media channels and website.

POLICY TEMPLATE

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IF A DIVERSITY STATEMENT DOES NOT EXIST, WE WILL CREATE A STATEMENT THAT INCLUDES THE FOLLOWING:

1. A tie to the business's unique mission to increase representation
2. A stated commitment to DEIA
3. An expressly mentioned commitment to anti-racism and allyship that pertains to all aspects of the organization
4. A commitment to diverse voices as part of your success
5. A description of a process for accomplishing these goals

PRODUCTION COMPANY + STUDIO FT POSITIONS:

Ensure that open positions are posted to the public and filled with qualified candidates by:

- Leveraging our internal job posting platform [IF THIS EXISTS, IF NOT DELETE]; and
- Posting our open positions on Staff Me Up (SMU) and [OTHER INDUSTRY RELATED JOB POSTING BOARDS, "AT LEAST A MIN OF ONE JOB POSTING PLATFORM"].
- For a list of Industry-Related Job Posting Boards and Databases, see Exhibit A: Inclusion Rider Database List.

ON-SCREEN

- Before the commencement of the casting process, or as early in that process as is feasible, the Company, Director and/or Casting Director shall consider, in consultation with the Artist (as needed), where the script presents opportunities for casting individuals from underrepresented backgrounds.
- This audition process should include the good-faith consideration of casting women in roles scripted for men, or for which gender is unspecified; and an awareness of intersectional discrimination, as described immediately above, and in particular, a deliberate effort to seek out and consider individuals from those groups who have been most marginalized or disadvantaged.
- The Director and Casting Director will audition a pool of candidates that consists of at least 40-50% individuals from underrepresented groups, for all roles.

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OFF-SCREEN (DEVELOPMENT, PRODUCTION, POST-PRODUCTION):

- Before the commencement of the crew hiring process, or as early in that process as is feasible, the Company, and those charged with hiring the crew, in consultation with the Artist (as needed), shall develop a plan to invite individuals from underrepresented backgrounds to seek crew positions. This may involve outreach to applicable unions and guilds as well as organizations whose mission involves identifying opportunities for crew from underrepresented backgrounds, and should include a deliberate effort to consider those who have been affected by intersectional discrimination, e.g., Black, Indigenous, or non-Black women of color.
- The individual(s) responsible for hiring the crew will make best effort to interview individuals from any underrepresented group for the following positions: Writers & Writers' Assistants, Casting Directors, Physical Production Executives and Producers, Art Design & Direction, Director of Photography/Cinematographer, Production Designer, Sound, 1st Assistant Director, 2nd Assistant Director, Camera Operator, Prop Master, Intimacy Coordinator, Costume Designer, Line Producers, Location Manager, (Unit) Production Manager, Music Supervisor, Composer, Editor, Sound Editor, Key Grip, Gaffer, Post-Production Supervisor, Visual Effects, Script Supervisor, Stunt Coordinator, Makeup Artist, Hair Stylist, Caterer, Colorist, Production Assistant, Marketing, and Public Relations.
- The interview process should include an awareness of intersectional discrimination, and in particular, a deliberate effort to seek out and consider individuals from those groups that have been most marginalized or disadvantaged.

If it is determined that the Company has been unable to satisfy the terms of the commitments made for on-screen and/or off-screen roles, the Company shall make a meaningful contribution targeted towards the commitment to deepening diversity and to advancing content from individuals from underrepresented groups.

- Examples of detailed commitments can be found in the Inclusion Rider FAQs and Template.

SURVEY CONSENT TEMPLATE

IMPLEMENTATION +
RESOURCE GUIDE

SURVEY TITLE: Inclusion Initiative Survey

COMPANY: [Company Name]

EMAIL ADDRESS AND TELEPHONE NUMBER: [Company Email] and [Company Phone Number]

You are invited to be part of an INDEPENDENT ANONYMOUS CONFIDENTIAL research initiative, in our efforts to play an active role in ensuring that our workforce reflects the diversity of our communities. The company conducting this initiative is [COMPANY NAME], in coordination with [XXXX]. The information in this form is provided to help you decide if you would like to participate. The form describes what you will do during the survey and the risks and benefits of the survey. If you have any questions or do not understand something in this form, please ask the conducting party. You should participate in this survey only after the studio has answered your questions and you have decided you would like to be part of this survey.

WHAT IS THIS SURVEY ABOUT?

We at [XYZ STUDIO/PRODUCTION COMPANY] recognize the need to increase our efforts so that our productions and the content we create reflect the diversity in our communities. We understand the importance of increasing representation of people in underrepresented groups, including Black, Indigenous, and non-Black people of color, people with disabilities, lesbian gay bisexual transgender or queer (LGBTQ+) people, people over age 40, or people having a combination of these attributes, in casting, and in hiring behind-the-camera positions. We believe these efforts will create a stronger pipeline, which will ultimately increase the level of people representation in our industry.

HOW MANY PEOPLE WILL BE IN THIS SURVEY?

This survey will be offered to every candidate interviewing for the following roles: [LIST POSITIONS]. This survey will also be used to collect data on current cast and crew.

WHO IS PAYING FOR THIS SURVEY?

The [Company] is not receiving funds to conduct this survey. This survey is being funded by the [Company].

WILL IT COST ANYTHING TO BE IN THIS SURVEY?

There is no fee to participate in this survey.

HOW LONG DOES THE SURVEY TAKE?

If you decide to partake in this survey, your participation will take about 3 minutes.

SURVEY CONSENT TEMPLATE

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WHAT WILL HAPPEN DURING THIS SURVEY?

If you decide to be in this survey and if you sign this form, you will be asked to:

Share personal information about yourself, including your:

- Age
- Gender
- Race, Ethnic Origin, or Tribal Affiliation
- Sexual Orientation
- Gender Identity
- Disability Status

WILL BEING IN THIS SURVEY HELP ME?

Being a part of this survey will not impact you in the application/selection process in any way. However, information from this survey will shed light on the initiatives studios are taking to increase the number of women and members of underrepresented groups in our interviewing pipeline.

ARE THERE RISKS OF BEING IN THIS SURVEY?

It's always possible that someone's personal life experience might cause them to react unfavorably to questions regarding their race, ethnicity, gender, age, disability and sexual orientation/identity. However, the [Company] does not anticipate that any participant will be harmed or distressed during this survey. You may choose to end your participation in this survey at any time and for any reason. You should be aware, however, of the small possibility that your responses could be viewed by unauthorized parties (e.g., computer hackers), because your responses will be entered and stored on a web server. Please note, this survey doesn't solicit this information re: abuse or self-harm, nonetheless, please note, if this information is revealed, we would have to report it. If you should need any support due to taking this survey, please contact the Gay, Lesbian, Bisexual, and Transgender (GLBT) National Hotline at 1-888-843-4564, Monday through Friday, between 1pm and 9pm Pacific Standard Time. To report any other survey related issues please call [PROVIDE A REPORT LINE NUMBER].

WILL I GET PAID?

There will be no form of compensation for the completion of this survey.

DO I HAVE TO BE IN THIS SURVEY?

Your participation in this survey is voluntary. You can opt out at any time, without risk of penalty. If you would like to end your participation in this survey, please inform the [ENTERTAINMENT COMPANY].

SURVEY CONSENT TEMPLATE

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WHO WILL USE AND SHARE INFORMATION ABOUT MY PARTICIPATION IN THIS SURVEY?

The [ENTERTAINMENT COMPANY] will not have the ability to capture any information that could match you with your survey responses. The [ENTERTAINMENT COMPANY] understands that conducting this research requires a high level of professionalism, honesty, and integrity. In regards to the population, the [ENTERTAINMENT COMPANY] has partnered with [DATA/RESEARCHER FIRM AND/OR INDIVIDUAL] and has taken the necessary measures to ensure that the entity upholds the same level of rights for the human subjects involved. The survey company fielding this survey follows all national, regional, and local laws with respect to privacy and data protection. **The guidelines stipulate that:**

- Panelist cooperation is voluntary
- The identities of studios and respondents are private
- The terms, conditions, and privacy policies are compliant with local laws
- State-of-the-art data security policies and measures are used
- Reliable and validated data procedures are used
- The rules that govern interviewing children and youth are strictly adhered to

All of the market research panel privacy policies are audited and approved by [TRUSTe, the online privacy mark]. All of the research activities are opt-in and permission-based. Initial enrollment messaging is clear about the purpose of the membership, with complete and detailed information provided at the time of enrollment. In any written reports or publications, no one will be able to identify any participant.

The studio will keep the information you provide in a protected database, maintained and protected by the third-party [Research Now]. Only the [ENTERTAINMENT COMPANY] and [identified researcher] will have access to the survey data. There are no special circumstances as to which data can be used. The only way your data will be considered is if you agree to take the survey and fully complete it.

Limits of Privacy (Confidentiality)

In general, the studio can assure you that what you say or do during the survey will be kept confidential. However, at times, the studio cannot keep things private, including when:

- The studio finds out that a child or vulnerable adult has been abused
- The studio finds out that a person plans to hurt him or herself
- The studio finds out that a person plans to hurt someone else

There are laws that require many professionals to take action if they think a person might harm him or herself, or another, or if a child or adult is being abused. In addition, there are guidelines that studios must follow to make sure that all people are treated with respect and are kept safe. In most states, there is a government agency that must be told if someone is being abused or plans to hurt him or herself, or another. Please ask any questions you may have about this issue before agreeing to be in this survey. It is important that you do not feel betrayed if the studio cannot keep something confidential.

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WHO CAN I TALK TO ABOUT THIS SURVEY?

At any time, you may ask the studio questions about this survey, or bring up concerns or complaints. Please call the studio using the phone number listed on page 1 of this form if you have questions about the survey procedures, survey costs (if any), survey payment (if any), or if you get hurt or sick during the survey.

DO YOU WANT TO BE IN THIS SURVEY?

By clicking the link below, you agree to the following statement:

I have read this form, and I have been able to ask questions about this survey. I voluntarily agree to be in this survey. I agree to allow the use and the sharing of my survey-related records as described above. I have not given up any of my legal rights as a research participant. I will print a copy of this consent information for my records.

By clicking the button below, you acknowledge that your participation in the study is voluntary, you are 18 years of age, and that you are aware that you may choose to terminate your participation in the study at any time and for any reason.

SURVEY TEMPLATE

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1. Please select the position you're applying for:

- a. Line Producer/Unit Production Manager
- b. Director of Photography
- c. Production Designer
- d. 1st Assistant Director/2nd Assistant Director
- e. Costume Designer
- f. Editor
- g. Visual Effects Supervisor
- h. Composer
- i. Other: (There should be an open text box here for people to enter their response)

2. Gender

- a. Male
- b. Female
- c. Non-Binary/Gender-Non-Conforming
- d. Other: (There should be an open text box here for people to enter their response)

3. Do you consider yourself to be:

- a. Heterosexual/Straight
- b. Lesbian
- c. Gay
- d. Bisexual
- e. Other: (There should be an open text box here for people to enter their response)

4. What is your race and/or ethnic origin? Mark all that apply.

- a. Hispanic, Latino, and/or Spanish
- b. Caucasian/White
- c. Middle Eastern
- d. Black, African-American, or other African Descent
- e. Asian
- f. Native Indian of the Americas (including original peoples of North, Central, South America)
- g. Other, including Tribal Affiliation: (Open text box here for people to enter their response)

5. Age

- a. 18- 24
- b. 25- 34
- c. 35- 44
- d. 45- 54
- e. 55- 64
- f. 65-74
- g. 75-84
- h. 85 +

6. Disability: (Do you identify as a person with a disability?)

- a. Yes
- b. No

3. Are you a veteran?

- a. Yes
- b. No

INTERVIEW DO'S & DON'TS

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CONSULT THIS DOCUMENT BEFORE INTERVIEWING

Consider developing a list of questions in advance, to use for all applicants seeking a particular same position. This practice will help ensure that all are judged by the same standard. It is important to note that, as part of the application process, candidates will have the option to voluntarily self-ID. This is to be done through self-ID forms, hiring platforms, or surveys, but NOT in the interview itself.

NAME

APPROPRIATE

"Is there any other name used for work or school that we should know in order to check on your work and education record? If yes, please provide a list." This is best asked at point of serious consideration.

INAPPROPRIATE

Inquiries about the name that would indicate applicant's lineage, ancestry, national origin, ethnicity, or descent. Inquiries into previous name of applicant where it has been changed by court order, marriage, or otherwise.

MARITAL & FAMILY STATUS

APPROPRIATE

Whether applicant can meet specified work schedules is the only acceptable inquiry.

INAPPROPRIATE

Any inquiries indicating whether an applicant is married, single, divorced, engaged, dating, has kids, etc.

AGE, SEX

APPROPRIATE

For dates of employment in each job held. Whether the applicant is 18 years old. There should be no questions that relate to sexual orientation.

INAPPROPRIATE

Any inquiries regarding an applicant's date of birth, age, or sex. Sex is not a bona fide occupational qualification.

RACE, ETHNIC ORIGIN, ANCESTRY

APPROPRIATE

Languages applicant reads, speaks or writes fluently, if job related only. Must be included in position description if required.

INAPPROPRIATE

Asking about applicant's race, color of applicant's skin, eyes, hair, etc., or other questions directly or indirectly indicating race or color. Applicant's height or weight. Asking about the applicant's lineage, ancestry, national origin, descent, ethnicity, parentage or nationality. Birthplace of applicant. Birthplace of applicant's parents, spouse, or other relatives.

INTERVIEW DO'S & DON'TS

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DISABILITY

APPROPRIATE

If applicant indicates that he/she is reasonably able to perform the essential functions of the job and is qualified, there should be no inquiry regarding disabilities.

INAPPROPRIATE

General inquiries (e.g., "Do you have any disabilities?"), which would tend to divulge disabilities or health conditions.

SALARY

APPROPRIATE

Provide range of salary expectations associate with this role to see if candidate is interested in continuing with the interview process

INAPPROPRIATE

Do not ask about previous salary earnings in previous roles.

SAMPLE INAPPROPRIATE QUESTIONS

- Are you a US citizen?
- Do you own your own car/vehicle?
- Are you single/married?
- Do you have a disability that might interfere with this job?
- Do you have children/how many children do you have/how old are your kids?
- How many days were you sick last year?
- How far are you along with your pregnancy/when are you due?
- In what country were you born?
- What does your spouse do for a living?
- I love that accent. Where are you from?
- Who are you going to vote for in the presidential election?
- Is that a (Jewish, Chinese, French, German, etc.) name?
- Have you ever filed a workers' compensation claim/been injured on the job?
- I noticed you are limping. What happened?
- Have you ever been arrested?
- Do you live alone?
- How much time do you think you will need away from work after you have your baby?
- Do you attend church?
- Are you religious?
- Are you married to a man or a women?

INTERVIEW DO'S & DON'TS

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GREAT INTERVIEW QUESTIONS

Questions related to past jobs:

- What is the most important accomplishment, achievement or innovation you brought to your present (past) job?
- Exactly what were you responsible for in your old job?
- Describe a typical day on the job?
- Did you ever initiate any changes in the way the work was performed?
- What kind of problems did you encounter on your job?
- How did you solve these problems?
- What did you like most about your job?
- What did you like least about your job?
- What was your reason for leaving?

Questions related to motivation:

- Why did you select this type of work?
- What do you want to be doing three years from now?
- What do you want to be doing ten years from now?
- What do you hope to gain from an organization like ours?

Questions related to stability:

- What was your original career objective?
- How have your original career plans changed over the years?

Questions related to resourcefulness:

- When you ran into a problem you couldn't solve, whom did you go to?

- How did you change the scope of your previous job?
- What was the most difficult work problem you have ever encountered and how did you solve it?

Ability to work under direction of others:

- How well do you think your supervisor does his/her job?
- What did your supervisor compliment you for?
- What did he/she criticize you for?
- How much of your work was done on your own? As a part of a team?
- Which aspect did you enjoy more and why?
- How would you supervise people if you were the supervisor?

Personal beliefs and self-evaluation:

- What do you feel are your outstanding qualities?
- What are your two weakest points as an employee?
- If you had a problem or a complaint on your previous job, how did you handle it?
- Do you think that by handling it in this way that it was successfully resolved?
- Why do you think we should hire you?
- Where do you think the power lies in your company?
- What characteristics might differentiate you from other candidates?

INTERVIEW DO'S & DON'TS

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PERMISSABLE QUESTIONS

- Do you have transportation to get to work?
- What are your preferred pronouns? She, Her, Hers, He, Him, His, or They, Them, Theirs
- Are you willing and able to travel for work?
- What qualifications do you possess for this job?
- Can you describe your relationship with your previous supervisor?
- Can you work overtime/weekends if necessary?
- Why are you leaving your current job?
- Why did you apply for this job?
- Do you have any relatives who work for this company?
- What type of environment do you work best in?

TO

DOWNLOAD RESOURCES

FOLLOW THE LINKS BELOW

POLICY TEMPLATE

SURVEY CONSENT TEMPLATE

SURVEY TEMPLATE

INTERVIEW DO'S & DONT'S

DATA COLLECTION TEMPLATE

BASICS:

WHAT ARE THE INCLUSION RIDER (IR) AND THE INCLUSION RIDER (IR) POLICY, IN A NUTSHELL?

The Inclusion Rider (IR) is an addendum added to a contract that says you, as an employer, will commit to a plan to expand and diversify candidate hiring pools, seek out opportunities to hire qualified people who have been traditionally underrepresented, collect data to track your progress, and hold yourself accountable for making progress.

Your company can use the IR for individual projects, a slate of projects, or as part of a company-wide policy.

It's important to note that the IR is a flexible template that can and should be tailored to fit particular settings, productions and companies (see below for elements that must remain in place for successful adoption of the IR).

Whether for an individual project, a slate of projects and/or a company-wide policy, we are confident the IR is one of many important resources you can use to contribute to system-wide reflection and progress on the entertainment industry's commitment to diversity, equity, inclusion and accessibility (DEIA).

WHY SHOULD WE ADOPT THE IR AND STUDIO/ PRODUCTION COMPANY POLICY?

Originally the IR was meant for use by individuals with substantial bargaining power (like A-listers) to take into their negotiations with studios and production companies. It remains a useful tool for an individual both to reflect their own commitment to the principles in the IR, and to encourage their employers to do the same (see our IR for INDIVIDUALS).

But our experience over the last several years has also underscored the power of the IR for studios and production companies. What if you, as a studio or production company, took on the IR as policy? What if you made a strong statement to the agencies, partners, stakeholders and whomever else you work with that DEIA are among your highest priorities in your hiring practices? In making the IR a standard policy, you can contribute to system-wide change. This can ultimately lead to greater workplace equity and more inclusive storytelling and, as evidence shows, a more inclusive, diverse and equitable society.

If you are also looking for financial reasons to adopt the IR (and we understand that this is important), there are many studies showing how much money the industry loses by not having broad representation in its content. One strong example is the recently released [McKinsey report](#). The IR fulfills both #1 and #2 of their solutions for improvement.

WHAT ARE THE ELEMENTS OF THE IR THAT ARE ESSENTIAL FOR ITS SUCCESS?

Although the IR is a flexible template, there are four elements that are essential for successful implementation of the IR:

1. A commitment to deepening and diversifying hiring pools
2. Establishing benchmarks/targets for hiring and striving for progress toward achieving them
3. Collecting, measuring and analyzing application and hiring data
4. Implementing accountability measures to continue to support progress

HOW/LOGISTICS:

A) TIMING

WHEN SHOULD THE IR BE ADOPTED?

If you are using the IR for an individual project, ideally, as early as possible—in some cases it has been used in the development stage! The sooner your team shares the IR template with everyone involved in hiring, the more quickly it can be utilized at every step of that process.

The IR can also be used retroactively on a production, a slate of productions or to examine your company's hiring practices more generally. This is when the accountability measures are most important as they encourage reflection on your past practices in order to seek to evolve and improve.

Whether you are negotiating a specific project, reflecting on a slate of projects, or examining the hiring practices at your entire company, the processes outlined in the IR can be utilized at any point as a reflection of your company's commitment to DEIA.

B) WHO?

WHO AT A STUDIO/PRODUCTION COMPANY SHOULD BE IN CHARGE OF ADOPTING AND IMPLEMENTING THE IR?

Executives and creative leadership should work with Human Resources and DEIA personnel in consultation with counsel and outside academics or experts to tailor, adopt, and implement the IR. If your company does not have Human Resources and/or DEIA specialists, we encourage your production executives' oversight. Please also see our Hiring Resources link if you are looking for experts to hire.

C) STORY/LOCATIONS

HOW DOES THE IR OFFER FLEXIBILITY AND PROTECT THE INTEGRITY OF A STORY?

As a *template*, the IR provides many channels for flexibility to ensure its workability. One of these is by ensuring story integrity in casting.

For example, if you are producing a film that tells the true story of a group of people who are Latino/a/x, the production would not necessarily have to cast members outside of this identity group.

However, we ask that you consider:

- Historically white, white-passing, and/or light-skinned people have been cast to play a number of different ethnicities—and for over 200 years there has been little to no consideration of this. In meeting DEIA goals on hiring, we encourage those in casting to strongly consider this history and make prudent choices towards broader representation
- We now have very successful examples of casting historical figures as non-white ethnicities—like Hamilton and Bridgerton. Audiences adore these stories because of the stories themselves, not because of how the people in them look (or it's BECAUSE these casts are more representative that we love them so much)

Finally, story integrity should in no way limit your consideration in crew hiring and hiring more generally at your company.

WHAT IF OUR PROJECT/SLATE OF PROJECTS ARE BEING PRODUCED IN ANOTHER COUNTRY?

We encourage your company to leverage this opportunity to partner with local organizations that focus on increasing representation on and off screen. As an example, when Endeavor Content Studios began a production in Toronto, it partnered with the City of Toronto and inquired about existing programs that supported the principles of the IR. Not only did they gain access to diverse hiring databases, but they also received support from local organizations that were able to assist with the hiring and training of production personnel.

Also remember that the IR is a template. Each project or slate of projects will have different limitations and considerations, those considerations are reflected in the language of the IR. In working with your HR, legal team, counsel in other countries (with expertise specifically in employment law), and with the data collection and analysis expert, together you will determine what is most appropriate for each project while maintaining the four essential elements of the IR. (see: [What are the elements of the IR that are essential for its success?](#)).

D) HIRING

HOW CAN OUR DEPARTMENT HEADS FIND QUALIFIED CANDIDATES FOR CREW HIRING?

Please see our link to databases to assist you in finding crew to hire. We especially encourage you to expand the scope of who has been traditionally hired by considering crew positions outside of film and TV, but that have crossover without a great deal of added training, such as people who work in theater and other live events (included in our list of databases).

WHAT IF OUR DEPARTMENT HEADS CAN'T FIND A QUALIFIED CANDIDATE TO HIRE?

The IR includes a link to databases to assist you in finding people to hire. Although interviewing and hiring for some crew positions may be more challenging than others, this should not discourage you from considering as many qualified people as you can from these lists (please note we don't specifically endorse any one of the lists or any individuals on them and encourage you - as always - to do due diligence in vetting those on the lists).

Ultimately, though, remember that the IR is a template and in its original form does not address every aspect of the special circumstances that make up your production/productions/company. However, utilizing the IR as a starting point ensures that everyone in a hiring position acknowledges and commits to making progress toward your hiring targets and accountability measurements. From there we welcome you to mold and shape the IR as needed.

We also welcome you to let us know if you've got databases to add to our link where you have found successful candidates to consider and hire.

WE HAVE ALREADY HIRED OUR KEY ROLES ON AN INDIVIDUAL PROJECT BOTH FOR CAST AND CREW; CAN WE STILL IMPLEMENT THE IR?

Definitely. The IR can still be adopted for any remaining crew still to be hired like post-production services or PR and marketing). It can also be adopted retroactively for you to evaluate and reflect on how you did on the project, and to commit to making a meaningful donation to an organization that supports underrepresented storytellers (as an example of how your donation can be used).

E) MEASUREMENT & ACCOUNTABILITY

CAN YOU TELL US MORE ABOUT THE ACCOUNTABILITY MEASURES IN THE IR?

Yes. We are confident that in almost all settings, your company's efforts will result in satisfying the terms of the IR. We also believe that in order for real, positive and lasting change to happen, it is imperative that you reflect on your past practices in order to seek to improve in the future. The IR encourages accountability through data collection and analysis, reporting, and a good faith donation where you may fall short of your goals.

WHY IS DATA COLLECTION IMPORTANT?

As organizations, we manage what we measure. So we must measure where we are in order to manage the issue of the lack of representation in the industry. We must take an honest look at where we are to make progress. This is a substantial undertaking, so we encourage you to make use of the list of experts and consultants in the Inclusion Rider Resources.

WHO DOES THE DATA COLLECTION AND ANALYSIS AND TO WHOM DO WE REPORT?

In committing to the IR, you agree to work with an expert to whom you will report the demographic data (as outlined in the IR), and who will collect and analyze the data. We encourage you to make use of the list of experts and consultants in the Inclusion Rider Hiring Resources if you do not already work with one. If you have the capacity to collect data internally, you can certainly do that.

And Color Of Change (COC) can serve as a partner in suggesting best practices and acting as an accountability partner. Contact COC to discuss

signing onto the #ChangeHollywood Roadmap to continue this process

at changeindustries@colorofchange.org.

WHO HAS ACCESS TO THE COLLECTED DATA?

The data will remain confidential and anonymous and will be kept separate from any job applications. This may then be further utilized (in its anonymous form) by the expert in research projects that examine diversity and inclusion in film and TV and/or to advocate for greater inclusion in the entertainment industry (in compliance with local, state and federal law).

IS IT OK TO ASK APPLICANTS TO SELF-IDENTIFY IN ORDER TO COLLECT THE DATA?

Definitely. Having this data is important in order to help diversify hiring pools and to measure hiring practices. This is standard and accepted practice across the country and on a federal level. Counsel can work with you to develop a protocol to ensure that the information is collected and used in a permissible manner and that the applicant is providing demographic data on a voluntary basis and separate from actual interviews.

The Department of Labor's Office of Federal Contract and Compliance Programs and their implementing regulations offer valuable resources on requesting voluntary self-identification at the application stage. For example, see [41 C.F.R. §60-741-42 \("Invitation to self-identify"\)](#) as well as [OFCCP's form for voluntary self-identification re disability](#).

Also please note that many companies are already collecting this information. For example, companies that are federal contractors are required to collect information regarding race, gender, ethnicity, and disability, pursuant to those obligations and their affirmative action plans. Other major companies are

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obligated to report data regarding pay equity to the Equal Employment Opportunity Commission through its EEO-1 program or through a similar program for the State of California.

HOW IS THE AMOUNT OF THE DONATION DETERMINED, WHO PAYS THE DONATION AND WHO RECEIVES THE DONATION?

In order for system-wide change to happen, it is important that we all reflect on the ways our past practices have contributed to the inequities in the entertainment industry, and take active steps towards changing the status quo. This is why we have included a meaningful donation within the accountability measures in the IR.

Given that the IR is a flexible template, determining the amount of and who shares in contributing to the donation are up to each individual, individual project and company to state clearly upon negotiation and adoption of the IR.

We recommend a commitment to a meaningful donation by the production company or studio involved in a project or slate of projects... You may also consider asking any individual or producer, writers, directors or actors that have the right to designate personnel or meaningfully control hiring to also contribute. You may choose to negotiate a sliding scale depending on the overall budget of the project and/or based on the guaranteed salary for above-the-line talent and crew. You may choose to connect the donation commitment only to roles for which there are currently robust hiring lists. You may also take into consideration those in key roles who have been traditionally underrepresented vs. those who have benefited monetarily and otherwise from systemic racism, sexism, colorism, sizeism, ageism and other forms of oppression. Perhaps your company has its

own fund for deepening talent pools, for example for interns or executive assistants—you may choose to contribute the funds there. These are all important considerations, and as long as there is a written commitment to a meaningful donation, how you arrive at the details is flexible.

MORE FAQS & SOME TOUGHER QUESTIONS:

WE ARE UNCOMFORTABLE WITH A PUNITIVE POLICY IN THE ACCOUNTABILITY MEASURES. CAN'T THERE BE REWARDS FOR COMPANIES WHO GET IT RIGHT, RATHER THAN PUNISHING THOSE WHO DON'T?

Our accountability measures are a win-win for everyone. Not only does your company have the opportunity to reflect on how you're doing year over year or on individual projects, where you fall short you have the opportunity to contribute towards increasing the diversity of the hiring pools. There are initiatives that offer seals and other rewards, like [Women of Color Unite's](#) seal, and we think these are important. We encourage you to see this as a both and opportunity in which you acknowledge and celebrate the ways your company is improving, as well as commit to strengthening the DEIA of the industry overall by supporting programs and organizations that are dedicated to increasing diverse hiring pools.

DOES THE IR USE QUOTAS?

No - the IR is explicit in setting forth a target for hiring, which could focus on progress over time, which is not the same as a quota. It also makes explicit that those making hiring determinations use their best efforts to hire qualified candidates from underrepresented backgrounds. Please consult with counsel on

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following the best practices under employment law, subject to both federal and state regulations.

[Here are two other helpful from the ACLU on inclusive targets and the IR:](#)

[Hollywood Resolve to Make 2019 the Year of Inclusive Hiring Targets](#)

[Inclusion Targets, What's Legal?](#)

[Here are two other helpful resources from the Equal Employment Opportunity Commission:](#)

[Best Practices of Private Sector Employers](#)

[CM-607 Affirmative Action](#)

WHAT IF WE ALREADY HAVE DEIA PROGRAMS IN PLACE?

Implementing the IR is an added resource for encouraging mindful hiring at all levels of your company. The IR's commitment to a fair process, data collection, transparent reporting and accountability make it an important and unique tool to advance measurable change.

WHAT ARE SOME OF THE ELEMENTS OF DEIA THAT THE IR DOESN'T ADDRESS?

The IR is specifically a tool for hiring. It does not focus on or help resolve people's experiences once they are hired, nor on retention nor on promotions. The IR also does not directly influence the script for a project. It does not include recommendations for filming locations. It does not prescribe specific actions for all the various situations in which you will find yourselves as a company and/or on productions. The IR is one of many tools we strongly recommend you consider using in your DEIA efforts.

WHERE CAN WE GET MORE INFORMATION ON LAND ACKNOWLEDGMENTS?

Please see this link prepared by [IllumiNative](#).

WHAT DO YOU MEAN BY 'INTERSECTIONAL DISCRIMINATION?'

Intersectionality is a term and concept coined by [Dr. Kimberlé Crenshaw](#). It refers to the complex, cumulative way in which the effects of multiple forms of discrimination (such as racism, sexism, and classism) combine, overlap, or intersect especially in the experiences of marginalized individuals or groups (Merriam-Webster).

In the IR we seek to encompass the many ways in which people are marginalized and underrepresented and encourage hiring benchmarks for these groups; however, we do not name all of these identity groups within the language of the IR templates and implementation guide. This is in part why it's important to keep in mind that the IR is flexible.

Especially once you are in the stage of examining your data, we recommend you do so with an intersectional lens. For example, if your company's productions focus mainly on Black and/or African American characters, do you also include characters who are transgender? Over 40? Are you considering the damaging effects of colorism when making choices in casting and seeking to reverse the overrepresentation of light-skinned Black, bi-racial, and multiracial actors and crew members by including a full range of qualified medium and light brown-skinned to very dark brown-skinned cast and crew members? What about sizeism? If you are making efforts to include more people with disabilities, are you considering the differences between people with visible disabilities and those without? Historically the deaf and hard of hearing do

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not identify as having a disability; are you consulting with people in these communities in order to broaden the representation in your company and/or productions?

Just as we have done and continue to do in developing these resources, please consult directly with members of the communities that have been underrepresented. Our hiring resource includes links to organizations who can share more.

WHAT IS THE DIFFERENCE BETWEEN THE IR AND THE ROONEY RULE?

The Rooney Rule (aka Winzer Rule in fantasy sports) is a pioneering strategy developed for the National Football League by civil rights and employment attorney Cyrus Mehri. It calls for consideration of diverse candidates for head coaching positions and has been expanded by the NFL to include general manager and other similar front office positions. Unlike the Rooney Rule, the IR is a contractual obligation that states production companies and studios will make best effort to deepen and diversify the hiring pool, establish benchmarks and targets, collect, measure, and analyze cast/crew hiring data, and implement accountability measures if they fall short of their goals. The IR Policy and the Inclusion Rider Policy Implementation Guide & Resources are based on those four leading principles.

DO YOU HAVE RECOMMENDATIONS FOR DEIA, ANTI-RACISM, SOCIAL-IMPACT SPECIALISTS?

Yes! Please see our database link for resources. While we don't vet the resources on the link, we are confident that through your own efforts in considering those listed here, you will find qualified entities who can provide you and your company with appropriate training.

CAN THE IR BE USED IN ALL INDUSTRIES?

Yes. The IR has already been used for the tech industry, sports, fashion, music, the legal profession, publishing, and more.

WHO HAS SIGNED ON TO USE THE IR AND WHO HAS ALREADY USED IT SUCCESSFULLY?

Given that the IR is often part of contract negotiations, it includes confidential information and can be challenging to share who has utilized it as part of their contracts or policies. However, there are many [public stories](#) of individuals and companies who are adopting the IR, and it is being used beyond Hollywood. Often the IR is used in conjunction with other initiatives, such as the IR being a requirement for projects that receive the [Women of Color Unite](#) seal.