



The #ReelEquity Toolkit: *Proactive Steps to Support Gender Pay Equity*

Gender pay equity is a significant issue in media production in front of and behind the camera, and above and below the line. Existing and historical gender-based job segregation, gender stereotyping, and differential negotiating power can lead to wide differences in pay for individuals who play similar roles or work at similar levels - due to different scale rates, different negotiated rates, or both.

How can industry leaders, ranging from an individual production or a production company, a studio or network take voluntary action to address these concerns and promote greater equity?

1. Conduct an **Equal Pay Analysis**, a formal review to assess how legal requirements apply to a specific production or particular crafts and positions and ensure compliance.
2. Take a broader look at pay equity at a structural level, by using our **#ReelEquity Yardstick** to review compensation and make proactive adjustments to underpaid individuals or classifications.
3. Adopt **Equity Riders** in standard contracts -- modeled on Inclusion Riders -- making a formal long-term commitment to a pay equity program.

These actions can move a production toward full gender pay equity, and also help address potential equity concerns based on race and other protected categories.

Learn more at reelequity.org

Equal Pay Analysis: An Assessment of Legal Compliance

The 2018 Working IDEAL study commissioned by IATSE Local 871 (*Script Girls, Secretaries and Stereotypes*) identified certain comparable jobs based on an analysis of entire classifications under California and federal law. This study could only address specific crafts using an analysis comparing overall classifications. On a particular production there may be other underpaid positions and other valid comparators based on skill, responsibility, effort and working conditions. (Read the whole study at workingideal.com/reelequity).

To understand whether pay rates on specific productions comply with legal requirements requires a position-by-position analysis that:

- Identifies positions that are substantially similar when viewed as a composite of skill, effort, responsibility and are performed under similar working conditions. *Substantial similarity means that the overall job content is substantially similar; it does not require tasks to be identical.*
- Measures differences in pay between men and women doing substantially similar work, as well as looking at pay differences between individuals who differ based on race/ethnicity. *When comparing compensation across gender and race/ethnicity, look beyond scale rates and make sure you gather information about actual earnings, which reflect additions to regular hourly rates like overtime pay or location premiums, in order to make a fair comparison.*
- Account for any valid reasons or factors that justify pay differences. *California law sets a high bar on justifications for pay differences between employees doing substantially similar work. For example, saying that certain employees “negotiated” a higher pay rate may not be a “bona fide” basis for paying employees of another sex (or race) less for doing substantially similar work.*

The analysis should also consider any other evidence that discrimination is leading to lower pay or benefits based on gender, race, ethnicity or other protected categories – particularly for individuals holding positions for which there are no clear comparators.

This analysis should be done in coordination with the relevant unions, to make sure the individuals performing the work and the approach to the analysis protects worker and management interests.

The #ReelEquity “Yardstick:” A Test for Broader Equity Concerns

The #ReelEquity Yardstick is a simplified measurement tool to identify broader pay equity concerns for further in-depth review, and how structural factors, like job segregation, stereotyping, workplace culture, or hiring and pay setting practices could lead to pay differences based on protected categories like gender, race or ethnicity.

We recommend comparing pay rates for individuals at the same classification level or level of responsibility across departments – for example are there substantial differences in pay rates for Department Heads? We also recommend considering proportionality - for example, does compensation for “Keys” or “Seconds” look proportional across departments as a percentage of the rate for Department Heads?

Where these analyses show women or people of color are concentrated in lower paying positions, departments, or at lower job levels, productions should re-evaluate and where appropriate raise the rates for underpaid classifications. Considerations could include who actually or typically holds those positions now or historically, gendered perceptions of the departments and their work, or other factors that could reduce bargaining power or lead to discrimination.

Hypothetical #ReelEquity Yardstick Analysis			
	Pay Rate* for Dept. Head	Pay Rate for Key	Pay Rate for Second
Dept. 1	\$60 70% of Dept. 2 Head	\$51 85% of Dept. 1 Head 71% of Dept. 2 Key	\$48 94% of Dept. 1 Key 75% of Dept. 2 Second
Dept. 2	\$85	\$71 83% of Dept. 2 Head	\$64 90% of Dept. 2 Key
Dept. 3	\$80 94% of Dept. 2 Head	\$31 48% of Dept. 3 Head 43% of Dept. 2 Key	\$17 55% of Dept. 3 Key 40% of Dept. 2 Second
<p><i>*Rates should be based on actual negotiated rates and earnings, not just scale or minimum rates, including relevant additions, like overtime, or location premiums, or any other element of compensation needed to make a fair comparison.</i></p>			

In this example, pay for the Department 3 Keys and Seconds and all of the Department 1 rates should be flagged for further review where they raise gender, race and other potential equity concerns.

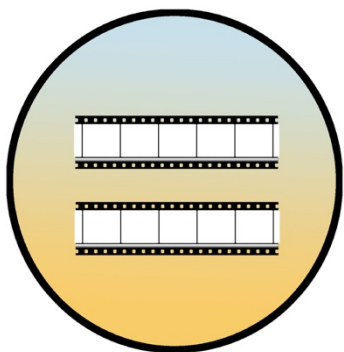
Equity Riders: Committing to a Pay Equity Program

Finally, productions can take a longer-term approach by considering Equity Riders – modeled on Inclusion Riders. The Inclusion Rider is a new tool to address diversity in film and television productions - a contract provision that commits to broader representation in terms of race, gender, disability and LGBT status in casting and in filling certain specified behind the camera positions.

But Inclusion Riders do not address pay equity, and do not include all crew positions.

An Equity Rider is a contract provision that commits the production to pay equity for all positions - above and below the line, in front of and behind the camera. An Equity Rider includes a commitment to taking the following proactive steps:

1. Going beyond standard negotiated pay rates and required scale and minimum amounts where necessary to ensure equal pay for substantially similar work.
2. Reviewing negotiation, compensation and hiring practices to address how unequal power, unconscious bias, structural inequality, and patterns of historically segregated work impact pay. This could include reviewing and modifying formal and informal pay setting practices that create structural barriers to pay equity – and eliminating practices that create legal risk and perpetuate pay disparities like relying on prior salary or promoting pay secrecy.
3. Regularly analyzing pay equity by position and pay within and across departments and positions, including updating that analysis at each phase of the production as new people are hired on.
4. Making pay adjustments where this analysis reveals an existing inequity.
5. Voluntary reporting to the unions of aggregate gender and race wage gaps and proactive steps taken to address them.



Learn more and sign onto the campaign at reequity.org.

#ReelEquity