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**Inclusion Rider Template**  
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1. Statement of Purpose:

- Recognizing that increasing the number of females—particularly recognizing the intersectional discrimination faced by females of color—and individuals from other under-represented groups, auditioning for supporting roles, and casting them whenever possible in a manner that retains story authenticity, will facilitate employment and create a stronger pipeline for more diverse representation on-screen,
- and that increasing the number of females—particularly once again recognizing the issues faced by females of color—and individuals from other under-represented groups, interviewing for certain off-screen positions, and hiring them whenever possible, will similarly facilitate employment and create a stronger pipeline, and will ultimately give rise to greater diversity off-screen,
- **ACTOR/CONTENT CREATOR** requests that **STUDIO** makes this addendum part of the contract between **ACTOR/CONTENT CREATOR** and **STUDIO** on the theatrical motion picture or series/web content now entitled “\_\_\_\_\_.”

2. Definitions

- a. The term “supporting roles” is defined as SAG-AFTRA defines that term.<sup>1</sup>
- b. The term “studio” should be read to include the major studios, mini-majors, independent financiers, and distributors.
- c. The term “parties” means **ACTOR/CONTENT CREATOR** and **STUDIO**.
- d. The term “under-represented group(s)” means people who identify themselves as females, people of color, disabled, Lesbian Gay Bisexual Transgender or Queer, or having a combination of these attributes.<sup>2</sup>

3. Auditions/Interviews:

<sup>1</sup> “Supporting Role” is a term that requires further negotiations and definition. For example, a supporting role should not affect story sovereignty and thus needs to be defined using the breakdowns available at SAG-AFTRA for minor roles.

<sup>2</sup> The parties should review the definition of the term “under-represented,” as it is flexible and can be expanded to include, e.g., age.



- a. The Director and Casting Director will audition at least one female and one person from any other under-represented group for all supporting roles. This includes engaging in the good-faith consideration of casting a female in a role scripted for a man or one whose gender is unspecified.
- b. The individual(s) responsible for interviewing and hiring the crew will interview at least one female and one person from any other under-represented group for the following-off screen positions:<sup>3</sup>
  - i. Development and Production: Director of Photography/Cinematographer, Production Designer, Sound, 1st Assistant Director, 2nd Assistant Director, Costume Designer, Line Producers.
  - ii. Post-Production: Editor, Visual Effects, Composer.
- c. All reasonable efforts will be made to ensure individuals auditioning or interviewing who have a mobility disability can access the audition or interview location.

4. Casting and Hiring Objectives:

- a. Casting of Supporting Roles:
  - i. Consistent with story authenticity and achieving a high-quality result, the Director and Casting Director shall affirmatively seek opportunities to cast females, including females of color, and actors from other under-represented groups in all supporting roles.
  - ii. Wherever possible, the Director and Casting Director will select qualified members of under-represented groups for supporting roles in a manner that matches the expected demographics of the film's setting (with a confidence interval of XX%).<sup>4</sup> The Director and Casting Director shall rely upon state-by-state demographics to determine representational percentages and shall rely upon nationwide demographics where state-by-state data is not available. The Director and Casting Director are encouraged to seek advice or counsel regarding implementation of this provision from Dr. Stacy L. Smith of the USC Annenberg School for Communication and Journalism and/or Kalpana Kotagal of Cohen Milstein.
  - iii. To make a determination regarding benchmarks for casting of under-represented groups, the producer/studio and Dr. Stacy L. Smith<sup>5</sup> will consider

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<sup>3</sup> The terms of paragraph 3.b.i-ii should be considered carefully with consideration for the existing pool of candidates.

<sup>4</sup> The appropriate targets should be discussed.

<sup>5</sup> There are a number of academics and/or industry advocates who can be consulted for this purpose.



the geographic location and time period in which the story is set. This consideration may also include, but shall not be limited to, whether the film is based on or adapted from historical or current true events. This determination should also include legal considerations.

b. Hiring Certain Off-Screen Positions: For all applicable roles, see ¶3b, the producer or studio shall make all reasonable efforts to fill those positions with qualified and available individuals who have been under-represented in that position and where those roles were not filled prior to involvement of **ACTOR/CONTENT CREATOR**.

5. Exception: On the rare occasion when story authenticity precludes application of ¶¶ 3a and 4a, a determination which is to be made by the producer or studio in conjunction with Dr. Stacy L. Smith and Fanshen Cox DiGiovanni of One Drop of Love and Pearl Street Films,<sup>6</sup> this Addendum will apply only to interviewing and hiring of off-screen roles, as specified in ¶¶ 3b and 4b. Where this exception to on-screen compliance is found to apply, all other terms of this Addendum continue to apply to the studio's efforts to interview and hire members of under-represented groups for off-screen positions.

6. Reporting: The Producer shall provide a report containing the following comprehensive data to Dr. Stacy L. Smith,<sup>7</sup> at the conclusion of production:

a. the total number of individuals who auditioned, or interviewed for, each covered supporting role or off-screen position, as defined in ¶¶ 3(a)-(b). This reporting should be disaggregated by each supporting role/off-screen position;

b. the number of those who auditioned (for supporting role positions) and interviewed (for off-screen positions) who identified themselves as:

(i) females;

(ii) people of color;

(iii) disabled;

(iv) Lesbian Gay Bisexual Transgender or Queer;

(v) a combination of diverse qualities identified in (i-iv);

c. the number of females and individuals from other under-represented groups who were cast in supporting roles;

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<sup>6</sup> See n.5.

<sup>7</sup> The reporting mechanism could also be delivered to another agreed-upon outside source or committee appointed across agencies, studios and/or production companies.



d. the number of females and individuals from other under-represented groups who were hired for the off-screen roles covered by this Addendum.

e. To satisfy the reporting requirements of ¶16(b)(ii), those who audition or interview for included supporting roles or off-screen positions will be asked to voluntarily self-identify utilizing U.S. Census designations for race and ethnicity and will be provided with a statement affirming the value of diversity and explaining purpose of data collection to enhance diversity and inclusion in Hollywood. These individuals will be given the option to write-in their ethnic or racial background, sexual orientation or gender identity, or to decline to provide this information.

7. Use of Reporting: The reporting provided for in ¶16 shall remain confidential and anonymous in its disaggregated form, but may be used Dr. Stacy L. Smith<sup>8</sup> to inform research regarding diversity and inclusion in film and television and to advocate for greater inclusion in projects in which **ACTOR/CONTENT CREATOR** is involved.

8. Compliance: This paragraph provides a mechanism for determining whether the studio has complied with this Addendum's stated purposes of facilitating greater diversity in auditioning/interviewing and casting/hiring qualified individuals from under-represented groups and sets forth suggested monetary consequences for non-compliance.

a. On-Screen Roles: Whether a studio has complied with this Rider for on-screen roles will be determined by analyzing the demographics of characters in the project, not the demographics of actors. Dr. Stacy Smith will undertake this analysis. A project has complied with this Addendum if the demographics of characters on-screen match the expected demographics of the film's setting (with a confidence interval of XX%).<sup>9</sup> The analysis will be completed by Dr. Stacy Smith's team in accordance with its previously documented methods for evaluating content.<sup>10</sup>

b. If the determination is made that the studio has failed to comply in good faith with this Addendum as to the demographics of characters on-screen, the studio shall make a contribution of **[INSERT SCALE]**. That contribution will be used to establish and endow a scholarship fund for filmmakers from under-represented backgrounds, including females, to be overseen and administered by Fanshen Cox DiGiovanni of One Drop of Love and Pearl Street Films.<sup>11</sup> The contribution made pursuant to this paragraph shall constitute the complete and exclusive monetary penalty for non-compliance with this Addendum.

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<sup>8</sup> See n.7.

<sup>9</sup> See n.4.

<sup>10</sup> See n.7.

<sup>11</sup> While we recommend a centralized unitary approach to such a scholarship fund, we recognize that other such work supporting inclusion in the industry is underway. Certainly, the recipient of such a contribution should be discussed.



c. Off-Screen Roles: Whether a studio has complied with ¶¶3(b) or 4(b) (relating to off-screen roles), is to be determined by designated representative of **ACTOR/CONTENT CREATOR** and designated representative of **STUDIO**. In making this determination, the designated representatives of **ACTOR/CONTENT CREATOR** and **STUDIO** will consider the totality of the circumstances, including data regarding the available pipeline of qualified candidates for each position and any other relevant data or anecdotal information.

9. Dispute Resolution: Those terms of **ACTOR/CONTENT CREATOR'S** contract setting forth processes for dispute resolution shall also govern the resolution of disputes pursuant to this Addendum.