

THE **TIME'S UP** GUIDE TO

Working in Entertainment

Your Rights in Nude, Intimate, and Sex Scenes

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Staying Safe in Entertainment Workplaces

TIME'S UP was born in Hollywood when actresses, producers, directors, and screen professionals from across the industry started calling out the rampant sexism, violence, and double standards that workers in entertainment endure.

By speaking up, speaking out, and speaking together, we regain [our] power. And we hopefully ensure that this kind of rampant predatory behavior as an accepted feature of our industry dies here and now.

— *Lupita Nyong'o*

In response, TIME'S UP created this guide, a resource for those in the entertainment industry who find themselves experiencing or witnessing workplace misconduct. This includes harassment, discrimination, unwanted touching, sexual assault, and rape. *The TIME'S UP Guide to Working in Entertainment* covers auditions, nude and simulated sex scenes, information about reporting misconduct, and more.

No matter your situation, you have options. We're here to help by connecting you with resources and information so you can determine your best path forward. In the meantime, trust yourself. If something doesn't feel right, it probably isn't. If it seems like a red flag, it probably is. It's okay to say "no," to speak up, and to leave situations that make you uncomfortable. No role, job, or relationship is worth compromising your physical or emotional safety.

And, if something happened to you, we believe you. You are not alone, and we are here to help.

If you have feedback to help us improve this guide, we welcome it. Please contact us at hello@timesupnow.org. If you need to reference these guides on the go, text SAFESSETS to 306-44.

In solidarity,

TIME'S UP

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Resources at a Glance

TIME'S UP Legal Defense Fund

202-319-3053

If you experience sex harassment at work, the TIME'S UP Legal Defense Fund may be able to provide free legal consultation and help pay for your legal case and for media and storytelling assistance. Online intake form is available [on the TIME'S UP website](#).

The Actors Fund

Los Angeles: 888-825-0911

Chicago: 312-372-0989

New York City: 800-221-7303

The actors fund offers assistance and services, including counseling and financial aid, to people working in the entertainment industry. More information [on The Actors Fund website](#).

Intimacy Coordinator Organizations

- ▶ Centaury Co.: <https://sharetheloadinc.com/training>
- ▶ Intimacy Coordinators of Color: <http://www.intimacycoordinatorsofcolor.com>
- ▶ Intimacy Directors and Coordinators: <https://www.idcprofessionals.com>
- ▶ Intimacy On Set: <https://www.intimacyonset.com>
- ▶ Intimacy Professionals Association: <https://www.intimacyprofessionalsassociation.com>

Rape, Abuse & Incest National Network (RAINN)

800-656-HOPE (4673)

RAINN's National Sexual Assault Hotline is available by phone and online chat for survivors and their loved ones. More information and live-chat option [on the RAINN website](#).

U.S. Equal Employment Opportunity Commission (EEOC)

202-663-4900

202-663-4494 TTY

[Harassment webpage](#)

[Field office locator](#)

To find more information about the laws where you live, contact your [local or state Civil Rights agency](#).

Voices In Action

Document and timestamp an incident of sexual misconduct, with the option of being notified if someone else has reported your abuser, [on the Voices In Action website](#).

Women In Film Help Line

855.WIF.LINE

People working in the entertainment industry who experience sexual harassment can access resources and support, including referrals to pro bono legal services, low-fee therapy, and free support groups [on the Women In Film website](#).

For information on resources available to sexual assault survivors in certain localities, see **Appendix: Local Services for Sexual Assault Survivors**.

Nude, Intimate, and Simulated Sex Scenes Overview

Actors participating in nude, intimate, and simulated sex scenes are extremely vulnerable. Unfortunately, the entertainment industry has done little to protect them from abuse. Actors have reported:

- ▶ Being the only woman on-set and not being given a robe to cover up between takes;
- ▶ Being asked “to have actual sex” instead of simulated sex;
- ▶ Having members of the crew film sensitive scenes on their smartphones and publicly post the material;
- ▶ Having their nude images used in marketing campaigns without their approval; and
- ▶ Experiencing sexual assault mid-shoot.

Our guide will help you understand:

- ▶ Your rights when filming a nude, intimate, or simulated sex scene;
- ▶ How to prepare for filming a scene, including communicating your boundaries and negotiating nudity riders;
- ▶ How to work with intimacy coordinators; and
- ▶ What to do if no intimacy coordinator is available.

If you are in imminent danger now or at any time, call 911 immediately.

Your rights under the law

In general, employees are protected from sexual harassment and discrimination under federal and state employment laws. However, these laws do not apply in all employment contexts. For example, the Civil Rights Act of 1964, the federal law that prohibits discrimination in employment on the basis of protected characteristics such as sex, race, color, national origin, and religion, only applies to businesses with more than 15 employees and does not apply to independent contractors. **Certain states, including California and New York, do provide more robust protections.** We've provided more detail on them below.

If something happened to you during a nude scene and you are trying to understand your options, please refer to the federal and state law section of our guide, [Your Right to Report Sexual Misconduct and Harassment](#). It can help you educate yourself about your rights, and the options available to you if you'd like to take action or seek support.

Generally, unless the production is licensed to create and sell pornography, requests to do sexual acts on set may violate your rights and you may have the right to refrain from them.

State and federal prostitution and obscenity laws may affect this. There are also extensive laws governing the employment of minors in the entertainment industry. Please check state and local laws in your filming location to learn more.

Additionally, no computer-generated imagery (CGI), prosthetics, or digitizing of your image or body with respect to the nude and simulated sex scenes may be conducted without your written consent.

If you are performing under a SAG-AFTRA contract

In addition to federal and state laws, if you are hired to work on a project covered by a SAG-AFTRA collective bargaining agreement, its rules regarding sexual harassment and discrimination apply. Review [SAG-AFTRA's Code of Conduct](#) for more information.

SAG-AFTRA has rules addressing nudity and intimacy on-set. For all actors, you must give your prior written consent, which is a contract with the production, before rehearsing or filming a scene with:

- ▶ Nudity,
- ▶ Partial nudity,
- ▶ Simulated sex acts, or
- ▶ Digital doubling or digitization, such as using CGI to superimpose a performer, or body parts onto the body of another performer.

Known in the industry as a **nudity rider, nudity waiver, simulated sex rider, intimate scene rider, or simulated sex waiver**, it establishes the rights and obligations of the production and the actor performing in a nude, intimate, simulated sex act, or simulated sexual assault scene. A rider is also required if a performer or background actor is to appear nude or perform a simulated sex act on-set, even if this exposure or performance is only meant to aid the filming process and will not be depicted in the film. The rider must include a general description of the nudity or simulated sex acts, and the relevant script pages should be attached and referenced.

If a production does not obtain consent, they do not have the right to use the footage. For more information on nudity riders, review our guide to Nudity Rider Basics [\[ADD LINK\]](#).

Performers working under a SAG-AFTRA contract have the rights listed below. **This list is based on information obtained from SAG-AFTRA.** Under SAG-AFTRA rules, body doubles are considered performers and stand-ins are considered background actors.

- ▶ Producers must:
 - ▶ Maintain a workplace **free from unlawful harassment and sexual assault**.
 - ▶ **Investigate** reports of unlawful harassment and sexual assault, take action and make reasonable efforts to maintain confidentiality.
 - ▶ Not ask actors to engage in **real sex acts** instead of simulated sex acts whether nude or clothed, including any genital-to-genital contact without the protection of a physical barrier.

- ▶ Not **authorize still photography** of nude or simulated sex scenes without your prior written consent. Unused still photographs must be securely stored.
- ▶ Not use footage or still photos of nudity in **any promotional material, publicity, or trailers** without your prior written consent.
- ▶ Not **retaliate** against actors who raise complaints or participate in investigations.
- ▶ For performers and background filming nude and simulated sex scenes:
 - ▶ As stated, you must have a **signed nudity or simulated sex rider** with the production prior to shooting.
 - ▶ **The set and monitors shall be closed** to anyone not essential to the filming or rehearsal of the scene, such as financiers or guests.
 - ▶ The production **must provide a cover-up, such as a bathrobe**, when you are nude or wearing only modesty garments when you are not rehearsing or shooting the scene, or when there is a pause in rehearsing or shooting.
 - ▶ No one is allowed to **record footage of the scene** using personal recording devices.
 - ▶ **Intimate body parts must be covered**, unless you agree in your rider to expose an intimate body part on-set or on film.
 - ▶ You have the **right to withdraw your consent** to do a nude or simulated sex act scene at any time prior to filming. If you do, the producer has the right to double you, physically or digitally, but only to the extent you agreed to in your nudity rider. You may not withdraw your consent to film already photographed.
- ▶ For performers and background who are minors (17-years-old and younger):
 - ▶ Productions are required under federal law to verify that any performer or background actor participating in a nude or simulated sex act scene is **18 years old or older**.
 - ▶ Scenes involving a minor are regulated by **state and federal pornography and molestation law**, which impose severe penalties and require strict adherence. Productions should contact SAG-AFTRA when filming any nude or intimate scene involving a minor to ensure they are complying with current law.
 - ▶ Minors may not perform in any scene involving the **simulation of a sex act**.
 - ▶ **Minors may not perform** in scenes exposing their:
 - + genitals;
 - + pubic area; or
 - + breasts, if they are post-pubescent.
 - ▶ Minors **may not be on a closed set** where adult performers are appearing nude or simulating a sex act.
 - ▶ An **adult performer cannot kiss or touch a minor** in a sexual way during the performance of an intimate scene.
- ▶ For performers only:
 - ▶ **Once a producer knows** a role will require nudity or simulated sex, they must notify the performer.

- ▶ The producer must provide your rider **at least 48 hours before call time**. The rider must provide a description of the nudity and simulated sex acts and attach any relevant pages of the script. Any changes to the nudity or simulated sex acts restarts the 48-hour clock.
- ▶ If the role is cast **less than 48 hours** in advance of call time, the consent must be provided prior to filming the scene and at the earliest practicable time.
- ▶ The **performer shall be provided** with the name and phone number of a designated producer representative or a hotline number to ask questions about the rider.
- ▶ The producer shall advise the **director and line producer or UPM** of the parameters of your consent to appear nude or engage in simulated sex acts.
- ▶ For background only:
 - ▶ **The rules governing notice and nudity and simulated sex riders differ** for background actors. Casting agencies hiring background actors must obtain as much information as possible from the producer regarding nudity or simulated sex acts in the role and inform you prior to booking.
 - ▶ **If you are NOT notified** of nudity or simulated sex in advance of your call time, you may refuse to engage in the performance and still be paid for the day.

It's okay to ask questions and keep records. You may want to ask who is considered “essential” to filming the scene and note if people are there who are just watching. You can also ask outright whether nudity and sex acts are expected, or if a robe or hygienic barriers will be provided. Note the answers you get and anything that seems off, even by simply sending yourself a text.

If a **SAG-AFTRA production is violating these rights, or if you feel unsafe**, you can call the safety emergency hotline 24 hours a day at (844) SAFER SET / (844) 723-3773. If your production is assigned a field representative, please contact that person as well.

For non-emergencies, call SAG-AFTRA to discuss safety issues at (323) 765-2911 Monday through Friday from 9am-5pm PT.

If you are working under a SAG-AFTRA contract and have **questions about your rights**, you can reach a SAG-AFTRA rep for questions at (855) SAG-AFTRA / (855) 724-2387.

SAG-AFTRA also has rules addressing intimacy and nudity during auditions and casting. For information on those rules, as well as other safety considerations during auditions, review our [Guide to Auditions](#).

Negotiating Your Boundaries

Start with knowing and communicating your boundaries

Before casting, ask yourself if you are willing to perform a nude, intimate, or simulated sex scene. If you are, knowing and communicating your boundaries is an important part of your artistry and safety as a performer.

First, **determine your boundaries** by having an honest conversation with yourself about what you feel comfortable doing. Ask yourself:

- ▶ Are you okay with kissing?
- ▶ What kind of nudity or simulated sex might you be willing to do in a professional context?
- ▶ What circumstances might make you comfortable with such scenes?
- ▶ What circumstances would make you uncomfortable?

If you have representation, have the same conversation with them.

In addition to discussing what you feel comfortable doing and what your boundaries are with your agent or manager, make sure the casting director, director, and, if you are cast, the producer have agreed to your terms before moving forward with auditioning for, or performing in, roles requiring such activity.

For more information on your rights in auditions, please review our [Your Rights in Auditions](#) guide.

Using a nudity rider

A nudity rider is a legal contract that describes what you consent to performing during your nude or simulated sex scene. You should have a signed nudity rider before filming starts. For more information on nudity riders, review our guide to [###Nudity Rider Basics](#).

SAG-AFTRA members can contact the union for help drafting nudity riders.

Working with an intimacy coordinator

An intimacy coordinator (or intimacy director in theater) is a choreographer of intimate and nude scenes. Their goal is to keep performers physically and emotionally safe while realizing the filmmaker's vision for the performance. Using an intimacy coordinator is a best practice because they play an essential role in keeping sets safe.

The role of an intimacy coordinator

Intimacy coordinators wear many hats. They are movement choreographers, liaisons between actors and production, and advocates for the actors. Professional intimacy coordinators should have cross-disciplinary backgrounds in areas such as acting, directing, harassment, consent, and mental health.

For a more detailed example of the role intimacy coordinators and directors play in a production, you can review the [Pillars of Rehearsal and Performance Practice](#) developed by Intimacy Directors International (IDI), a nonprofit focused on training and developing best practices for intimate, nude and simulated sex performances. You can also review the SAG-AFTRA's [Standards and Protocols for the Use of Intimacy Coordinators](#).

You can also view a video of Ita O'Brien's work as an intimacy coordinator and movement director and see intimacy coordination in progress from [The Guardian](#). *Ordinary People*, lauded for its steamy love scenes, is an example of Ms. O'Brien's work and showcases the art of intimacy coordination.

Learn more about [when to request an intimacy coordinator](#) as drafted by Alicia Rodis of Intimacy Directors and Coordinators.

Qualifications of intimacy coordinators

An intimacy coordinator should be an experienced individual who is trained specifically to coordinate intimate scenes for television and film.

They should be trained in most, if not all, of the following: movement directing and coaching, protective gear in regard to actor comfort and sexual health awareness, mental health first aid and trauma training, consent language training, conflict resolution training, anti-harassment and sensitivity training, sexual dramaturgy and advocacy, and on-set etiquette.

Learn more about incorporating intimacy coordinators in SAG-AFTRA's [Standards and Protocols for the Use of Intimacy Coordinators](#).

Working without an intimacy coordinator

If an intimacy coordinator is not available on set, you should still consider your boundaries, as discussed earlier in this guide.

- ▶ If you choose to take a person with you for support, convey your boundaries to them so that they can advocate for you, if necessary.
- ▶ If auditioning, have a frank conversation before the scene with your acting partner and the casting director during which you share your boundaries and ask your acting partner about their boundaries; or
- ▶ If on set, have a frank conversation before the scene with your acting partner and the director or the producer, during which you share your boundaries and ask your acting partner about their boundaries.

If you change your mind

If you ever feel any hesitation about performing a nude scene, you or your representatives should object or withdraw consent prior to the actual filming of the nude and/or simulated sex scene, even if you have already signed a release. As in your personal life, **you have the right to revoke your consent** to participate in nudity or simulated sex at any time.

Once you have participated in the actual filming of a nude or simulated sex scene(s), you continue to have the right to withdraw participation in the filming of additional nude or simulated sex scenes.

If you exercise your right to revoke your consent, the production has the corresponding right to double you. However, the nudity or simulated sex portrayed through doubling shall be limited to the nudity or simulated sex that you originally agreed in your nudity rider. This applies whether the the production doubles you digitally or through use of a body double.

If you have an intimacy coordinator or advocate on set, communicate your discomfort, and they will help you handle the remaining scenes at hand.

Our Gratitude to Our Collaborators

Thank you to the silence breakers who bravely, and often at great personal expense, speak publicly about the abuses inflicted upon you at work. We dedicate this guide to you and others like you who are willing to sacrifice privacy and, in some cases, security for justice and progress.

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If you identify any inaccuracies in this guide or additional entertainment industry workplace issues you would like to see addressed in it, please send your comments to hello@timesupnow.org.



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