

Movie Melting Pot

By Reg P. Wydeven
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A couple of weeks ago I wrote about the prominence of the #MeToo movement at the Academy Awards and the resurrection of death and disgrace clauses in acting contracts and insurance policies. Well, death and disgrace clauses weren't the only contractual provisions highlighted at the Oscars.

During her acceptance speech for the Best Actress award, Frances McDormand invited all of the other female nominees in the theater to stand up and be recognized. She then informed all the men in the room that, "We all have stories to tell and projects we need financed." She asked the men to "invite us into your office in a couple of days, or you can come to ours, whichever suits you best, and we'll tell you all about them."

She then closed by saying, "I have two words to leave with you tonight, ladies and gentlemen: Inclusion rider."

Many in attendance, and even more viewers at home, wondered exactly what an inclusion rider is. When an entertainer signs a contract, they can make out of the ordinary requests that are added to the standard contract in a rider. For example, in 1982 the band Van Halen included a rider in their touring contract that all brown M&Ms be removed from the bag. While it sounds diva-ish, this was a test; if brown M&Ms showed up, that meant other more important provisions in the rider may have been missed, too.

McDormand challenged actors and directors to include inclusion riders in their contracts, which stipulate that the cast and/or the crew in a film reflect real demographics, including a proportionate number of women, minorities, LGBTQ individuals, and people with disabilities.

After McDormand's speech, actor Michael B. Jordan announced that his production company, Outlier Society, will adopt inclusion riders for all of its projects. Jordan plays the villain Erik Killmonger in Marvel's 'Black Panther' movie. The film is a critical and commercial success and continues to break box office records. The flick's director and writers are black, as is the majority of the cast and the contributors to the soundtrack.

Jordan explained the implantation of the rider by saying, "I've been privileged to work with powerful women and persons of color throughout my career and it's Outlier's mission to continue to create for talented individuals going forward."

Following suit, Pearl Street Films, the production company cofounded by Ben Affleck and Matt Damon, also announced its intention to adopt inclusion riders. Fanshen Cox DiGiovanni, the company's head of strategic outreach, announced the decision via Twitter. Expressing gratitude to Jordan, she tweeted, "@michaelb4jordan Thank you for always supporting broader representation in the industry."

Inclusion riders were developed by DiGiovanni, Stacy Smith, founder and director of the University of Southern California's Annenberg Inclusion Initiative, and Kalpana Kotagal, an attorney with the law firm of Cohen Milstein.

Smith explained that the purpose of the inclusion rider is "to counter biases on the casting, auditioning, interviewing and hiring process. For on-screen roles that are supporting and minor in nature, they have to be filled with norms that reflect the world in which we live." In other words, she believes movies should be approximately 50% women, 50% minority, 20% people with disabilities and 5% LGBTQ.

And because one of Marvel's most popular characters is the Incredible Hulk, movies should also be 1% green.

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