

Ousted Recording Academy Chief Deborah Dugan Files Sexual Harassment & Gender Bias Labor Claim, Calls Grammy Voting Process “Ripe With Corruption”

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UPDATED with statement from Duban’s lawyer: Deborah Dugan, the recently fired president and CEO of the Recording Academy, has filed a discrimination complaint with the EEOC, claiming that she was sexually harassed by Joel Katz, the Academy’s general counsel. The complaint also alleges that she witnessed “egregious conflicts of interest, improper self-dealing by Board members, and voting irregularities with respect to nominations for Grammy Awards, all made possible by the ‘boys’ club’ mentality and approach to governance at the Academy.”

Later on Tuesday, Katz’s attorney issued a statement denying the allegation.

Her complaint filed today with the Equal Employment Opportunity Commission (read it here) alleges that the Academy’s voting process “is ripe with corruption” and claims that “the Grammy voting process is illustrative of the ‘boys’ club’ mentality that exists at the Academy and amongst its Board members. Rather than promoting a transparent nomination process, the Board has decided to shroud the process in secrecy, and ultimately controls, in large part, who is nominated for Grammy Awards.”

Dugan’s complaint comes after board chairman Harvey Mason Jr. accused her on Monday of offering to drop her complaint and resign in exchange for a multimillion-dollar buyout of her contract — which she denies.

In a statement to Deadline today, the Recording Academy said:

“It is curious that Ms. Dugan never raised these grave allegations until a week after legal claims were made against her personally by a female employee who alleged Ms. Dugan had created a ‘toxic and intolerable’ work environment and engaged in ‘abusive and bullying conduct’. When Ms. Dugan did raise her ‘concerns’ to HR, she specifically instructed HR ‘not to take any action’ in response.

“Nonetheless, we immediately launched independent investigations to review both Ms. Dugan’s potential misconduct and her subsequent allegations. Both of these investigations remain ongoing. Ms. Dugan was placed on administrative leave only after offering to step down and demanding \$22 million from the Academy, which is a not-for-profit organization.

Our loyalty will always be to the 21,000 members of the Recording Industry. We regret that Music's Biggest Night is being stolen from them by Ms. Dugan's actions and we are working to resolve the matter as quickly as possible."

In response, Dugan's attorneys Douglas Wigdor and Michael Willemin at Wigdor Law, said in a statement:

"As the charge filed today clearly alleges, the assertion that Ms. Dugan did not raise concerns prior to the accusations manufactured against her is completely false. Ms. Dugan repeatedly raised concerns throughout her entire tenure at the Academy, and even gave large presentations focused on diversity and inclusion at Board meetings. In addition, it is not just Ms. Dugan who has raised concerns. As alleged in the charge, artists, other board members and employees have all raised virtually all of the concerns raised by Ms. Dugan. As alleged, the Academy has lost its way and abandoned the recording industry, instead focusing on self-dealing and turning blind eye to the "boys' club" environment, obvious improprieties and conflicts of interest.

"It was never Ms. Dugan's intention to turn this into a public fight precisely because of her love for music and the members of the recording industry. Unfortunately, staying silent was made impossible by the Board's repeated leaks and disclosures of false and misleading information to the press.

"Finally, as alleged in the charge, on the morning of the day she was put on leave, the Academy offered Ms. Dugan millions of dollars to drop all of this and leave the Academy. The Board Chair demanded an answer within the hour. When Ms. Dugan refused to accept and walk away, she was put on leave. The Academy claimed that Ms. Dugan was put on leave based on accusations made against her over a month prior that the Board knows very well are meritless. That is not a credible story."

Dugan, who was hired in May as the first female head of the National Academy of Recording Arts and Sciences, says in her complaint that she fired off an email to the Academy's human resources department on December 22 in which she alleged that she'd been asked by John Poppo, the then-chairman of the board, "to hire former CEO Neil Portnow as a consultant for the hefty sum of \$750,000. Mr. Portnow bowed away from the Academy in disgrace after making misogynistic remarks about woman recording artists." According to her complaint, she said she "came to learn after she agreed to take the CEO position — for which she was paid substantially less than her two male predecessors — Mr. Portnow also allegedly raped a female recording artist, which was, upon information and belief, the real reason his contract was not renewed."

At the end of her email, Dugan wrote: "In my efforts to successfully resolve the many outstanding lawsuits facing the Academy that I inherited, one of the claimants characterized her experience of our organization's leadership as 'a boy's club and they put their financial

interest above the mission” At the time, I didn’t want to believe it, but now after five months of being exposed to the behavior and circumstances outlined here, I have come to suspect she is right.”

Her complaint also states: “There is no better way to illustrate the existence of the ‘boys’ club’ mentality at the Academy than to look at the way Ms. Dugan has been treated since her December 22, 2019 email complaint to HR. Only three weeks after sending her complaint to HR, on January 16, 2020, Ms. Dugan was put on administrative leave by the members of the Board’s Executive Committee. The decision to put Ms. Dugan on leave was clearly made in retaliation for her complaint, and came with thinly veiled threats of termination in the event that Ms. Dugan persisted in pursuing claims against the Academy.”

She claims that when she was put on leave, board chairman Mason told her that the Academy would not provide any statements other than to say, if asked, that she had taken a leave of absence. “Despite this assurance,” she alleged, “just minutes later, the Board leaked to the press that Ms. Dugan had been ‘placed’ on administrative leave ‘in light of concerns raised to the Recording Academy board of trustees, including a formal allegation of misconduct by a senior female member of the Recording Academy team.’”

“This explanation was completely false and defamatory,” her complaint alleges. “It was designed to retaliate against Ms. Dugan, threaten her, and malign her reputation. Ms. Dugan was not placed on leave because of any accusation by a senior female member of the Academy.

Here is more from Dugan’s EEOC filing:

“After Ms. Dugan wrote her December 22, 2019, email, she put the Academy on notice that she intended to bring claims against the Academy. On January 16, 2020, after the Academy backed out of a resolution that had nearly been reached in principle to resolve Ms. Dugan’s legal claims, Mr. Mason conveyed the Board’s new unacceptable offer of settlement. Mr. Mason also told Ms. Dugan that she had only one hour to accept the Academy’s proposal. When Ms. Dugan failed to do so, the Board immediately put her on administrative leave. The leave had nothing to do with any accusations made against Ms. Dugan. It was retaliation, pure and simple.

“The concerns referenced in the Academy’s statement to the press – which were made by Mr. Portnow’s executive assistant, not a ‘senior female member’ of the Academy – had been raised well more than a month prior to Ms. Dugan being put on leave. Yet, Ms. Dugan was not put on leave when the allegations were first raised, nor was she put on leave after the Academy’s receipt of a demand letter from the accuser.

“Instead, Ms. Dugan was only put on leave after raising complaints about sexual harassment and other improprieties, indicating her intent to commence legal action and refusing to settle her claims on terms dictated by the Academy.

“Moreover, the Board knows very well that the complaints raised by the accuser are completely without merit – and even conceded that the accuser violated multiple Academy policies in the weeks leading to her complaints. However, even if the Board genuinely believed that the accusations had merit – which they did and do not – the accusations are not of the sort that would ever result in a CEO being put on administrative leave.

“In short, Ms. Dugan was accused of acting in a hostile manner towards an Executive Assistant. Again, the Board was ready to hire Mr. Portnow as a consultant and pay him \$750,000, even after he was accused of rape, made misogynistic comments and resigned in disgrace. The Board certainly did not put Ms. Dugan on administrative leave because it believed she was rude to an Executive Assistant – and, if it had, such decision would simply further highlight the Academy’s discriminatory decision making.

“As if the foregoing was not enough, just yesterday, with the knowledge that Ms. Dugan was about to file this charge, Mr. Mason penned and published – and leaked to the press – a false, retaliatory and defamatory letter designed to ‘get out in front’ of this Charge and further destroy Ms. Dugan’s reputation.”

In his Jan. 20 letter, Mason accused her of manufacturing legal claims after being put on notice of Portnow’s assistant’s claims, which Dugan described as false.

From the filing:

“From the very beginning of her employment,” she alleges, she “complained about and attempted to remedy the lack of diversity at the Academy, as well as nearly all of the improprieties complained about in her December 22, 2019 email. Ms. Dugan was not the only one. Other employees, Board members and even recording artists have made various complaints about most of these issues as well.”

“What is worse,” she claims, Mason’s letter “insinuates that Ms. Dugan attempted to extort the Academy (false) and subsequent statements by representatives of the Academy have resulted in press coverage accusing Ms. Dugan of extortion. That was precisely the intended effect of the Academy’s reprehensible conduct.”

“The Executive Committee is trying to paint Ms. Dugan as a money-hungry liar,” her complaint states. “Nothing could be further from the truth. In reality, Ms. Dugan took the CEO job at the Academy because she firmly believes that music can save lives. She left a comfortable job in New York City, and moved her family across the country to join the Academy. She spent every day of her tenure working in the best interests of the Academy.

“Six months later, the Board is doing everything it can to destroy Ms. Dugan for the sole reason that she posed a threat to the ‘boys’ club.’ In fact, this very day, Mr. Mason is calling high caliber artists and related people, including John Legend’s Manager, Ty Stiklorius. Mr. Mason is defaming Ms. Dugan by telling these people, among other things, that Ms. Dugan attempted to extort \$22 million from the Academy. This is flat out false, but Mr. Mason is intent on fully destroying Ms. Dugan, a strong woman who was willing to ‘step up’ to combat rampant discrimination and improprieties at the Academy.

“The damage that the Academy has done to Ms. Dugan is immeasurable and can never be remedied. However, Ms. Dugan will do everything in her power to hold the Academy and the Board responsible for the unlawful conduct described herein.”

Mason, who is now the Academy’s interim CEO, said in his memo that the Academy’s executive committee “became aware of abusive work environment complaints alleged against Ms. Dugan” last November, and that the following month “a letter was sent from an attorney representing a staff member that included additional detailed and serious allegations of a ‘toxic and intolerable’ and ‘abusive and bullying’ environment created by Ms. Dugan towards the staff.”

“After we received the employee complaints against Ms. Dugan,” he wrote, “she then (for the first time) made allegations against the Academy.” According to Mason, “Ms. Dugan’s attorney then informed the executive committee that if Ms. Dugan was paid millions of dollars, she would ‘withdraw’ her allegations and resign.” He added, “I’m deeply disturbed and saddened by the ‘leaks’ and misinformation, which are fueling a press campaign designed to create leverage against the Academy for personal gain.”