

What Is Going On With the Grammys?

 slate.com/culture/2020/01/deborah-dugan-recording-academy-eeoc-complaint-neil-portnow-sexual-

January 22,
2020

The Grammy Awards, the Recording Academy's annual event honoring the music industry, are scheduled to kick off for the 62nd time on Sunday in Los Angeles. But with less than a week to go before the curtain rises, the academy has been waging a messy legal and public relations battle with its own CEO, Deborah Dugan, who was placed on administrative leave on Jan.

16. On Tuesday, Dugan filed [a charge of discrimination](#) with the Los Angeles office of the Equal Employment Opportunity Commission alleging that she was pushed out as retaliation for raising complaints about sexual harassment and cracking down on a culture of corruption and self-dealing. Her complaint also specifically alleges that Recording Academy general counsel Joel Katz harassed her, and further alleges that former CEO Neil Portnow was accused of raping an unnamed female artist after a concert at Carnegie Hall. Katz has categorically denied Dugan's account. Here's everything we know about what's happening.

Who's Deborah Dugan?

She's the new CEO of the Recording Academy—the first woman to hold the post in the 63 years since the institution was founded—and the center of the current fracas. A former mergers & acquisitions lawyer, she was the president of Disney Publishing Worldwide before becoming CEO of [\(RED\)](#), a nonprofit founded by Bono and Bobby Shriver to fight HIV in Africa. Last May, the Recording Academy [announced](#) she would be their next president and CEO, a few months after departing president Neil Portnow oversaw his last Grammy Awards. She officially became president on Aug. 1 and was [ousted less than six months later](#), on Jan. 16. Since then, Harvey Mason, Jr. has been serving as interim president and CEO.

Why was the Recording Academy looking for a new CEO in the first place?

The Recording Academy has never been known for being ahead of the times, but in 2018, its reputation suffered a one-two punch: Only one woman was presented with a solo Grammy during the entire telecast, and then-president Neil Portnow, asked backstage about the imbalance, [suggested](#) female artists needed to “step up” if they wanted to achieve gender parity at the Grammys. Women at every level of the music industry spoke up. In response to the backlash, the Academy took a number of actions to clean up its act, [hiring Michelle Obama's former chief of staff](#) Tina Tchen to lead a task force on diversity and inclusion and adding new members in hopes of improving the academy's demographics. (At the time

Tchen's appointment was announced, the voting members were only 21 percent women and 28 percent people of color.) Portnow announced in May 2018 that he would step down when his contract expired in July of last year.

So Dugan was supposed to be a new start for the Recording Academy.

That was the idea, yes.

What happened?

It depends who you ask. Since news of Dugan's ouster broke, the Recording Academy and Dugan have been dueling in the courts and press alike, and their accounts of what happened are contradictory. Broadly speaking, Dugan says that the Recording Academy didn't tell her what a mess she'd be inheriting, and that when she started trying to make changes, the Board of Trustees first sidelined her, then staged a coup, doing it in a way designed to trash her reputation. The Recording Academy says that Dugan created a hostile work environment for "a senior female member of the Recording Academy team," understood to be Portnow's executive assistant Claudine Little, and says it is conducting independent investigations of both Dugan's allegations and Little's.

What does Dugan say happened?

Her EEOC complaint is interesting reading, because to make the case that Dugan was discriminated against on the basis of her gender, her lawyers also outline the history of gender inequality in the Recording Academy, allege that Grammy nominations are manipulated by board members to help artists they work with, and accuse two high-ranking academy officials of sexual misconduct. The chronology Dugan outlines begins with her hiring process: she was offered less money than Portnow had been paid for the same job, and when she requested equal pay, she was told to be happy she was making more than she'd made working for Bono. But things really get going in May of 2019, when Dugan traveled to Laguna Niguel to attend a three-day board meeting at the Ritz-Carlton.

According to Dugan, the Academy's general counsel, Joel Katz, invited her to dinner the night before the meeting, and engaged in "an obvious and unwelcome attempt to 'woo' Ms. Dugan" over "an outrageously expensive bottle of wine," commenting on her appearance, referring to her as "baby," bragging about his wealth and complaining about his marriage, and ultimately attempted to kiss her. Katz has categorically denied Dugan's account of the dinner.

The remainder of the trip was apparently just as much of a disaster: Dugan says she was only invited to the first day of the meeting, but decided to "invite herself" to the second day in order to hear Tina Tchen talk about the progress she'd made so far with her diversity task force. Shortly before that talk, Dugan says she was taken into a conference room and informed "that a foreign recording artist (and member of the Academy) had accused Mr.

Portnow of raping her following a performance that she gave at Carnegie Hall.” She says that was the first she heard of it—and the Board presented it to her as though they’d also just found out—but that in fact, they’d known about it when they hired her, and that the accusation was the “real reason” his contract was not renewed. Worse, she says they’d also known about it when they’d advised her to hire Portnow as a consultant (for \$750,000, per her complaint; she didn’t hire him). Finally, the third day of the board meeting was supposed to include a vote on a bonus payment to Portnow—but the full board hadn’t been told about the rape allegations.

Things didn’t get better when Dugan officially started work. In her telling, she was given the opportunity to fire Claudine Little, Neil Portnow’s former Executive Assistant, but decided to let her stay on and work as her assistant. That didn’t work out—according to Dugan, because Little was incompetent; according to Little, because Dugan was a bully who created a toxic work environment—and at the end of October, Little took a leave of absence. Dugan’s filing doesn’t specify exactly why, but says it was “a leave that was being managed by HR.”

After Little left, Dugan gave a presentation at a board meeting in early November proposing ways to increase diversity that she thinks precipitated her ouster. Most of the recommendations listed in her filing seem pretty anodyne—a suggestion to “have diversity in our mission, vision, and values” doesn’t seem worth a boardroom spat—but she did propose doubling the number of women in the voting membership, and paying less to outside counsel. But whether the board was reacting to the Claudine Little situation, Dugan’s diversity initiatives, her cost-cutting measures, or simply her gender, by December things had gone from frosty to hostile.

On Dec. 9, according to Dugan, the board stripped her of most of her responsibilities, prohibiting her from hiring or firing anyone without board consent and blocking her from choosing outside counsel. Supposedly, this was because of the Little situation, but Dugan alleges it was an attempt to derail her diversity initiatives. On Dec. 16, Dugan responded to the board, asking that her responsibilities be restored. The very next day, Claudine Little sent a demand letter to the Recording Academy regarding the way she said Dugan had treated her. Dugan alleges that the board used Little “as an excuse to grasp control over the management of the Academy because they were unhappy with Ms. Dugan’s call for more diversity and transparency” and suggests that they were in touch with Little and encouraged her to file a baseless claim against Dugan so they could remove her.

On Dec. 22, Dugan sent Shonda Grant, the academy’s head of HR, an email laying out her allegations, which she included in her filing. “I am writing this note not for you to take any action at this time, but to have on record that the following events occurred, and that these events have given me serious pause for concern and in some instances made me feel uncomfortable and safe,” she wrote, before outlining her allegations of sexual harassment, plus rampant conflicts of interest, a corrupt Grammy nomination process, and the

mismanagement of Claudine Little's complaints. Two days later, Dugan's attorney told the Academy she intended to pursue legal action. A month of negotiations followed, and Dugan says that she and the Academy had nearly reached a settlement when the Board abruptly backed out, offering her a much worse settlement with a 1-hour deadline. When she turned it down, she was put on administrative leave.

That's when what had been a private conflict turned into an all-out brawl. Dugan says the Academy assured her of confidentiality, then immediately issued [a statement to the press](#) saying that she'd been put on leave because of "a formal allegation of misconduct by a senior female member of the Recording Academy team." Then the press started up: On Jan. 19, Roger Friedman [published a column](#) scoffing at Dugan's allegations and portraying her as a schemer. The next day, interim president Harvey Mason Jr. [published his own account](#) of what happened, which stops just short of accusing Dugan of extortion. The next day, Dugan filed her complaint.

What does the Academy say happened?

First of all, the Academy doesn't say much about Dugan's allegations of sexual harassment or self-dealing. In their telling, the story starts in November, when the board's executive committee first found out about Little's complaints. [Mason's timeline](#) doesn't contradict Dugan's, but it is vaguer: He omits any mention of stripping Dugan of any duties in early December, saying only that Dugan's Dec. 22 email alleging misconduct at the academy was sent "after we received the employee complaints against Ms. Dugan." Mason also comes right up to the edge of accusing Dugan of blackmail, writing, "Ms. Dugan's attorney then informed the Executive Committee that if Ms. Dugan were paid millions of dollars, she would 'withdraw' her allegations and resign from her role as CEO."

Couldn't you describe anyone seeking a legal settlement in those terms?

Sure! For instance, you could probably describe the Academy's counter-offer like this, assuming it was more than \$2 million: "The Recording Academy then informed Ms. Dugan that if she 'withdrew' her allegations and resigned from her role as CEO, they would pay her millions of dollars."

So Dugan is alleging sexual harassment and says the Academy is a "boy's club." Are there any accusations of financial wrongdoing?

Yes. Dugan says the academy is overpaying for legal services via an arrangement where former Board member Joel Katz is paid an exorbitant retainer while his firm bills the Academy millions of dollars. Dugan also says that Chuck Ortner, formerly of Proskauer Rose, had a similar arrangement, and says that she was asked to approve a payment of a \$250,000 consulting fee to Ortner in her first week on the job. She thinks her attempts to

cut down on costs in this area—she wanted to hire an internal lawyer to cut down on the use of outside counsel, possibly upsetting Katz and Ortner’s applegart—is another reason she was ousted.

OK, but really what I want to know is whether or not the Grammys are rigged.

According to Dugan, absolutely. The Academy’s full membership votes for the nominations, and the top twenty nominees in each category are then reviewed by committees that narrow that list down to five or eight nominees. Dugan alleges that the members of those committees manipulate the nominations, pushing forward artists they work with regardless of their vote total, and even adding nominees who didn’t make the top twenty. Dugan specifically says that 30 of this year’s nominees were added by the committees despite not making the cut in Academy voting. She also says that one of this year’s nominees for Song of the Year was voted 18th in the category, but was able to parlay that into a nomination because he or she personally served on the Song of the Year nominating committee, despite being a contender.

Who was it?

No idea! It’s not clear if Dugan is talking about the performer or songwriter, and the committee members are secret. But the nominees are “Always Remember Us This Way,” performed by Lady Gaga, “Bad Guy,” performed by Billie Eilish, “Bring My Flowers Now,” performed by Tanya Tucker, “Hard Place,” performed by H.E.R., “Lover,” performed by Taylor Swift, “Norman fucking Rockwell,” performed by Lana Del Rey, “Someone You Loved,” performed by Lewis Capaldi, and “Truth Hurts,” performed by Lizzo.

What does this all mean for the Grammys?

They’re still happening Sunday, and they’re still Music’s Biggest Night!