

Independent Production Agreement Negotiations 2006

A Comparison of the Producer and ACTRA Proposals

The following is a description of the major proposals included in both the Producers' proposal package and the ACTRA proposal package, as presented in bargaining on October 23, 2006. For more details, please visit our website at www.actra.ca

1. PAY

What we proposed:

ACTRA proposed incremental improvements to the pay of all performers, with a 5% increase to minimum rates for each of the next three years, and an additional 2 points to Insurance and Retirement benefits.

We also proposed to bring rates to numerical parity with SAG by increasing rates by 8% each year for ACTRA performers working side by side with their SAG counterparts on the set of big budget US Feature Films. This increase would bring us to numerical parity with SAG on these productions, by 2011.

What they proposed:

The Producers' Associations proposed freezing performer fees at current rates. They also proposed to slash performer compensation across the board by 10-25%, and reduce Insurance and Retirement benefit contributions by 2 points. For films with budgets of less than \$300,000, they proposed to slash performer fees by 65-80%.

Here are more details of what Producers are proposing:

- All overtime and penalties to be paid in 6 minute units, effectively reducing performers' pay
- All payments to be calculated on a day's work, not the number of episodes (as the Agreement currently requires).

2. RESIDUALS

What we proposed:

ACTRA proposed that the term of the prepayment (buyout) be reduced from 4 years to 3, which would mean that performers would share in the success of a production one year earlier.

What they proposed:

The producers' proposals are designed to gut the residual/use structure. That means that performers will have to wait longer to share in the success of a production and will get paid less for their part in that success. Their proposals include:

- lengthening the term of the prepayment to 7 years, meaning that it would be 2013 before a performer shared in the success of a production made today;
- allowing a performer's work to be used and re-used on the Internet, in mobisodes, etc. without any payment of use fees;
- changing the definition of "market" from Canada to North America, which means that there would be no use payments for distribution in the United States;
- the ability to repackage shows and call them promotional, again without having to pay any use fees, and
- a minimal use payment to performers in documentaries and industrials. In return they would have the right to use these programs forever, with no additional payment to the performers.

3. WORKING CONDITIONS

What we proposed:

ACTRA proposed to make turnaround 11 hours door-to-door, and in the case of high budget US productions, to make the turnaround time 12 hours, door-to-door. We also proposed:

- Deleting non-deductible first meal (early call breakfast)
- Deleting 15 minute straight-time allowance for makeup and hair (meaning that overtime would start after 8 hours)
- Deleting 8 hour cap on travel payments

And, ACTRA proposed financial penalties for incompetent producers who fail to supply such things as clean water, separate male and female dressing rooms, proper breaks for Minors, and other basic needs.

What they proposed:

The Producers' Associations proposed to roll back turnaround time to 10 hours, and to delete travel time payments to nearby and distant locations. They have also proposed a standard of conduct that insults performers by insinuating that they regularly report for work under the influence of drugs and alcohol, and are unprepared for the day's work.

ADDITIONAL PRODUCER PROPOSALS OF INTEREST TO:

Voice Performers:

- The producers want to increase the length of a short animated production from 10 to 15 minutes, which would effectively result in much smaller session fees.
- The producers want to change the minimum call from 1 hour to 2 hours with no increase in payment to the performer.

Stunt Performers:

- The producers want to remove the requirement for a stunt fee when a performer is squibbed.
- The producers propose that a stunt coordinator would be unable to work on more than one production without written permission from each production.
- The producers propose that a stunt actor could say up to 5 lines without additional compensation.

Puppeteers:

- The producers want to remove the doubling provisions – a puppeteer could manipulate and voice 3 puppets for one basic daily fee.

Background Performers:

- The producers propose that an upgrade would have to be applied for within 3 days; and
- That the upgrade would not be retroactive – it would apply only on days worked in the “higher category”.