



ACTRA's IPA bargaining team stands strong for performers by Marit Stiles, Director of Research

May 2006 - It's spring. Birds are singing and ACTRA's Wages and Working Condition Committee is warming up for what promises to be a challenging round of bargaining with the producers. ACTRA's biggest collective agreement, the Independent Production Agreement (IPA) doesn't expire until December 31, 2006, but ACTRA will be going head to head with the Canadian Film and Television Production Association (CFTPA) and l'Association des producteurs de films et de télévision du Québec (APFTQ) as early as this spring.

As reported in the last issue of *InterACTRA*, ACTRA consulted members extensively last fall, holding discussion groups and town hall meetings across the country. Members sent a strong signal to our committee: they are tired of feeling like second-class citizens on sets where they work alongside performers working at SAG rates. They've had enough of producer incompetence. They have worked hard to lobby governments across the country to secure tax credits that fund producers and yet see no change in the rates they are being offered. Fewer performers are being offered above minimum rates in the IPA, making it increasingly important that we raise those rates and improve working conditions.

Many performers cited the 10% (over three years) increase received by SAG and AFTRA performers in their last round of bargaining. This is widely considered the 'industry standard' and ACTRA performers were clear that we should accept nothing less.

A Stellar Team

With these priorities in mind, our negotiating team and staff have been meeting regularly since January to develop a strong set of proposals. A great deal of work has taken place between meetings to pull together relevant research and develop strong, clear contract language. A mix of seasoned pros and enthusiastic first-timers, our team is stellar. We have among us some of the most well-known and smartest performers in Canada. Chaired by ACTRA's National President **Richard Hardacre**, with Past President **Thor Bishopric** as Co-Chair, and headed up by National Executive Director **Stephen Waddell**, ACTRA's Chief Negotiator, our team boasts strong leadership and decades of negotiation experience. From Regina, we have **Wendy Anderson** (*Tideland, The Pedestrian*), and from Montreal, **Tyrone Benskin** (*Charlie Jade, Riverdale*) and **Matt Holland** (*Secret Window, Mambo Italiano*). From Toronto we are joined by **Alberta Watson** (*24, At the Hotel*), **Ron Lea** (*This is Wonderland, Blue Murder*), **Ron White** (*Sybil, Tom Stone*), **Karl Pruner** (*E.N.G., Total Recall 2070*) and **Maurice Dean Wint** (*Blue Murder, PSI Factor*). **Heather Allin** (*Stone Cold, Welcome to Mooseport*) and **Aidan Devine** (*A History of Violence, Prairie Giant*) are alternates.

"This being my first time at the table, I've been so impressed by the work the original team has accomplished to date," says Alberta.

"This is no easy task, and it's been an education for me. It's time our Canadian performers receive the recognition and compensation for the excellence of their services... The arts in our country are not nurtured or recognized for the importance they truly hold. We need to be heard and ACTRA will be that voice in the upcoming negotiations."

News From the Frontline

In the midst of our preparations, word came down from other industry guilds and unions of outrageous and unacceptable concessions being demanded by producers in their respective rounds of bargaining. Most recently, UBCP kicked off bargaining with U.S. producers and the B.C. CFTPA in late February. UBCP put forward strong proposals that mirror many of those being considered by ACTRA, and made the exciting – and indeed historic – proposal to have their agreement be co-terminus with ACTRA's IPA. ACTRA and UBCP have engaged in coordinated bargaining for the first time ever, and Stephen Waddell and Richard Hardacre

were invited to attend UBCP's negotiations.

"Once again, the acumen around the ACTRA table is fiercely impressive. We are shored up by the solidarity of UBCP. It's an exciting time to be involved," said Wendy Anderson.

That's the good news. The bad news is that the requests put forward in the producers' proposals to UBCP were shocking. Producers are seeking to grossly discount performers' wages, at a time when UBCP is proposing to gain parity with ACTRA. The proposed cuts would mean that on some productions, performers would earn no more than the provincial minimum wage. In B.C., that would be \$8/hr. Or \$6/hr. for the first 500 hours of work a person carries out. (Imagine the effect on young performers for whom this could be their first job ever!)

"To start from a position of wanting actors to sell their craft for even less money than the minimums they can't negotiate beyond is reprehensible," says Tyrone Benskin. "In this country, we don't have an industry where actors are paid \$50 million a film. This is bread and butter territory. We work at the craft we love to feed ourselves and our families, not buy 25-room mansions. They wish to take the bread from our mouths... I say hell, no!"

Members speak up

ACTRA members are bracing themselves for the producers to look for similar concessions when they meet us at the table. We went to our members with a national telephone survey to test their will to take on the producers, to reject major concessions, and to narrow the gap between ACTRA and SAG rates. In March, Viewpoints Research, a highly regarded professional public opinion research company based in Winnipeg, undertook a phone survey of ACTRA members across the country who had worked under the current IPA. This is the first time that ACTRA has undertaken such a massive consultation with our membership in this way, and so we also took this opportunity to learn more about our membership, such as how they like to receive information and news about ACTRA. We asked for their honest opinions, and reassured members that their answers would not be singled out and that their identities would be kept confidential.

The response was overwhelming. More than 800 surveys were completed in under three days. Not only did the members respond enthusiastically to our request for their opinions, but they sent a strong signal that they expect their bargaining committee to stand tough against any attempts by producers to squeeze out concessions in wages and working conditions.

Among our key findings:

- 79% of ACTRA members agree that ACTRA should seek at least the 9% (over three years) industry standard "even if Canadian producers fight hard against this."
- 88% support giving preferential rates to Canadian productions over U.S. feature films in order to support our indigenous industry.
- 82.5% agree ACTRA should seek to gradually increase rates for big budget U.S. feature films until ACTRA performers are earning the same rates as their SAG counterparts on set.

Our members are also willing to go to the line to get the increases they need and deserve. When given a choice between three possible actions ACTRA could take if producers demand wage and benefit rollbacks, 85.4% of members said they would take significant action against production or work under promulgated agreements if the producers and ACTRA can't reach a negotiated agreement.

Members are overwhelmingly against accepting producers' demands to 'maintain stability in the industry,' with only 7% supporting that position. Performers across this country are ready for change. They are tired of feeling like second-class citizens on set. They are not going to be frightened off by producers' threats of industry instability. ACTRA performers understand what it takes to build a Canadian industry and are willing to use their skills and lend their voices to promote more production incentives and policies that benefit their industry. Consequently, they will not then accept the slap in the face that producers are wielding in the form of wage rollbacks and concessions.

"With the great gains we made by working together to boost tax credits across the country, you would think the producers would be ready to show us some respect and dignity going into these negotiations," said Ron Lea.

Performers give enough of themselves. Their commitment to Canadian culture and the Canadian television and film industry is strong. But they are second to no one, and they are prepared to stand up and fight for that recognition.

You spoke, we listened!

ACTRA's phone survey revealed:

- **10%** of you currently rely on email for information about ACTRA but you would like that to change
 - **53%** of you said email would be the most effective way for ACTRA to communicate with you about IPA negotiations
 - **27%** of you prefer information via snail mail sent to your home
 - **40%** of you get your info on ACTRA from this very magazine
 - **29%** rely on **www.actra.ca** for your ACTRA news
 - **34%** of you have attended an ACTRA branch meeting or members' conference.
- Significantly more than most organizations and unions, but it still tells us we have to work harder to give you a reason to come and meet with your fellow ACTRA members!

From InterACTRA, Spring 2006

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Research Team Works for More Jobs and Better Conditions
By Marit Stiles, Director of Research

June 2005 – ACTRA members will get a 6% increase over three years with the new **Vision TV** agreement. The agreement, which also includes an additional 1% engager contribution to insurance and retirement, went into effect April 18 and will expire on April 18, 2008 .

Negotiations with **CBC** kicked off in May and will continue through until mid-June. Recently, branches consulted with some of the 1,200 ACTRA members who have worked under the current CBC TV and Radio Agreements since they came into effect in July 1, 2003 . Their comments are informing ACTRA's demands, and the research and collective bargaining team is pulling together the data to back them up.

Digital media will be central in these negotiations and ACTRA's Digital Media Organizer, Jill Rosenberg, is developing her own version of the CBC's '10 year business plan' to map out directions that CBC may take in the future so we can be prepared to help protect members' interests along the way.

Although negotiations on the **Independent Production Agreement (IPA)** are not set to begin until March 2006, ACTRA's chief negotiator National Executive Director Stephen Waddell and the research and collective bargaining department have already started working on laying out our priorities. We are doing comparative and statistical analysis, industry research, and costing out proposals and will be working with branches to coordinate canvassing members to identify bargaining priorities. The negotiating team needs to hear from members about what their experiences have been with this agreement and where they want to see improvements.

In addition to preparing for negotiations, your national research and collective bargaining team (myself, Sharon Davidson Collective Bargaining Researcher/Coordinator, Jill Rosenberg and Administrative Assistant Erin Hazzan) is also participating in committees – such as the Fact-Based/Lifestyle Committee with the APFTQ/CFTPA – to analyze emerging production opportunities in this area. We are also working to increase ACTRA's marketing power across the industry by refining our economic analysis of the advantages of shooting in Canada under ACTRA Agreements, and actively pursuing opportunities for performers in digital games and other forms of digital media production. We also continue to provide ongoing interpretation services for our branches: Sharon Davidson continues to be the point person for information requests, questions on interpretation and analysis of all of ACTRA's collective agreements.

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ACTRA Statement respecting the Engagement of ACTRA Performers on Off-Shore Productions

16 Feb 2005 - Performers may be approached by Producers to work on productions shooting in part or entirely outside of Canada . Such engagements likely would fall into the following four categories. ACTRA members are advised to check with your local ACTRA office before accepting engagements on such productions to ensure that the Producers are signatory to the IPA and are offering ACTRA members contracts, terms and conditions in accordance with the ACTRA Independent Production Agreement (IPA).

1. Producers signatory to the IPA who have a production that is shooting in Canada with an off-shore location shoot component.

The ACTRA member must be offered and sign an ACTRA contract covering the entire engagement.

2. Producers not signatory to the IPA who have a production shooting in Canada with an offshore location shoot component.

The Producer must become signatory to the IPA, and the ACTRA member must be offered and sign an ACTRA contract covering the entire engagement.

3. Producers signatory to the IPA who have a production that is shooting entirely in an off-shore location(s).

As a signatory to the IPA, the Producer is obligated to engage ACTRA members under the terms and conditions of the IPA for the entire engagement off-shore.

4. Producers not signatory to the IPA who have a production that is shooting entirely in an off-shore location(s).

ACTRA members must be engaged on an ACTRA contract except in cases where there is a sister union affiliated with the International Federation of Actors (FIA). In those cases, ACTRA members must be engaged on an ACTRA contract or a contract of the union where the engagement is taking place. Where there is no union in the location, ACTRA members must work on ACTRA contracts for an ACTRA signatory producer pursuant to Article 404 of the ACTRA Constitution and By-Law # 9 of the ACTRA By-Laws.