

## CMPA/DGC 2022 NEGOTIATION HIGHLIGHTS

*This document provides highlights of the changes to the Standard Agreement agreed to by the CMPA and the DGC as a result of 2022 negotiations. Please note that this list is not exhaustive. For all agreed to changes to the Standard Agreement please review the parties' Memorandum of Agreement.*

### Term and Rate/Tier Increases

- Three-year term expiring December 31, 2025.
- Tier Increases:
  - Tier A: 20%/3%/3%
  - All other Tiers: 3%/3%/3%
- General rate increase (Directors and District Councils): 3%/3%/3%, with exceptions as noted in attached Appendix "A".
  - For Tier A productions in district councils outside Ontario on the effective date of the agreement the rates shall be increased to the greater of:
    - The average rate as between the Alberta, Atlantic, Manitoba and Saskatchewan Councils (capped at a maximum increase of ten percent (10%); or
    - The current rate plus three percent (3%).
  - Note: This primarily results in outsized increases in the Atlantic, Newfoundland and Saskatchewan Council Schedules.

### Core Agreement

- Amend various job descriptions as detailed in attached Appendix "B".
- Increase paid sick day entitlement from one (1) day to one (1) day per twelve (12) week period of engagement, which if not used will not be carried over or paid out, and will not be used for the purposes of calculating 6<sup>th</sup> or 7<sup>th</sup> day entitlements.
- Increase the threshold for entitlement to a daily upgrade to a higher classification from three (3) to four (4) hours.
- Add labour disputes outside of the film and television industry to list of *force majeure* events.

- Amend the payment deadline from the fourth (4<sup>th</sup>) to the fifth (5<sup>th</sup>) workday following the week worked.
- Update Letter of Understanding No.8 regarding diversity to reflect the current mandate of the existing CMPA and DGC equity, diversity and inclusion committee.

### Directors Schedule

- Amend Producers' obligation when a Director is replaced on a "pay or play" basis to allow the Director's Rights Acquisition Fee to be prorated based on the number of days of the guaranteed period worked by the Director prior to the Director's replacement.
- Add obligation to provide high-speed internet connection in Director's office, if reasonably available.
- Establish deadline to provide Director with copy of completed work within four (4) weeks of release, subject to broadcaster, distributor, and/or studio approval.
- Increase Director rates for Tier E Made for Television Movies from two-percent (2%) to two and one-quarter percent (2.25%) of the total Budget. Mandatory rights acquisition fee remains status quo at one-percent (1%).
- Introduce time period during which Directors' guaranteed days on a Television Series must be worked to avoid additional days payment, unless otherwise mutually agreed by the Producer and the Director in advance of the engagement:
  - (i) ½ hour episode: the 10 guaranteed days must be applied over 20 consecutive work days; or
  - (ii) 1-hour episode: the 18 guaranteed days must be applied over 36 consecutive work days.
  - The days must be scheduled in advance, and the above obligation does not apply where the Director is working in another ongoing capacity on the Production (e.g. as the showrunner or producing director).

### All District Council Schedules

- Reduce time increments for the calculation of overtime and premiums from ten (10) to (6) minutes.
- Recognize the National Day for Truth and Reconciliation as a Holiday under the Agreement (may not be moved to an alternate day, where applicable, and Guild Members not entitled to a substitute day when it falls on a non-work day).
- Increase lunch per diem/lunch reimbursement from \$17.50 (\$15.00 for Saskatchewan) to \$20.00.
- Clarify that lunch reimbursement shall not be required where the Guild Member elects to work from home.
- Reduce the required notice of a hiatus period to fourteen (14) days in all district councils where it is currently greater.
- Amend the New Series Incentive to be generally consistent across District Councils, including:
  - Requiring DGC Directors to be hired for two-thirds (2/3) of the Episodes in a Season to access the incentive;
  - Amending obligations to apply or give notice to the Guild to only require that the Producer provide written notice of entitlement prior to commencement of principal photography; and
  - Adding or improving the third year incentive to allow a series that has previously qualified for the incentive to apply the reduced fringe package applicable to their Tier for a third season.
  - Note that if circumstances change such that a Producer no longer hires DGC Directors for 2/3 of the Episodes in a Season the incentive would cease to apply on a go-forward basis only.

### Ontario District Council Schedule

- Implement a new unpublished COVID-19 sideletter offering a variance addressing snap hiatuses and COVID-19 testing stipends (when a Guild Member is required to leave their home for a test on a day not otherwise worked) for qualifying Canadian content

productions as follows: (i) 6-hours for a Location Support Personnel; (ii) \$150 (no fringes) for Production Assistants; \$250 (no fringes) for all other Guild Members.

- Amend replacement pay provisions to provide that a weekly Guild Member replaced after working ten (10) or fewer days is entitled only to payment for the balance of the current week.
- Amend turnaround to 52 hours on all Productions and remove the ability to reduce turnaround on two occasions in a four week cycle on Theatrical Motion Pictures.
- Increase retirement contributions from 1% to 1.5% for Tier E Productions.
- Increase retirement contributions from 0.5% to 1% for Tier F Productions.
- Amend Guild remittance cap for health and welfare contributions to be calculated on a per 12-month period per Production or per Television Series cycle basis.
- Amend the length of the workday at a Nearby Location after which the Producer must, upon request by a Guild Member, provide accommodation or transportation from fifteen (15) hours to more than fourteen (14) hours.
- Amend automatic permit provisions to provide that a previous permit for a Tier F Production or to work remotely from outside the territorial jurisdiction of DGC Ontario will not entitle an individual to a subsequent automatic permit.
- Clarify that Location Support Personnel are entitled to overtime consistent with Ontario employment standards legislation and increase LSP meal allowance to \$17.50.
- Add VFX Supervisors and 1<sup>st</sup> Asst. VFX Supervisors to the list of classifications that must be engaged under a DGC contract if the individual is a Guild Member (this applies only to individuals directly engaged by the Producer and does not preclude the Producer from contracting with a VFX house for these services).
- Introduce a mandatory post-production trainee for the lesser of six (6) weeks or the duration of the post production period for Tier A Productions doing post in Ontario.

#### All Regional District Council Schedules (Excluding Ontario)

- Implement a new unpublished COVID-19 sideletter establishing COVID-19 testing stipend payments when a Guild Member is required to leave their home for a test on a day not otherwise worked: (i) 6-hours, but not to exceed \$150 (plus fringes), for a Production Assistant; and (ii) \$250 (no fringes) for all other Guild Members.

- Add provision that when any workday at a Nearby Location is longer than fourteen hours, the Producer will, upon request by a Guild Member, make reservations for and provide accommodations or provide transportation. If accommodations are not provided, the rest period shall be eleven (11) hours free from work.
- Increase the length of travel time covered by the payment of fifty percent (50%) of the Guild Member's applicable Contracted rate on a travel-only day from four (4) to five (5) hours.
- Amend replacement pay provisions to provide that a weekly Guild Member that is replaced after being engaged for five (5) or fewer days is entitled only to payment for the balance of the current week.

#### Alberta District Council Schedule

- Cap the Member Check-Off for dual card-holders engaged under the DGA contract and Non-Canadian members of DGA and US IATSE at 2% of the applicable District Council minimum rate.
- Increase turnaround to fifty-two (52) hours, and, in a four (4) week cycle, the Producer may reduce weekend turnaround by two (2) hours on two (2) occasions as long as turnaround is increased by two (2) hours for the remaining two (2) weekends.
- Add obligation to reimburse all gas expenses incurred for work-related purposes.
- Amend order of engagement provisions to recognize Production Coordinators as its own department.
- Recognize Art Department Coordinator as a DGC classification

#### Atlantic Regional Council Schedule

- Add provision stating that no Guild Member shall be required to work more than twenty (20) hours per day.
- Remove the Extended Term Contracts Incentive and Multiple Assignments Incentive from the Agreement.
- Remove automatic permits for the Accounting Department, but include an LOU providing continued automatic permits and negotiable terms for any Atlantic resident

Accountants granted permits for an Accounting position, other than Trainee, under the 2019-2022 Agreement.

- Add provision providing that where a Production is shooting entirely in a studio, the Producer may request a waiver regarding the crewing of a Location Manager.

#### Manitoba District Council Schedule

- Increase turnaround to fifty-two (52) hours, and, in a four (4) week cycle, the Producer may reduce weekend turnaround by two (2) hours on two (2) occasions as long as turnaround is increased by two (2) hours for the remaining two (2) weekends.
- Amend order of engagement provisions to recognize Production Coordinators as its own department.
- Add provision providing that where a Production is shooting entirely in a studio, the Producer may request a waiver regarding the crewing of a Location Manager.

#### Newfoundland District Council Schedule

- Add provision stating that no Guild Member shall be required to work more than twenty (20) hours per day.
- Remove Civic Holiday as a Holiday under the Agreement and replace it with Regatta Day.
- Remove the Extended Term Contracts Incentive and Multiple Assignments Incentive from the Agreement.
- Remove automatic permits for the Accounting Department, but include a new LOU granting automatic permits to IATSE 709 Accountants that is consistent with the agreement between the CMPA, DGC and IATSE 709 regarding Newfoundland Accountants.
- Add provision providing that where a Production is shooting entirely in a studio, the Producer may request a waiver regarding the crewing of a Location Manager.

### Saskatchewan District Council Schedule

- Increase turnaround to fifty-two (52) hours, and, in a four (4) week cycle, the Producer may reduce weekend turnaround by two (2) hours on two (2) occasions as long as turnaround is increased by two (2) hours for the remaining two (2) weekends.

## Appendix “A” – Outsized Rate Increases

*For the positions listed below, the rate increase(s) applicable at the Tiers and/or years of the agreement not specifically addressed below shall be the general rate increase.*

### Ontario District Council Schedule

- Production Manager: 4% increases at all Tiers in both the first and second year of Agreement.
- Assistant Production Manager: Increases on the effective date of the Agreement of 3.6% (Tier A), 4.2% (Tier B), and 7% (Tier C).
- Third Assistant Director: Increases on the effective date of the Agreement of 5% (Tier A) and 4% (Tiers B and C).
- Fourth Assistant Director: Increases on the effective date of the Agreement of 4.1% (Tier A), 3.6% (Tier B), and 3.5% (Tier C).
- New Art Department Coordinator rate at fifty percent split of the 2022 First Assistant Art Director and Second Assistant Art Director rates for all Tiers.
- Sound Editing Department, with the exception of the Trainee Assistant Sound Editor: 5% increase on the effective date of the Agreement (all Tiers) and a 4% increase effective on January 1, 2024 (Tiers A and B)
- Second Assistant Accountant Increases on the effective date of the Agreement of 15% (Tiers A-D) and 5.4% (Tier E).
- Third Assistant Accountant: Increases on the effective date of the Agreement of 15% (Tiers A-D) and 6.7% (Tier E)
- Create a new Assistant Art Department Coordinator job title that is to be paid the Second Assistant Art Director rate.

### Alberta District Council Schedule

- On the effective date of the Agreement, the Tier A rates for the following positions are increased by the following percentages to the average of the applicable rate as between the Alberta/Atlantic/Manitoba and Saskatchewan Councils: First Assistant Art Director/Set Designer (6.11%), Second Assistant Art Director (6.14%), and First Assistant Sound Editor (6.48%).



- On the effective date of the Agreement the Tier B rates for the following positions will be increased by 5%: First Assistant Art Director/Set Designer, Second Assistant Art Director, and First Assistant Sound Editor.

#### Atlantic District Council Schedule

- On the effective date of the Agreement the majority (approximately 2/3) of Tier A rates will increase by greater than 3% to the average of the applicable rates as between the Alberta/Atlantic/Manitoba and Saskatchewan District Councils (to a maximum of 10%).
- On the effective date of the Agreement the Tier B rates for the following positions will be increased by 5%: Trainee Production Coordinator, Production Designer, Art Director, Supervising Picture Editor, and Supervising Sound Editor.

#### Manitoba District Council Schedule

- On the effective date of the Agreement, the Tier A rates for the following positions are increased by the following percentages to the average of the applicable rate as between the Alberta/Atlantic/Manitoba and Saskatchewan Councils: Production Accountant (6.45%), First Assistant Accountant (9.43%), and Accounting Clerk (3.75%).
- On the effective date of the Agreement the Tier B rates for the following positions will be increased by 5%: Production Accountant, First Assistant Accountant, and Accounting Clerk.

#### Newfoundland District Council Schedule

- On the effective date of the Agreement the majority (approximately 2/3) of Tier A rates will increase by greater than 3% to the average of the applicable rates as between the Alberta/Atlantic/Manitoba and Saskatchewan District Councils (to a maximum of 10%).
- On the effective date of the Agreement the Tier B rates for the following positions will be increased by 5%: Trainee Production Coordinator, Production Designer, Art Director, Supervising Picture Editor, and Supervising Sound Editor.

### Saskatchewan District Council Schedule

- On the effective date of the Agreement the majority (approximately 2/3) of Tier A rates will increase by greater than 3% to the average of the applicable rates as between the Alberta/Atlantic/Manitoba and Saskatchewan District Councils (to a maximum of 10%)
- On the effective date of the Agreement the Tier B rates for the following positions will be increased by 5%: Trainee Location Manager, First Assistant Picture Editor, First Assistant Sound Editor, Second Assistant Sound Editor, First Assistant Accountant/Payroll.

## Appendix “B” – Job Description Changes

### Core Agreement

- Amend the Picture Editor job description to also be referred to as a VFX Editor.
- Amend the First Assistant Picture Editor job description to also be referred to as a First Assistant VFX Editor and amend the duties to include the rough assembly of VFX.
- Amend the Assistant Picture Editor job description to also be referred to as an Assistant VFX Editor.
- Amend the Trainee Assistant Director job description to also be referred to as a Fourth Assistant Director.
- Amend the Third Assistant Director (3AD) job description to specify that a 3AD is also responsible to the Second Assistant Director.
- Amend the Trainee Location Manager job description to Trainee Assistant Location Manager.
- Amend the Location Production Assistant job description to remove first aid, and to specify that Location PAs will not be required to perform bio or medical cleaning.
- Amend the Assistant Production Coordinator job description to also be referred to as a Travel Coordinator, and amend the job duties to include making travel arrangements.
- Amend the Production Designer (PD) job description to specify that the PD is engaged where coordination between two or more departments is required in production and post production.
- Amend the First Assistant Art Director job description to also be referred to as a Concept Artist.

- Amend the Art Department Coordinator (ADC) job description to specify that the ADC is responsible for working under the general direction of the Art Director and/or Production Designer, and amend the existing job duties. The ADC may be credited as a Motion Graphics Coordinator, Graphics Coordinator, or Digital Asset Manager or Clearance Coordinator.
- Amend the Post Production Assistant (Post PA) job description to specify that Post PA duties are assigned as required in the Post Production Department.
- Amend the Post Production Supervisor (PPS) job description to specify the PPS is responsible for coordinating, facilitating and supervising all post production planning and execution.
- Amend the Post Production Coordinator (PPC) job description to specify that the PPC facilitates and oversees post-production planning and execution, as needed.

#### Ontario District Council Schedule

- Introduce an Ontario-specific Third Assistant Director (3AD) job description relating to the work of 3ADs on set.
- Obtaining special effects permits for hydrants and pyrotechnics, and construction/building permits shall be the responsibility of non-DGC crafts or trades, though the permits will be obtained in consultation and coordination with the Location Manager.