

ALLIANCE OF MOTION PICTURE AND TELEVISION PRODUCERS

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President

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SIDELETTER

As of November 19, 2020

Steve Dayan
Secretary-Treasurer
Studio Transportation Drivers, Local #399
P.O. Box 6017
North Hollywood, California 91603

Thomas O'Donnell
President
Local #817/I.B.T. Theatrical Drivers and Helpers
127 Cutter Mill Road
Great Neck, New York 11021

Russell Hollander
National Executive Director
Directors Guild of America, Inc.
7920 Sunset Boulevard
Los Angeles, California 90046

David P. White
National Executive Director
SAG-AFTRA
5757 Wilshire Boulevard
Los Angeles, California 90036

Matthew D. Loeb
International President
International Alliance of Theatrical Stage Employees and
Moving Picture Technicians, Artists and Allied Crafts
of the United States, its Territories and Canada
207 West 25th Street, 4th Floor
New York, New York 10001

**Re: Special Agreement for Thanksgiving and Christmas Holiday Breaks and
Notice of Positive Test Result(s)**

Gentlemen:

Pursuant to Item 1.a. of the Return to Work Agreement (“Agreement”), the parties met on October 27, 2020 and have reached the following agreements:

Special Agreement for Thanksgiving and Christmas Holiday Breaks

1. Producers agree to notify the Unions of their plans for COVID-19 testing during and/or following the Thanksgiving and Christmas holiday breaks, including the intended duration of the holiday break. With respect to the Thanksgiving break, such notice shall be provided no later than November 20, 2020. With respect to the Christmas break, such notice shall be provided no later than December 11, 2020. If the Unions have not received notice of a Producer's plans by the applicable deadline, they should contact the Producer so that the Producer can promptly provide such plans to the Union.

November 19, 2020

It is understood that a Producer's plans are subject to change. Factors such as the production's access to different types of tests, the availability of different types of tests, the volume of tests required on the production and projected testing turnaround time, among other things, may necessitate changes in the testing plan. If a testing plan changes after it has been delivered to the Unions, the Producer shall promptly notify the Unions of the change.

Prior to the Thanksgiving and Christmas holiday breaks, Producers will provide instructions to employees for testing during and/or following the holiday break.

2. Producers agree that a "Zone B" employee will be tested at least twice during the week following Thanksgiving, except that a "Zone B" employee whose Thanksgiving break is no longer than two days (e.g., a "Zone B" employee who does not work on Thanksgiving and the day after Thanksgiving and returns to work on the Saturday following Thanksgiving) may continue to be tested once per week according to his/her regular periodic testing schedule.
3. Unions agree to Item 5 ("Holiday Breaks") from the Producers' October 27, 2020 proposals, as amended below:
 - a. Allow the Producer to resume production no later than Thursday, December 3, 2020 following the Thanksgiving break without payment for intervening days if the delay is necessary to accommodate testing of employees after the holiday. (DGA and SAG-AFTRA Item.)
 - b. Allow the Producer to apply the holiday hiatus provision of the applicable collective bargaining agreement if the hiatus lasts no longer than three weeks when the Producer needs additional time to accommodate testing of employees prior to the resumption of production after the Christmas holiday hiatus. Additionally, in jurisdictions where employees are subject to quarantine protocols, the hiatus period may be extended to four weeks without payment for intervening days if necessary to comply with quarantine restrictions, provided that Directors employed under Paragraph 10-109 of the Basic Agreement who are paid less than two hundred percent (200%) of scale and who do not work during quarantine shall be paid for time spent in quarantine pursuant to Item 8.b.ii.(1) of the Return to Work Agreement. (All other employees shall continue to be subject to the existing rules in Item 8 of the Return to Work Agreement without modification.) (DGA and SAG-AFTRA Item.)
 - c. Allow a workweek shift without payment of a premium when the Producer needs additional time to accommodate testing of employees prior to the resumption of production after the holiday hiatus (i.e., the Thanksgiving and/or Christmas/New

Year's breaks). This does not affect the Producer's ability to shift the workweek in other circumstances under the applicable collective bargaining agreement.

4. Unions agree that to the extent the applicable collective bargaining agreement does not already permit a Producer to prorate the salary of a weekly employee who works fewer than 5 days in a week, it may do so during the week following Thanksgiving and during the week following the Christmas/New Year's hiatus if the employee works fewer than 5 days that week because the production has chosen to delay resumption of production in order to complete testing of employees. Testing on a day when the employee does not work will be paid according to Item 2.d.i. of the Return to Work Agreement.

Notice of Positive Test Result(s)

Add a new Item 2.e. to the Agreement as follows:

"e. Notice to Unions of a Positive Periodic Test Result

"Effective November 30, 2020:

"To assist the Unions in fulfilling their role as the collective bargaining representatives of employees covered by this Agreement, and so that they may respond to member inquiries about positive test results on a production on which the member is employed, the Producer shall notify the Unions as soon as practicable of the following information, to the extent known at the time, in the event of a positive test result on a production: the number of individuals with a positive test result, the Zone(s) in which the positive test result(s) occurred and the date the test result(s) was or were reported. In addition, Producer may include in the notice other information with regard to the positive test result(s).

"The DGA, IATSE, SAG-AFTRA, the Basic Crafts and Teamsters Local #817 shall each provide the Producers with contact information for the individual designated to receive notice on behalf of each respective Union. The IATSE's designee shall accept notice on behalf of the IATSE and all IATSE Locals covered by this Agreement, and the Basic Crafts' designee shall accept notice on behalf of all the unions that comprise the Basic Crafts Unions.

"The following is a sample notice that may be used under this provision and can include additional information, if known:

Letter re: Special Agreement for Thanksgiving/Christmas and
Notice of Positive Test Result(s)

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"To: DGA, IATSE, SAG-AFTRA, Basic Crafts and Teamsters Local #817

"This notice is to advise you that [#] individuals employed on [name of
production] in Zone [A/B/C] returned a positive test result for COVID-19 on
[date] ."

Sincerely,



Carol A. Lombardini

CAL:vw1

ACCEPTED AND AGREED:

By: _____
Steve Dayan
on behalf of the Basic Crafts and
Teamsters Local #399 Location
Managers and Casting Directors

ACCEPTED AND AGREED:

By: _____
Thomas O'Donnell
on behalf of Teamsters Local #817

ACCEPTED AND AGREED:

By: _____
Russell Hollander
on behalf of the DGA

ACCEPTED AND AGREED:

By: _____
David P. White
on behalf of SAG-AFTRA

ACCEPTED AND AGREED:

By: _____
Matthew D. Loeb
on behalf of the IATSE