

Director's Guild of America - DGA Commercial Work Rules

Term of Contract	11/1/05-10/31/09	(Information based on memorandums regarding unratified contract)
Contracted Day	12 consecutive hours	
Contracted Workweek	Any 5 consecutive days of 7	
Calls	Day	Anytime 1st & 2nd AD Calls must begin at earliest of cast or crew calls.
	Partial Day	No
Overtime	13th & 14th hour	1/8 of Day Rate for each hour invaded
(Based on	Over 14 hours	1/6 of Day Rate for each hour invaded
Contracted	6th day	150% of Day Rate
Day)	7th day & holidays	200% of Day Rate* * Also 6th Day on Distant Location if work is performed.
Notes	Over 15 hrs.	1 days pay for each 5 hr period - 5 hr periods computed starting at the 13th hr. Work on 5th day which extends into the 6th day before completion of 12 hrs is paid at 2X 1st AD can not be dismissed prior to crew. 2nd AD may not be dismissed until AD duties are completed. Over 18 Hrs. - Producer must offer 1st class hotel or car service to employee's home or hotel.
	Increments	Whole hours
Turnaround	Daily	8 hours
Penalty	If short	1 days pay for each 5hr period until 8hr rest period.
Meals	Intervals Lengths/Special Penalties	Reasonable time provided - Meal time is work time If no dinner provided by 7:30pm and day started 9:00am or earlier - \$30.00
Location Rules	Lodging - 1st Class Air Transportation - Coach, but 1st or Business Class if over 5 hrs. - Always same class as Director. Layovers - Non-worked days on location are paid at straight time. Members shall not be required to drive transportation vehicles. Producer must provide minimum \$100K travel insurance for travel to or from location.	
Work time/Travel Time Provisions	Travel time is work time. Travel to distant loc. on 6th, 7th or holidays is 1x time, if no work performed. Except Report to studios: East - Within 5 Boroughs of NYC ---- West - LA County	
Cancellation Fee	One days pay if Agency cancels or postpones less than 48 hrs prior to call and AD makes best effort to replace work. Does not apply to work reduced by accelerated schedule or after prod. has started. No P&W on Fee.	
Minimum Staffing	Director 1st AD: Whenever a Director is employed. 2nd AD: Not less than one shooting day of each commercial When need to control background or crowds When 12 or more persons are photographed. All location shoot days when shoot is 4 days or more and when cast and crew is 10 or more. Incl. Dir. & 1st Ad When Director sent out of U.S., 1st AD must be sent, unless destination country refuses work permit or production subsidy would be lost. (See special AICP Provisions below) UPM shall be hired if UPM duties are being performed, but there is no min. staffing. Southern CA and Third Area qualification lists to be established in addition to current NY list. If DGA 2nd AD member works as Location Scout, must be treated as DGA member, except in LA County.	
<i>See AICP Provisions below</i>		
Payment of wages	<i>Per state and federal timely payment requirements</i>	
Hazardous Work	Insurance Pay	\$500K death and/or dismemberment. \$500 per week total disability coverage. \$150 per incident - Max \$300 per day
Jurisdiction	U.S. Based companies: Wherever they work.	
Pension Health & Welfare	14.25% (Pension 5.5%, H&W 8.5%, Training Prog. 0.25%) (2.5% Pension Plan deducted from Employee) Vacation Pay - 4% of wages - Not subject to P&W Unworked Holiday Pay - 3.292% of wages - Subject to P&W For Principals (Dir., UPM and AD) P&W cap after \$250,000 per year per person.	
Holidays	New Years Day Martin Luther King Birthday President's Day Thanksgiving Day Memorial Day Independence Day Labor Day Christmas Day Holidays which fall on Sunday are observed on Monday. Saturday holidays observed on Friday.	
	<i>Continued</i>	

Other	<p>Staffing violations subject to triple damages 1st AD may not be dismissed prior to his/her crew. Commercial Project Listing Form must be submitted prior to 1st day of production, incl. foreign productions Minimum 1st AD Prep: 1 day for 1-2 day shoot, 2 days for 3+ day shoot. Cancellation Fee - 1st AD entitled to 1 days pay if agency cancels less than 48hrs prior to shoot. - No P&W - Other rules involved - See contract. Special provisions apply to companies located in the Midwest. Contact DGA for info. DGA members employed as Location Scouts within 75 miles of Chicago paid as DGA 2nd Ads. Special provisions for Spec. Spots, Internet and Public Service Announcements. - See Contract. Excludes low budget commercials with single day production of \$75K or less and aggregate cost of \$225K or less. Wage rates subject to individual negotiation. P&W based on scale rates. DGA will consider requests for signatory employers to provide production services to non-signatory foreign prod. co's producing commercials for non-US/Canada markets. 1st & 2nd ADs must be hired. Ad agencies must be signatory, in order for their DGA member employees or principals to direct. Signators are bound to Basic Agmt. and other DGA agreements covering other types of productions.</p>																					
Scale Rates	<p>Daily as of 11/1/05 (Weekly 4X Daily) <u>Increase on anniversary</u></p> <table border="0" style="width: 100%;"> <tr> <td>Director</td> <td style="text-align: right;">\$1,020.94</td> <td style="text-align: right;">5%</td> </tr> <tr> <td>Unit Production Manager</td> <td style="text-align: right;">\$655.00</td> <td style="text-align: right;">No increases</td> </tr> <tr> <td>1st Assistant Director</td> <td style="text-align: right;">\$750.00</td> <td style="text-align: right;">3%</td> </tr> <tr> <td>2nd Assistant Director</td> <td style="text-align: right;">\$410.00</td> <td style="text-align: right;">3%</td> </tr> <tr> <td>2nd 2nd Assistant Director</td> <td style="text-align: right;">\$307.50</td> <td style="text-align: right;">Always 75% of 2nd AD rate</td> </tr> <tr> <td>Traniee - 2nd year</td> <td style="text-align: right;">\$134.73</td> <td style="text-align: right;">3%</td> </tr> <tr> <td>Traniee - 1st year</td> <td style="text-align: right;">\$119.88</td> <td style="text-align: right;">3%</td> </tr> </table>	Director	\$1,020.94	5%	Unit Production Manager	\$655.00	No increases	1st Assistant Director	\$750.00	3%	2nd Assistant Director	\$410.00	3%	2nd 2nd Assistant Director	\$307.50	Always 75% of 2nd AD rate	Traniee - 2nd year	\$134.73	3%	Traniee - 1st year	\$119.88	3%
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<u>AICP Special Work Rules</u>	<p>No 1st AD needed unless crew is more than 5 and cast no more than 1. (Dir. not incl.) No 1st AD prep day needed if shoot is less than 5 hours. If goes over 5 hrs - 1 AD owed for prep day No 1st on prep day for 1 day shoot Limbo product shots w/no talent or Minor reshoots or Stop Motion photography or Pick-up shots No 2nd AD needed for "table top" production, if not required by needs of the production. UPM shall be hired if UPM duties being handled substantially by one employee, but there is no min. staffing. No need to travel US 1st AD to foreign countries outside No. America if shoot is 3 or fewer shoot days and is awarded less than 10 bus. days prior to first Shoot day. Local 1st AD to be given preference of employment Projects in Canada and Mexico require sending of US 1st AD unless destination country refuses work permit or production subsidy would be lost.</p>																					
<u>AICP Pension Health & Welfare</u>	<p><u>Presumed Salaries for P&W Calculation</u> Principal (Owner) Director: \$150,000 per calendar year (or actual earnings if elected by 1/31 each year). Principal (Owner) or Staff UPM or 1st AD: \$120,000 per calendar year. Staff 2nd AD: \$70,000 per calendar year. Other Directors: \$7000 per shoot day. Other UPMs or Ads: Actual gross earnings including profits etc.</p>																					
<u>AICP Director - Deferred Membership</u>	<p>Directors may defer membership not later than 10 shoot days or one year from Director's first shoot day. Applies to director regardless of number of companies worked for. Producers must notify Guild. All other provisions, including P&W apply.</p>																					
DGA Office Phone Numbers	<p>Los Angeles: 310-289-2000, New York: 212-581-0370, Chicago: 312-644-5050</p>																					

Rev: 10/17/05 Copyright 2005 Media Services. This summary chart is provided for reference purposes only. Decisions regarding application and interpretation of the provisions of any agreement should be made after review of the applicable agreement and, where appropriate, your legal counsel. Media Services is not responsible for any inaccuracies in the information provided herein. Please direct questions to: Carl Zucker at Media Services: 212-366-9390