

ACTRA

Commercial Agreement

BULLETIN



## What's the status of the NCA?

Dear members, friends, and allies,

This Bulletin is the second in our series of Member Bulletins we will be publishing over the coming weeks to provide you with information about our National Commercial Agreement (NCA) renewal agreement. Please take a few minutes to catch up on the issues; and please do what you can to share what you learn.

In today's Bulletin, we want to provide you with an update on why the renewal agreement will give us our best chance to protect fair pay, benefits and good working conditions in light of demands for deep concessions.

**Deep concessions that Canada's advertisers — the people who pay the bills in this industry — said they do not and will not support.**

Why should a performer care? Why should an agent care?

Please read this carefully.

The renewed National Commercial Agreement does the following:

- **This agreement sets out agreed minimum rates.** Without an agreement, agencies can compete for work by promising to cut your pay (and your agent commissions). Without an agreement, members are put in a “race to the bottom,” competing against each other for who will work for the lowest rates.
- **This agreement contributes to a “multi-employer benefit plan.”** Very few performers work for the same engager long enough to qualify for health and dental benefits. This agreement pools contributions from multiple



employers into one plan — and gives performers access to essential drug coverage, dental care, and other benefits many people in full-time jobs take for granted.

- **This agreement contributes to a retirement fund.** Like the benefit plan, this agreement pools contributions from multiple employers into one retirement plan — and gives performers a chance to save for their retirement.



- **This agreement compensates performers when commercials are re-used — or go viral.** If it turns out that a commercial is a real hit, performers get compensated. That's simple fairness. Fair use fees also compensate performers for the fact that high-profile exposure with one product means you will not be able to work on commercials for competing products.



- **Finally, this agreement is a working conditions guidebook.** It protects you from being held in an unheated shed in winter; or working a 12-hour day without water; or being harassed and bullied on set; or made to wait six months to get paid — the kind of things that happen on sets that want to be “free” from basic common sense work practices, like the ones set out in the National Commercial Agreement.



**When Canada’s advertisers and ACTRA say we want to keep working together, we are saying we want to preserve these basics.**

Advertisers benefit because this agreement preserves a large and talented pool of performers available to work on advertisers’ projects, as well as provides a “one-stop shop” for their benefit and retirement plan contributions.

Performers benefit by being paid fairly; participating in a benefit and retirement plan tailored to independent performers; and being treated decently on set.

**When we say we want to work together to “modernize” the agreement, what are we saying?**

Here’s a big example. As demonstrated in a recent commercial agreement negotiated by the Screen Actors’ Guild-American Federation of Television and Radio Artists (SAG-AFTRA) in the United States, there are ways to make “use fees” much simpler to calculate and administer, while still being fair.

**The Association of Canadian Advertisers (ACA) and ACTRA have committed to work together**

**to modernize and simplify the agreement without breaking it or gutting it.**

You might think this is all basic common sense and nothing new. But, alas, it did not look that way to a group of agencies represented in these negotiations by the current CEO of a trade association called the Institute of Canadian Agencies (ICA).

This group was a co-administrator of the National Commercial Agreement, and for the past year they have been pursuing a very different agenda.

Watch for an upcoming Bulletin, where we will begin to take a detailed look at what the CEO of this group has been saying in the torrent of blog posts he has been writing since he walked away from negotiations.

But for today, let's talk about the heart of the matter.

**The ICA wanted its 16 member agencies to have the choice to opt-out of the agreement, taking work away from ACTRA members.**

Opting out of the agreement means opting out of their commitment to you. It means they can give your work to non-union actors when it suits them. Their demand effectively meant walking away from a relationship that has been mutually beneficial and has seen the commercial industry in Canada grow. And, when ACTRA said "no" to their demand, the ICA walked away from the table. Since they did not get what they wanted, they are now saying the agreement does not exist.

**The ICA does not get to decide if this agreement continues or not. It has been renewed by the advertising industry and ACTRA.**

What happens now?

- **The renewal agreement now needs to be ratified by ACTRA members.** The vote opens at 9:00 a.m. ET on Friday, May 6, and ends at 5:00 p.m. ET on Thursday, May 12. ACTRA's Negotiating Committee and National Council are strongly recommending members vote "yes."



- **Once ratified, ACTRA and Canada’s advertisers will talk to the production community about the renewal agreement, and the modernization discussion we are about to have.**
- **ACTRA members cannot work on productions that do not respect the NCA and its renewal.** Do not accept engagements with engagers that want to gut your pay, break your retirement and health benefits, throw away your work rules, and use your work in any market without compensating you. It is not worth it.



**By sticking together, we are standing with the performers who represented us at the bargaining table. And by working with the advertisers who actually pay the bills, we will fight off this attempt to break our agreement and pit us against each other.**

Instead, we will work in the industry we want.

We will work for engagers that respect us.

We will be paid fairly.

**That is what we get with the renewal agreement. That is what we lose if we allow it to be broken.**

In solidarity,  
Your NCA Negotiating Committee

**Marie Kelly** (National Executive Director and Lead Negotiator), **Eleanor Noble** (National President and Chair of Negotiating Committee); **David Sparrow** (Past President, ACTRA National); **Sandra Beckles** (ACTRA Toronto); **David Gale** (ACTRA Toronto); **Jamaal Grant** (ACTRA Toronto); **Teneisha Collins** (ACTRA Montreal); and **Ellie Harvie** (UBCP/ACTRA).

Alternates: **Paul Dzenkiw** (UBCP/ACTRA); **Scott Farley** (ACTRA Toronto); **Keith Martin Gordey** (UBCP/ACTRA); **Ipsita Paul** (ACTRA Toronto); and **Jocelyne Zucco** (ACTRA Toronto).

Observer: **Theresa Tova** (ACTRA Toronto).

**Missed a previous NCA Bulletin update? Catch up here:**  
[actra.ca/stability/members/](https://actra.ca/stability/members/)