

## ACTRA Proposal Pass

August 24, 2023 @ 10h00

ICA/ACA to confirm its agreement to the previously agreed to items (Items in Agreement from 2021 Negotiations) including the Contract Service Fee Amount – Article 2901 (Item #22 in Agreed to Items).

AS PER MEDIATOR’S DIRECTION ACTRA has provided in our Pass #1 a full comprehensive proposal to modernize the NCA. While the Mediator has suggested we focus first on the items under the Mediator Options, ACTRA maintains its position that at some point the parties must address ACTRA’s full comprehensive proposal which includes the modernized NCA that was provided on July 11, 2023. All other proposals not contained in this document are considered withdrawn.

### 1. TV/DIGITAL MEDIA/OUT OF HOME (VIDEO) BUNDLE PILOT PROJECT – **ACTRA COUNTER**

Bundles are available for original new English-language Canadian productions only. Use periods are for Canadian concurrent Television, Digital Media, and Other Media/Out of Home Use. These amounts are exclusive of session, insurance and retirement contributions; guaranteed and paid up-front with the session fees no later than 15 days after the work session.

	<u>1 Year</u>	<u>6 Months</u>	<u>13 Weeks</u>
<b>Principal Performer (PP)</b>	<u>\$7,200.00</u>	<u>\$4,000.00</u>	<u>\$2,400.00</u>
<b>Silent on Camera (SOC)/Stunt (ST)</b>	<u>\$5,260.00</u>	<u>\$2,960.00</u>	<u>\$1,770.00</u>
<b>Voice Over (VO)/Solo Singer (SS)</b>	<u>\$3,900.00</u>	<u>\$2,190.00</u>	<u>\$1,310.00</u>
<b>Group Singer (GS)</b>	<u>1,990.00</u>	<u>\$1,110.00</u>	<u>\$670.00</u>

*\*Qualifications and conditions to be incorporated - See ACTRA Pass 1 – Side Letter TBC – TV/Digital Media/Out of Home (Video) Bundle Pilot Project*

### 2. TWO-TIERED LOW BUDGET DIGITAL PILOT PROJECT

**Two-Tiered Low Budget Digital Pilot Project Side Letter to replace AOPP – **ACTRA MAINTAINS****

- (i) Inclusive of both Session and 1 year of Digital Media Use
- (ii) **National Low Budget Digital – Tier 1 Rates – Production Budget: Over \$75K to \$100K – **ACTRA MAINTAINS****

PP –\$1500	1 Year Use
SOC –\$1500	1 Year Use
Voice Over –\$1050	1 Year Use
Demonstrator –\$440	
Group Singer –\$450	1 Year Use
Background –\$360	
Group Background - \$180	

**National Low Budget Digital – Tier 2 Rates – Production Budget: \$75K or Less – **AGREED****

PP –\$1020	1 Year Use
SOC –\$1020	1 Year Use
Voice Over –\$714	1 Year Use
Demonstrator –\$357	
Group Singer –\$306	1 Year Use
Background –\$294	
Group Background - \$146	

**Local & Regional (L&R) Low Budget Digital Side Letter to replace L&R AOPP – ACTRA MAINTAINS**

- (i) Inclusive of Session and 1 year of Digital Media Use
- (ii) L&R Framework and Rates – TBD

*\*Qualifications and conditions to be incorporated*

**3. LARGE CAST LETTER OF UNDERSTANDING – ACTRA COUNTER**

*ACTRA agrees to a pilot project to attract and produce quality, competitive large cast commercials that are currently being filmed off-shore. The parties agree to share data to evaluate and assess the project. Session rates are as per the NCA. If the following criteria is met, and Engagers opt for the new Use bundles as above, an additional 5% discount on those bundled Use rates will apply.*

- (i) Pilot Project
- (ii) Minimum 15 Cast (excluding non-residual categories)
- (iii) No discount on Session
- (iv) No celebrities e.g. no spokespeople or Cast on long-term contracts
- (v) 5% Additional Discount on residual performance categories in the Bundle Rates
- (vi) Data sharing

**4. DIGITAL MEDIA INCREASE – AGREED BY ACTRA & ICA/ACA**

Digital Only	Principal	Silent On Camera/Stunt	Voice/Solo Singer	Group Singer
4 Weeks	\$450.00	\$450.00	\$250.00	\$150.00
13 Weeks	\$650.00	\$650.00	\$425.00	\$200.00
6 Months	\$1,000.00	\$1,000.00	\$800.00	\$350.00
1 Year	\$2,000.00	\$2,000.00	\$1,500.00	\$550.00

**5. PROVISION OF TRANSPORT/ESCORT - ARTICLE 1005 – ACTRA MAINTAINS**

*To better protect the safety and security of performers when auditions or work is required late in the night or in the early hours of the morning as follows:*

1005 Provision of Transport/Escort Between 22h00 and 6h00 When a Performer commences or completes an Audition or Work Session between the hours of 22h00 and 6h00, the Engager shall provide transportation to/from the Performer’s home or to/from their place of accommodation, or, with the Performer’s consent, an escort until the Performer has boarded the nearest public transit that will transport the Performer to/from their home or to/from their place of accommodation.

**6. ARTIFICIAL INTELLIGENCE (AI) - ARTICLE 1815 – ACTRA MAINTAINS**

*AI has emerged as one of the most important issues facing workers across the screen-based industry. This is a key issue for all ACTRA performers and ACTRA maintains its proposal to protect the voice and likeness of Performers as follows:*

1815 Artificial Intelligence (AI) Other than those provisions in the Agreement between the Parties, the Engager expressly agrees not to utilize any portion of any recording or performance of a Performer:

- (a) to simulate or alter a Performer’s voice or likeness;
- (b) to create any synthesized performance or “digital double” voice or likeness of a Performer;  
or
- (c) for machine learning (collectively AI tech).

In addition, the Engager specifically agrees not to sell or transfer ownership of all or part of any of the recordings or performance of a Performer to any third party without the Performer's knowledge and written consent.

**7. STOCK FOOTAGE – ARTICLE 2203 – *AGREED BY ACTRA & ICA/ACA***

**8. TERM OF AGREEMENT – ARTICLE 3501 - *TBD***

3501 This Agreement shall come into effect on MMM DD, YYYY August 05, 2017, and shall remain in full operation until MMM DD, YYYY June 30, 2020.

**NEW Minimum Fees and Rates:** Effective MMM DD, YYYY August 05, 2017, there shall be a general increase of ~~two XX~~ percent (~~2XX~~%) in all fees and rates. Effective MMM DD, YYYY July 1, 2018, there shall be an additional general increase of ~~two XX~~ percent (~~2XX~~%) in all fees and rates. Effective MMM DD, YYYY July 1, 2019, there shall be an additional general increase of ~~two XX~~ percent (~~2XX~~%) in all fees and rates.

*For clarity: All items categorized as fees and rates are subject to the general increase.*

**9. RELATIONSHIP WITH NON-SIGNATORY – ARTICLE 3005**

*ACTRA believe the parties have reached an agreement in principle on the exclusivity of access to ACTRA Performers to NCA signatory Engagers subject to finalizing language.*