

ALLIANCE OF MOTION PICTURE AND TELEVISION PRODUCERS

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Carol A. Lombardini
President

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SIDELETTER

As of December 23, 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: Double Rapid Testing and Testing Turnaround Times

Gentlemen:

Pursuant to Item 1.a. of the Return to Work Agreement ("Agreement"), the parties met on December 23, 2020 and agreed to the following:

1. **Double Rapid Testing**

- a. *Modify the first paragraph of Item 2.a.i. and Items 2.a.i.(1)-(3) of the Agreement (which shall also apply to the pre-flight and post-flight testing requirements in Item 2.a.iii., to the extent that such testing is subject to the same requirements in Item 2.a.i. for pre-employment testing) as follows:*

- "i. *Pre-Employment: Prospective employees shall be tested for COVID-19 prior to the start of employment in accordance with subparagraph (1), (2) or (3) below as follows:*

~~“(1)~~ The employee may~~shall~~ be tested using a lab-based PCR diagnostic test (*i.e.*, not a rapid test) conducted within forty-eight (48) hours prior to the start of employment, except that a test conducted within seventy-two (72) hours shall be acceptable until December 31, 2020, at which time the test must be conducted within forty-eight (48) hours unless the parties agree otherwise; provided, however, Producer shall continue to make good faith efforts to find and transition to lab-based PCR tests with a turnaround time of less than seventy-two (72) hours prior to December 31, 2020. ~~The test result must be obtained prior to the start of employment. If it is not viable to obtain the result of the lab-based PCR diagnostic test prior to the start of employment, the employee shall also undergo a rapid test within forty-eight (48) hours of the start of employment (which may be conducted on the same day as the lab-based PCR diagnostic test). The results of the rapid test must be obtained prior to the start of employment.~~

“The parties agree that a pre-employment test is timely if a prospective employee who is scheduled to start work on a Monday is tested at any time on the immediately preceding Friday.

~~“(2)~~ If it is not viable for the prospective employee to take a lab-based PCR diagnostic test, the results of which are returned in forty-eight (48) hours (or until December 31, 2020, within the seventy-two (72) hour period described in subparagraph (1) above), the prospective employee shall undergo a lab-based PCR diagnostic test as close in time to the start of employment as may reasonably be achieved, while still allowing for results to be obtained prior to the start of employment. In this case, the prospective employee shall also undergo a rapid test within forty-eight (48) hours prior to the start of employment. The results of both the lab-based PCR diagnostic test and rapid test must be obtained prior to the start of employment.

~~“(3)~~ Alternatively, the employee may be tested using two (2) rapid tests conducted within forty-eight (48) hours prior to the start of employment using samples collected at the same time. Both test results must be obtained prior to the start of employment.

* * * *

- b. *Modify the last paragraph of Item 2.a.ii.(3) as follows:*

“A ‘Zone C’ employee may not go to a ‘hot’ set or other area where ‘Zone A’ or ‘Zone B’ employees are present at work unless he/she has tested negative within forty-eight (48) hours prior to entry using a lab-based PCR diagnostic test (or until December 31, 2020, within the seventy-two (72) hour period described in subparagraph i.(1) above). Alternatively, the ‘Zone C’ employee may undergo a two rapid tests within forty-eight (48) hours prior to entry; both such tests must be negative.”

- c. *Modify the last paragraph of Item 2.a.ii.(4) as follows:*

“A ‘Zone D’ employee may not go to a ‘hot’ set or other area where ‘Zone A’ or ‘Zone B’ employees are present at work unless he/she has tested negative within forty-eight (48) hours prior to entry using a lab-based PCR diagnostic test (or until December 31, 2020, within the seventy-two (72) hour period described in subparagraph i.(1) above). Alternatively, the ‘Zone D’ employee may undergo a two rapid tests within forty-eight (48) hours prior to entry; both such tests must be negative.”

2. Testing Turnaround Times

- a. 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 handle requests for waiver of the forty-eight (48) hour turnaround time for lab-based PCR diagnostic test results that will become effective on January 1, 2021. (The IATSE’s designee shall handle requests on behalf of the IATSE and all IATSE Locals covered by the Agreement, and the Basic Crafts’ designee shall handle requests on behalf of all the unions that comprise the Basic Crafts Unions.) The Unions shall meet to consider any such waiver requests and provide a prompt response.
- b. British Columbia
- i. The parties agree that on productions in British Columbia, it is acceptable for results of a lab-based PCR diagnostic test to continue to be returned within seventy-two (72) hours after December 31, 2020. On or after February 1, 2021, the Unions may, by giving the AMPTP seven days’ notice of the change in turnaround time, require that results of such tests be returned within forty-eight (48) hours.

Letter re: Double Rapid Testing and
Testing Turnaround Times
December 23, 2020
Page 4

Any requirement for notice of layoff or pay in lieu thereof shall be suspended in the event that the Unions discontinue the seventy-two (72) hour turnaround time and a Producer shuts down production because it is unable to transition to a forty-eight (48) hour turnaround time.

- ii. Paragraph (1) of the Sideletter re: British Columbia – COVID-19 Testing Protocols shall be modified so that “Zone A” employees who work five (5) or more days in a week must be tested for COVID-19 three (3) times per week. The protocols for Zone A employees who work fewer than five (5) days in a week remain unchanged.

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

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

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

Letter re: Double Rapid Testing and
Testing Turnaround Times
December 23, 2020
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- ii. Paragraph (1) of the Sideletter re: British Columbia – COVID-19 Testing Protocols shall be modified so that “Zone A” employees who work five (5) or more days in a week must be tested for COVID-19 three (3) times per week. The protocols for Zone A employees who work fewer than five (5) days in a week remain unchanged.

Sincerely,



Carol A. Lombardini
CAL:vw1

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

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on behalf of Teamsters Local #817

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December 23, 2020
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- ii. Paragraph (1) of the Sideletter re: British Columbia – COVID-19 Testing Protocols shall be modified so that “Zone A” employees who work five (5) or more days in a week must be tested for COVID-19 three (3) times per week. The protocols for Zone A employees who work fewer than five (5) days in a week remain unchanged.

Sincerely,



Carol A. Lombardini
CAL:vw1

ACCEPTED AND AGREED:

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

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Thomas O'Donnell
on behalf of Teamsters Local #817

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Russell Hollander
on behalf of the DGA

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David P. White
on behalf of SAG-AFTRA

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Matthew D. Loeb
on behalf of the IATSE

Letter re: Modification of Double Rapid Testing

Page 2

December 21, 2020

- Item 2.a.iii. (Pre-flight and post-flight testing, to the extent that such testing is subject to the same requirements in Item 2.a.i. for pre-employment testing)

Sincerely,



Carol A. Lombardini
CAL:vw1

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

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Thomas O'Donnell
on behalf of Teamsters Local #817

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Any requirement for notice of layoff or pay in lieu thereof shall be suspended in the event that the Unions discontinue the seventy-two (72) hour turnaround time and a Producer shuts down production because it is unable to transition to a forty-eight (48) hour turnaround time.

- ii. Paragraph (1) of the Sideletter re: British Columbia – COVID-19 Testing Protocols shall be modified so that “Zone A” employees who work five (5) or more days in a week must be tested for COVID-19 three (3) times per week. The protocols for Zone A employees who work fewer than five (5) days in a week remain unchanged.

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

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on behalf of Teamsters Local #817

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