



## Useful Information for Crews

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This document provides a brief summary of some of the main points covered by the *Motion Picture Production Certified Agreement 2010-2012 (Rates & Conditions as at 1 July 2013)* and the *Broadcasting and Recorded Entertainment Award 2010*.

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## **Hours of work**

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On a drama shoot, a standard week consists of 5 x 10-hour days = 50 hour week, 12 hours of which is overtime calculated at time and a half.

Hours can be worked on any five (5) days, Monday to Saturday.

NB: Working hours on productions creatively controlled by an American Production Company are longer.

## **Turnaround**

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Crew are entitled to 10 clear hours rest between the finish of one day's work (wrap time) and the commencement of the next (crew call).

## **Contracted fee**

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Your gross wages should include the ordinary hours of work in five (5) consecutive days of 10 hours per day, exclusive of meal breaks. This is made up of 38 ordinary hours and 12 hours of scheduled overtime.

It does not include:

- Unscheduled overtime.
- Reimbursements for expenses or hire equipment.
- Late night/early morning penalties (Night loadings).
- Public holiday / Saturday / Sunday penalty rates.

## **Overtime**

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Monday – Saturday = Time and a half for the first two (2) hours / Double time after 10 hours worked  
Sunday = Double time (All time worked on a Sunday is overtime)  
Any day exceeding 12 hours = Triple time

An employee may refuse to work overtime in circumstances that would result in:

- Working hours that are unreasonable.
- Any risk to employee health and safety.
- The employee's personal circumstances (family responsibilities).
- The amount of notice given.

## **Scheduled overtime**

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May be contracted where:

- A five (5) day week is worked, scheduled overtime up to a maximum of 2-hours per day.
- A six (6) day week is worked, scheduled overtime up to a maximum of 2-hours per day Monday – Friday and up to a maximum of 10-hours on Saturday.

Due to the nature of their duties, employees engaged in nominated categories (Unit Manager / 2<sup>nd</sup> AD / Hairdresser / Continuity / Standby Costume) may be contracted to work extra

scheduled overtime up to a maximum of two (2) hours per day over and above any other scheduled overtime.

### **Night loadings**

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Paid in addition to the base rate, if worked the following hours:

- 8pm to midnight Monday to Friday = 25% of the hourly rate
- 8pm to midnight Saturday = 50%
- 6am to 8pm Saturday = 25%
- 12.01am to 6am Monday to Friday = 25%
- 12.01am to 6am Saturday = 50%
- 12.01am to 6am Monday = 100%

### **Travel**

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Hours of work begin and finish at the employer's place of call. The place of call must be within 20km from the GPO, or as agreed prior to contracting the employer's usual place of business. Time spent travelling beyond the 20km radius will be counted as time worked, at a rate of two (2) minutes per km.

NB: The BREAA Summary allows for a 25km radius.

When travelling to work, be it local, interstate or internationally you are not required to travel at a reduced rate to your normal day rate (often referred to as a 'travel rate').

### **Public holidays**

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You are entitled to public holidays off (or the days observed) without loss of pay. If you work on a public holiday you are entitled to double time and a half (based on your contracted fee) for a minimum call of four (4) hours.

### **Meal breaks**

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Catered breakfasts are 30-minutes long, but only 15-minutes is paid time, the other 15 is on the employee's own time. If breakfast is provided, no morning tea break is provided.

It is general to have a 45-minute lunch break which is not considered time on duty. This should commence not later than five (5) hours from the start of work, or end of the last meal break (as in breakfast), whichever is the later. If a meal break is not provided within 6-hours, a delayed meal break (DMB) must be paid at the rate of single time additional for all time worked from the time the meal break became due until the time it actually commences.

Where an employee is required to work beyond the time of their second meal break, that meal must be provided by the employer or the appropriate allowance paid.

Afternoon tea/supper is a paid 10-minute meal break (in Western Australia). This can be taken on wrap if the crew agrees.

## Meal allowance

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On location, meals must be provided or the following allowances apply:

- Lunch: \$11.55
- Dinner: \$17.73
- Supper: \$11.55

## Accommodation

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Employees are entitled to be provided with reasonable accommodation when required to stay overnight from their place of residence. Where this is impossible, employees will be entitled to the following allowances:

- a) Accommodation provided at the standard of a private home, homestead, or hotel with share facilities or where unshared accommodation is not provided = \$7.95 per day.
- b) Accommodation provided at the standard of air-conditioned caravans and/or seweried mining camps = \$15.99 per day.
- c) Accommodation provided at the standard of shearers' quarters, rough mining camps or camping = \$31.79 per day.

## Safety

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The primary responsibility for safety legally falls on the production company, which should make every reasonable provision for the safety and health of employees whilst at work by providing and maintaining a safe and healthy work environment. However all crew members should make sure they look after their own safety as a matter of course.

A production safety report is required by all productions in receipt of Screenwest funding, and as per the *Film & Television Safety Guidance Notes* must engage a graded Safety Consultant to write a safety report in compliance with the *Film Industry Safety Code*. The safety report shall identify hazards and make recommendations for requirements for Specialist Personnel (Stunt Coordinators, Special FX Coordinators, Armourers, Safety Supervisors etc.) to be engaged, along with procedures to be followed to control risks. This report should be made available to all crew and cast members.

It is important for Producers to take note of the rights and duties of employers and employees contained in the OSH Laws, and to comply with the relevant provisions concerning safety requirements. They are obligated, so far as is practicable, to:

- Provide and maintain workplaces, plant and systems of work so that employees are not exposed to hazards.
- Provide such necessary information, instruction and training to, and supervision of, employees so that employees can perform their work safely.
- Consult and cooperate with safety and health representatives and other employees on occupational safety and health matters.
- Provide employees with adequate personal protective clothing and safety equipment, where it is not practicable to avoid the presence of hazards at the workplace.
- Immediately notify all **reportable incidents** to *WorkSafe WA*, <http://www.commerce.wa.gov.au/worksafe/>.

These obligations are towards an employee, contractor, trainee, and/or intern. Productions may also have obligations to people who are not employees or contractors at the workplace (i.e.

volunteers, visitors). Further obligations may also apply depending on the nature of the Production's activities.

Employees and contractors have responsibilities to take reasonable care to ensure their own safety and health at work, and to avoid adversely affecting the safety and health of others and also have specific obligations under the OSH Laws to:

- Cooperate with their employer to ensure that the workplace is safe and healthy (eg. by complying with safety procedures and guidelines).
- Comply with safety and health instructions provided by their employer.
- Use the personal protective equipment provided in the manner instructed by the employer.
- Report hazards and injuries to their employer.

**Producers should always seek expert advice from a competent person in relation to safety issues concerning a production.**

### Useful links

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<http://ohs.alliance.org.au/view-document/39-recommended-safety-code-for-film-and-television>.

Workplaces in Western Australia are currently regulated by the *Occupational Safety and Health Act* 1984,

[http://www.slp.wa.gov.au/legislation/agency.nsf/docep\\_main\\_mrtitle\\_650\\_homepage.html](http://www.slp.wa.gov.au/legislation/agency.nsf/docep_main_mrtitle_650_homepage.html)

This is supported by the *Occupational Safety and Health Regulations* 1996,

[http://www.slp.wa.gov.au/legislation/agency.nsf/docep\\_main\\_mrtitle\\_1853\\_homepage.html](http://www.slp.wa.gov.au/legislation/agency.nsf/docep_main_mrtitle_1853_homepage.html),

codes of practice and guidance notes.

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