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:
The employee may 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.

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.

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.(f) 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.(f) 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.
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 Side letter 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:vwl

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: _____________________________
Russell Hollander
on behalf of the DGA

ACCEPTED AND AGREED:

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

ACCEPTED AND AGREED:

By: _____________________________
Thomas O’Donnell
on behalf of Teamsters Local #817

ACCEPTED AND AGREED:

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

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:vwI

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

ACCEPTED AND AGREED:

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

ACCEPTED AND AGREED:

By: ____________________________
   Matthew D. Loeb
   on behalf of the IATSE
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: vwl

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: ____________________________
       Russell Hollander
       on behalf of the DGA

ACCEPTED AND AGREED:

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

ACCEPTED AND AGREED:

By: ____________________________
       Thomas O’Donnell
       on behalf of Teamsters Local #817

ACCEPTED AND AGREED:

By: ____________________________
       David P. White
       on behalf of SAG-AFTRA
Letter re: Modification of Double Rapid Testing
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- 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

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: __________________________
    Russell Hollander
    on behalf of the DGA

ACCEPTED AND AGREED:

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

ACCEPTED AND AGREED:

By: __________________________
    Thomas O'Donnell
    on behalf of Teamsters Local #817

ACCEPTED AND AGREED:

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

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: ____________________________
    Russell Hollander
    on behalf of the DGA

ACCEPTED AND AGREED:

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

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By: ____________________________
    Thomas O’Donnell
    on behalf of Teamsters Local #817

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