

# DIRECTORS GUILD OF AMERICA

## POLICY & PROCEDURES FOR ESTABLISHING A PRODUCTION CENTER OR LOCAL EMPLOYMENT ADDRESS

The DGA Basic Agreement, Freelance Live & Tape Television Agreement and National Commercial Agreement provide that whenever a DGA-represented employee works away from home, the employer is responsible for their transportation, lodging and expenses. In order to protect Guild-represented employees from producers trying to reduce production budgets and, unfortunately, from other individuals trying to get an edge on work opportunities by concealing their true residences, the Guild has developed a system for determining where and when a person is eligible to be employed as a “local hire.” These procedures allow individuals to work as a “local hire” in the most active production centers, while also providing local employment options for those who reside outside a Production Center.

**The Guild has a policy of strict enforcement of the distant location provisions of its agreements and closely examines deal memos and other information sources, looking for situations where DGA-represented employees working at a distant location are not receiving distant location rates and expense reimbursement. In these situations, the Guild may initiate grievance proceedings against the production company, disciplinary proceedings against the member, or both.**

### **LOCAL EMPLOYMENT**

An individual’s local employment area is the location he or she has established to be deemed a “local hire.” A “local hire” employee is paid the local or “studio” salary and the employer does not have to provide transportation, per diem and housing. Terms of local employment are defined differently depending upon which collective bargaining agreement covers the project.

DGA-represented employees hired on film and television projects covered by the DGA’s **Basic Agreement (“BA”), Freelance Live and Tape Agreement (“FLTTA”)** may be employed as a “local hire” based on either their Production Center or established Local Employment Address.

Effective December 1, 2014, DGA-represented employees hired under the terms of the **National Commercial Agreement (“NCA”)** may be employed as a “local hire” based on either their Production Center or established Local Employment Address.

### **PRODUCTION CENTER**

A Production Center is an area the DGA and the Alliance of Motion Picture and Television Producers (“AMPTP”) have determined has a high concentration of employment. An individual may select one Production Center where he or she may be employed as a “local hire” pursuant to the terms of the Guild’s collective bargaining agreements. The DGA and the AMPTP may agree to revise this list based on changes in those patterns.

The four designated Production Centers are the metropolitan areas of:

**Los Angeles**, California  
**New York**, New York

**Vancouver**, British Columbia, Canada  
**Toronto**, Ontario, Canada

### **LOCAL EMPLOYMENT ADDRESS**

DGA-represented employees who reside outside of a Production Center area may also establish their primary residence as a Local Employment Address, which allows them to be employed as a “local hire” in the area they reside.

DGA-represented employees who reside within a Production Center, but choose another, may not be employed as a “local hire” within their home area. For example, if an individual with a “Home Address” in Los Angeles selects New York as their Production Center, they must be employed under the distant location provisions of the **BA, FLTTA** or **NCA** when employed in Los Angeles.

DGA-represented employees hired on projects covered by the **BA, FLTTA** or **NCA** may be employed as a “local hire” based on their established Local Employment Address or Production Center, as applicable.

A Local Employment Address must be listed as the individual’s “Home Address” with the DGA.

Only one Local Employment Address may be established at any given time.

## **LOCAL EMPLOYMENT RESTRICTIONS IN CANADA:**

As of June 1, 2015, in Canada, Directors who are also members of the Directors Guild of Canada (“DGC”), but whose Local Employment Address or Production Center is in the United States, must perform such work pursuant to the terms and conditions of the DGA BA or FLTTA, whichever is applicable, unless they obtain a prior waiver to work under the terms and conditions of the applicable DGC agreement. Such waivers will be granted when the project is not produced by a U.S. based production company or for exhibition primarily in the U.S. market.

Violating this provision will result in the revocation of the individual’s U.S. Production Center designation (New York or Los Angeles) and the automatic assignment of Toronto or Vancouver as their Production Center for a 12 month period following the violation.

## **HOW TO ESTABLISH A LOCAL EMPLOYMENT ADDRESS**

- J An individual may establish a Local Employment Address once in a 12-month period;
- J An individual may list only one Local Employment Address at a time;
- J An individual must submit a signed request to establish a Local Employment Address. A Local Employment Address cannot be requested via phone or email;
- J A Local Employment Address must be listed as the person’s “Home Address” on file with the DGA;
- J Simply changing a “Home Address” or any other contact information on record with the Guild does not constitute a request for or establish a Local Employment Address;
- J There is a required 60 day waiting period from the date of the Guild’s receipt of written request and verified residential documentation for the Local Employment Address to be in effect;
- J **To establish a Local Employment Address, an individual must complete the following steps:**
  - 1) **Update his or her “Home Address” on file with the Guild; and**
  - 2) **Request, in writing, that the “Home Address” be established as a Local Employment Address; and**
  - 3) **Submit all required verification documentation.**
- J **Following is the required documentation an individual must supply to verify a Local Employment Address:**

**Valid State Driver’s License or Photo ID issued by the Federal or State Government**  
**and at least one of the following documents:**

<b>Voter Registration</b>	<b>Automobile Registration</b>
<b>Mortgage Statement</b>	<b>Telephone or other Utility Bill/s</b>
- J Local employment documentation must include the person’s name and the Local Employment Address;
- J Local employment documentation must be current. Identification forms with expiration dates must be timely updated with the DGA. For example, when an individuals’ driver’s license expires, a renewed license must be submitted to the Guild.
- J The following documents are *not* acceptable to establish a Local Employment Address:

Cell Phone Bill	Video Rental Card	Bills or Documents Printed off the Internet	Magazine Subscription
Student ID Card	Library Card	Any Expired Form of Identification	Bank Statement
- J *The 60 day waiting period will not commence until the Guild has received and verified **all** required documents;*
- J Upon request from the employer, the DGA will supply a list of individuals who are eligible for local employment in a specific geographic location, per the individuals’ established Local Employment Address on file with the DGA. In instances where the employer contacts an individual directly, without obtaining a list from the Guild, the individual must request a “Local Hire Waiver” from the Guild prior to employment. *It is the responsibility of the DGA-represented employee to confirm with the Guild if a “Local Hire Waiver” is required (see: “How to Verify Local Employment Status”)*
- J Once a person changes his or her “Home Address” with the Guild, any previously established Local Employment Address is voided. Any new Local Employment Address (even if a return to an address previously on file with the Guild) must be documented and confirmed pursuant to Guild policy and procedure. For example, if an individual had established a Local Employment Address in Boston, and subsequently changes his or her “Home Address” to Washington D.C., the individual is no longer eligible for local employment in Boston. The individual may now establish only Washington D.C. as a new Local Employment Address, pursuant to Guild policy and procedure.

## **LOCAL EMPLOYMENT ADDRESS AT FIRST DGA-REPRESENTED EMPLOYMENT**

- J To be employed as a local hire on one's first DGA job outside a Production Center, a DGA-represented employee must have been a resident in the geographic area in which he or she was employed for at least 60 days prior to the first day of employment;
- J The DGA-represented employee must present to the employer, and to the Guild upon request, documentation to confirm his or her valid residence, which shall comprise of the following:

### **Valid State Driver's License or Photo ID issued by the Federal or State Government**

***and at least one of the following documents:***

<b>Voter Registration</b>	<b>Automobile Registration</b>
<b>Mortgage Statement</b>	<b>Telephone or other Utility Bill/s</b>

- J If a DGA-represented employee's "Home Address" at the time he or she becomes a "member in good standing" with the Guild is the same address listed on the deal memo, and the individual was appropriately paid as a "local hire," that residence will be established as the individual's Local Employment Address;
- J If a DGA-represented employee's "Home Address" at the time he or she becomes a "member in good standing" with the Guild is not the same address listed on the deal memo for his or her first DGA-represented employment, and the individual was not appropriately employed pursuant to distant location provisions of the Guild's collective bargaining agreements, the Guild will require proof of residency, as outlined above. For example, a Second Assistant Director ("2AD") employed on a film in Atlanta, whose deal memo identifies his or her home address to be in Atlanta, subsequently submits an application for membership listing a "Home Address" in Los Angeles, the Guild will require proof of residency to confirm the 2AD had been a resident of Atlanta for at least 60 days prior to their first day of employment on the film.
- J If a DGA-represented employee cannot provide the required documentation to the Guild to verify residence in the local employment area at least 60 days prior to employment, the employer may be subject to grievance action by the Guild.

## **HOW TO SELECT A PRODUCTION CENTER**

- J A Production Center is the location where an individual chooses to be employed as a "local hire" pursuant to the local employment provisions of the **BA, FLTTA** and **NCA**. The DGA and the AMPTP determine which areas are Production Centers based on film and television employment and production patterns. The DGA and the AMPTP may agree to revise this list based on changes in those patterns;
- J The four designated Production Centers are the metropolitan areas of:

<b>Los Angeles</b> , California	<b>Vancouver</b> , British Columbia, Canada
<b>New York</b> , New York	<b>Toronto</b> , Ontario, Canada
- J DGA-represented employees who are approved for membership by their respective category Council are sent a form on which to make their Production Center choice (see: "**Selecting a Production Center at First DGA-Represented Employment**").
- J An individual may select only one Production Center at a time.
- J An individual may select a Production Center once in a 12-month period.
- J There is a required 60 day waiting period from the date of the Guild's receipt of written request for the Production Center to take effect.
- J **To select or change a Production Center, members may do so via their personal member's only account at [www.DGA.org](http://www.DGA.org) under Account Settings. A "DGA Membership Contact Update Form," which can be submitted by mail or fax, is also available online or by calling 310-289-2083.**
- J Phone calls and emails cannot be accepted to make changes to a Local Employment Address, Production Center or any other Guild contact information.
- J *Changing a residence or other contact address to within a Production Center area does not constitute a request for a change to a person's existing Production Center. An individual must specifically request a change to his or her Production Center, pursuant to Guild policy.*

- J If an individual resides in one Production Center area but selects another, the person may not work under the terms of the BA or FLTTA as a “local hire” in the area in which he or she resides. For example, if a person resides in Los Angeles but selects a New York Production Center, they must be employed under the distant location provisions of the BA and FLTTA when employed in Los Angeles.

### **SELECTING A PRODUCTION CENTER AT FIRST DGA-REPRESENTED EMPLOYMENT**

- J A DGA-represented employee who is approved for membership by his or her respective category Council is sent a packet of information, which includes a form for selecting a Production Center;
- J Once a Production Center has been selected, the Production Center must be maintained for at least 12 months and future changes require a 60 day waiting period, from the time the DGA is notified in writing, for a new Production Center to take effect;
- J **If a DGA-represented employee’s Home address is within an established Production Center at the time of first employment**, the Guild will automatically establish his or her Production Center based on their Home Address. The individual is provided 30 days to change their Production Center, if he or she chooses. Any changes after the 30 day grace period are subject to Guild policy and procedures for establishing a new Production Center (see: “**How to Select a Production Center**”);
- J **If a DGA-represented employee’s Home address falls outside of an established Production Center at the time of first DGA-represented employment**, his or her Production Center is listed as “Undecided.” The individual may choose to remain “Undecided” and wait to select a Production Center until such time as he or she is offered employment in a Production Center area, without the usual requirement of a 60 day waiting period; or they may select a Production Center right away;
- J “Undecided” is not a selectable Production Center choice. Once a Production Center has been selected or designated, an individual may not return to “Undecided” status.

## **HOW TO VERIFY LOCAL EMPLOYMENT STATUS**

### **LOCAL HIRE WAIVER**

The DGA collective bargaining agreements require the Guild, employers and employees be bound by the DGA’s listing of an individual’s address for the purposes of determining whether he or she may be employed as a “local hire.”

- J The DGA will, upon request from the employer, supply the names of individuals who may be employed as a “local hire” in a specific geographic location. (see: “List of Local Hires” Report to Employers)
- J *An employer may contact an individual directly, without obtaining a “List of Local Hires” from the Guild. In those cases, DGA-represented employees must request from the Guild a “Local Hire Waiver” for each instance of employment in the individual’s established local employment area. It is the responsibility of the DGA-represented employee to confirm with the Guild if a “Local Hire Waiver” is required, prior to employment.*
- J Prior to employment, the DGA-represented employee must contact the Guild with: (1) the name of the project; (2) the employer; and (3) the project location/s where he or she will be employed. Upon the Guild’s confirmation that the individual’s *established Local Employment Address* is within a reasonable commuting distance of the shooting location/s, a waiver will be granted for employment under the local employment terms of the BA or FLTTA and provided to the employee.
- J There is no limit to the number of “Local Hire Waivers” an individual may receive.
- J *Failure to obtain a “Local Hire Waiver,” when required, may result in grievance action towards the employer and possible disciplinary action against the DGA-represented employee.*
- J **To request a “Local Hire Waiver” call 310-289-2083.**

## **“LIST OF LOCAL HIRES” REPORT TO EMPLOYERS**

- J Pursuant to BA 13-701(a) and FLTTA Sideletter 21, the employer, the Guild and all employees are bound by the Guild’s listing of an individual’s address for purposes of determining whether he or she may be employed as a “local hire:”
- J To be included as a “local hire” in the listings an individual must:
  - 1) Have a confirmed Local Employment Address pursuant to Guild policy and procedures (see: “**How to Establish a Local Employment Address**”);
  - 2) Have at least one public telephone or email listing where an employer may contact them.
- J The report to employers will include the member’s name, public contact information, primary and additional Guild categories, Qualification List placements and Local Employment status in the requested area.
- J All DGA-represented employees must obtain a “Local Hire Waiver” for each instance of employment in his or her established local employment area under the terms of the BA or FLTTA.

## **OTHER IMPORTANT INFORMATION**

### **EPISODIC TELEVISION DIRECTORS – WORKING IN LOS ANGELES**

With regards to episodic television directors with Production Centers outside of Los Angeles:

- J DGA Basic Agreement Paragraph 10-115 and Freelance Live & Tape Television Agreement Article 6.V. state: “the Guild, upon request of the Employer, shall grant an automatic and unconditional waiver to each Los Angeles-based episodic series to employ up to four (4) different directors per season whose Production Center is not Los Angeles and to treat those directors as ‘local hires.’ Each episodic series may hire a director for only one (1) episode per season as a ‘local hire.’”
- J If the director is employed on more than one episode of the same series without changing his or her Production Center, the company must pay the director distant location rates. However, a director has no limitation on the number of times he or she can be employed as a “local hire” in Los Angeles on different episodic series.
- J *Production companies must notify and receive a waiver from the DGA prior to commencement of employment.*

### **QUALIFICATION LIST STATUS**

- J The Southern California, New York and Third Area designations of the Qualification Lists (“QL”) or Commercial Qualification Lists (“CQL”) have no bearing on an individual’s “local hire” or “distant location” employment requirements under the Guilds collective bargaining agreements.
- J These QL and CQL designations identify what regions of the country an individual is *qualified* to work in his or her category classification. Regardless of an individual’s QL or CQL region, if he or she is working away from home, he or she must be provided transportation, per diem and housing.
- J For information regarding placement on the Southern California QL, Third Area QL or Multi-Camera QL, contact the DGA Contract Administration at 818-461-0916 or go to [www.dgaca.org](http://www.dgaca.org). For information regarding placement on the New York QL, call 914-747-2979 or go to [www.dgaca-east.org](http://www.dgaca-east.org). For information on the Commercial QL, contact the DGA Commercials Contract Administration at 212-397-0930 or go to [www.dga-cql.com](http://www.dga-cql.com).

## **DGA ONLINE DIRECTORY OF MEMBERS**

- J The online DGA Directory of Members provides the names, contact information and credit summaries of Guild members, as well as the DGA's National Board and Councils. This information is available at **www.DGA.org**.
- J Changes made to a member's contact information simultaneously update the member's DGA membership records and online Directory listing. When a member wants contact information accessible via the online Directory, they must mark the specific information they want to be listed as "Public" via their online Account Settings at **www.DGA.org** or by submitting a "**DGA Membership Contact Update Form**." Unless specifically instructed by a member, all DGA contact information is private and will not be published or made available to third parties.
- J *Simply changing a "Home Address" on file with the DGA does not constitute a request for or otherwise establish a Local Employment Address. (see: "**Establishing a Local Employment Address**").*
- J When a DGA member changes his or her "Home Address," any previously established Local Employment Address is voided.
- J Members may update their contact information by logging in to the DGA Website at **www.DGA.org** and visiting their "Account Settings" page. A "**DGA Membership Contact Update Form**," which can be submitted by mail or fax, is also available online or by calling 310-289-2083.

## **MISCELLANEOUS INFORMATION**

- J Pursuant to DGA Constitution and Bylaws Article III, Section H.3., it is "the responsibility of each member to file with the Guild his or her business and residences addresses and telephone numbers. It shall be his or her further responsibility to advise the Guild immediately of any change in his or her business or residence address or telephone numbers."
- J The DGA and the DGA-Producer Pension and Health Plan ("The Plans") are separate organizations. For privacy reasons, participant contact information on file with The Plans is not shared with the DGA. Likewise, the DGA may provide The Plans only with a person's "public" contact information on record with the Guild. Individuals should confirm their change of contact information with both The Plans and the DGA. To update contact information with The Plans, call 323-866-2200 or toll free outside greater Los Angeles at 877-866-2200. Individuals may update their DGA contact information via their personal online member account at **www.DGA.org** under Account Settings, or by submitting a "**DGA Membership Contact Update Form**" by mail or fax. Contact update forms may be obtained online or by calling 310-289-2083.

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