

INDUSTRIAL FILMS AGREEMENT Extended

WAGE SCALES, HOURS OF EMPLOYMENT AND WORKING CONDITIONS

1. RATES AND CONDITIONS

The following special rate for recording musicians for industrial films for non-theatrical, non-television exhibition and distribution, has been established:

Minimum two (2) hours service per <u>side</u> musician	\$195.39
Overtime, per 15 minutes or fraction thereof, per musician	\$24.42
One musician playing alone	Double side musician's scale

Overtime must immediately follow a regular session. All hours not continuous will be charged as additional sessions.

A musician may be required to remain up to one (1) hour beyond the minimum two (2) hour call. The first one-half (1/2) hour of such "hold" period shall be paid at the basic hourly rate in fifteen (15) minute increments. The last one-half (1/2) hour of such "hold" period and any subsequent time until dismissed shall be paid at the applicable premium rate.

A. LEADER

The minimum pay, per session, for leader shall be double the minimum rate of pay applicable to the sidemusician employed in the session.

B. NIGHT PREMIUM

Work performed between 8:00 P.M. and midnight shall be paid at twenty (20) percent additional premium. Work performed after midnight shall be paid at double time.

C. ORCHESTRA MANAGER/CONTRACTOR

If ten (10) or more recording musicians including leader are employed for any session, an orchestra manager (contractor), who is a member in good standing of the Federation, shall be employed for said session. He/she may be one of the recording musicians. It shall be the duty of the orchestra manager (contractor) to see that all musical activities conform to this agreement. He/she shall be physically present at all recording sessions during the entire engagement. The minimum pay shall be double the minimum rate of pay applicable to the non-doubling side musicians employed in the session but, in any event, the scale for any person performing both as an orchestra manager (contractor) and a recording musician shall not exceed twice such recording musician's non-doubling scale. The orchestra manager may not be required to function as a sound consultant or conductor.

2. REST PERIOD

Intermission of ten (10) minutes per hour away from stand must be given on all engagements, with the understanding that it means ten minutes from the time musicians leave stands until they return and are ready to play. The Employer is privileged to accumulate two rest periods.

3. DOUBLING RATES AND CONDITIONS FOR RECORDING MUSICIANS

(1) When one or more doubles are played by any instrumentalist in any one session and the overtime related thereto, for the first double, the instrumentalist who doubles shall be paid not less than 50 percent extra of the minimum rate otherwise applicable for the session and the overtime related thereto, plus an additional 20 percent extra of such minimum rate for each double beyond the first.

(2) The following are not construed as doubling:

- (a) piano with celeste (when furnished)
- (b) instruments within a drummer's regulation outfit (bass drum, snare drum, pedal cymbals, gongs, sleigh bells, wood blocks, and small traps)
- (c) xylophones with vibraharp, or bells, but only when no other instruments are played
- (d) electronic devices: If an electronic device (e.g. multiplex, divider, maestro, multiplier of octaves) is used to simulate sounds of instruments in addition to the normal sound of the instrument to which such electronic device is attached or applied, such use of the electronic device shall be treated as a double.

4. SATURDAYS, SUNDAYS AND HOLIDAYS

Double time scale shall prevail for work on Saturdays, Sundays and the following legal holidays. In the United States: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. In Canada: New Year's Day, Good Friday, Easter Monday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

5. CARTAGE

Whenever the Producer requests a musician to bring a heavy instrument to a recording session, the Producer shall specify whether the musician shall transport such heavy instrument either by public or private transportation and public transportation shall be used if it is the only practicable manner of transportation. If a public carrier is to be used, the Producer shall have the option of designating the public carrier qualified to transport musical instruments. If the instrument is delivered by the designated public carrier, the Producer shall pay the cartage bill of the designated public carrier. If the musician chooses to use a carrier other than that designated by the Producer, the Producer shall not be liable for a cartage bill greater than the rate charged by the designated carrier.

Harp - \$30

String Bass, Tuba, Drums, all heavy or bulky amplifiers, Baritone Saxophone, Cello, Bass Saxophone, Contra Bass Clarinet, Contra Bass Bassoon, Accordion, Baritone Horn and Contra Bass Trombone - \$12.00 each.

6. ELECTRONIC INSTRUMENTS

Electronic instruments may not be used for the purpose of displacing sections of traditional musical instruments. However, electronic instruments may be used creatively for the unusual sound these instruments are capable of producing. Such instruments may also be used by a musician(s) in connection with an established performance.

7. HEALTH AND WELFARE FUND CONTRIBUTION (NON-SYMPHONIC)

The Company will contribute to the lawful Health and Welfare Fund presently established by any Federation Local and commencing thirty days after notice in writing, the Company will contribute to any other lawful Health and Welfare Fund established by any other Federation Local, the sum of \$21.00 effective December 1, 2005 for each original service performed within the jurisdiction of such Federation Local by each musician covered by this agreement.

With respect to any such original service performed within the jurisdiction of a Federation Local where no such Fund is established, the Company shall pay to each such musician said sum of \$21.00 effective December 1, 2005. In the case of arrangers, orchestrators and copyists, an original service will be considered as a calendar day.

No such health and Welfare Fund contribution whether paid to any Fund or paid directly to a musician shall be the basis for computing the applicable AFM-EP contribution or any other payments under this agreement such as doubling, overtime, premium time pay, etc.

8. PENSION CONTRIBUTION

Pension contribution is thirteen and eight-hundredths percent (13.08%) of all scale wages, including all premiums (doubling, leader, contractor), over-time, etc.