

Los Angeles Intimate Theatre Code (LAITC)

Developed by Los Angeles Actors' Equity Association (AEA) Members

AVAILABILITY OF THE PLAN

We believe this plan should be made available to all nonprofit theatre companies operating in venues with 99-seats or less.

MAXIMUM NUMBER OF PERFORMANCES FOR SINGLE PRODUCTION

We believe that the maximum number of performances for a single production a theatre organization can produce under this plan should be set at twenty-four (24) performances. If the theatre wishes to continue a production after twenty-four (24) performances, that production must move to a minimum wage contract (IE: AEAs' 99-seat agreement) Exception to this would be:

- a. A theatre organization under this plan should also be able to extend the number of performances for one production each fiscal year to forty (40) performances.

SINGLE PRODUCTION BUDGET

We believe that the theatre's Single Production Budget under this plan should not exceed:

- a. \$40,000 for a play (cast under 10)
- b. \$50,000 for Musicals (cast under 10)

For casts that are larger than ten (10) we are suggesting we look at increasing the Single Production Budget based on the number of additional actors that would take into consideration additional costuming and actor reimbursements for rehearsal and performance (this amount to be determined).

The Single Production Budget will include only production-specific costs (IE: directors, designers, actors, set materials and construction, costumes and construction, and any special costs for advertising, promotion, lighting, sound or video specific to the production). The following will not be included in the Single Production Budget.

- a. Rent and facilities cost (utilities, maintenance)
- b. Administrative Theatre Staff

If theatre organizations wish to mount a production where production costs exceed the above Single Production Budget, that production must be produced under the minimum wage contract (IE: 99-seat agreement).

A CAP ON ADMINISTRATIVE COSTS

We believe that a CAP should be placed on theatre organization's administrative staff. We suggest the cap should be set at twenty-five percent (25%) of the theatre organization's Annual Revenue as stated on line 12 of the Federal IRS 990 form. This amount can be calculated by taking an average of the most recent three years, or the estimated Annual Revenue if the organization is less than three (3) years old.

We also believe theatre organizations that have been operating for five (5) or more years can have their administrative staff cap increased for two years, provided that increase is attributed to paying a full or part time development director. This exception can only be granted one time for each theatre organization. What that increase is and how it gets calculated should be discussed.

ACTORS' REIMBURSEMENT

As much as we believe actors should be paid for their work, we understand that the EDD is presently ruling that actors can't be classified as Independent Contractors. Therefore any payment to actors that is less than minimum wage, must be in the form of reimbursement. While our investigation as to how the EDD would like theatre organizations to reimburse is ongoing we are suggesting the following:

- a. Theatre organizations with single production budgets below \$25,000 reimburse actors a minimum of \$15 per performance. *
- b. Theatre organizations with single production budgets above \$25,000 and lower than the cap as stated in paragraph four (4) reimburse actors a minimum \$25 per performance. *
- c. A calculation on how theatres calculate rehearsal reimbursement expenses should be discussed and a minimum amount determined.

*It would be the responsibility of the theatre organization to collect and log expense receipts.

OTHER THOUGHTS WE'D LIKE TO SEE IN A NEW PLAN

REHEARSAL PERIOD

Similar to the provision as listed in AEAs' self-producing code which states that the rehearsal period prior to the first public performance is mutually convenient to the Equity members in the group, in terms of both the number of rehearsal weeks and the rehearsal hours per week, actors would agree to a defined length of rehearsal before rehearsals begin and that rehearsal period cannot be changed without unanimous approval from the actors.

VIDEO TAPE

A provision will be drafted allowing producers permission to video tape productions for archival purposes with actors' unanimous consent. Producers and Equity to find a workable solution that will prevent video to be used commercially, without actors consent.

SAFE AND SANITARY AND OTHER ACTOR PROTECTED PROVISIONS

We would like to see all other provisions that protect actors as stipulated in AEA's Transitional Los Angeles 99-Seat Theatre Code remain in effect (with some minor revisions). This includes all safe and sanitary condition rules; all casting rules and regulations; all rules concerning nudity; all rehearsal rules; all breaks and rest period rules; all understudy rules; all stage fighting rules; all rules concerning costuming; all rules concerning bios; publicity and advertising; all complimentary ticket rules; all production rules after opening; all rules concerning rights and obligations with respect to future productions (subsidiary rights rules; etc.).

LENGTH OF PLAN

We would like to see The Los Angeles Intimate Theatre Code stay in effect for five years.

COMMITTEE TO MONITOR PLAN

We propose a committee formed of Equity Actors and Stage Managers, Members of The Western Advisory Board and Producers be established to monitor the plan, and to advise and make recommendations as to possible changes and improvements.