

California IATSE Council

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The Honorable Gavin Newsom
Governor, State of California
State Capitol, Suite 1173
Sacramento, CA 95814

Dear Governor Newsom:

We are writing to you on behalf of the close over 52,000 members of the California IATSE Council (CIC) who live and work in the entertainment industry in our State. We realize that this is a time of great economic disruption for all California businesses and workers and want to thank you for your tireless efforts to meet the needs of all who have been affected by the present crisis. In light of your historic concern about the health of our industry in California, and recognition of its importance to the California economy, we wanted to inform you of the unique challenges entertainment industry workers are currently facing and to ask your help once again.

Motion picture and television production in California has come to an abrupt and complete halt due partially to the health crisis and due partially to the restrictions on travel and employment in groups that have been implemented to stop the spread of the contagion. The sudden shutdown of our industry has resulted in massive layoffs of thousands of our members on a scale never seen before. In the short run, our members—the working women and men who make this key California industry run—face the real and immediate threat of not being able to provide for their families. While we face many of the same problems as other Californians in this regard, some unique attributes of our industry and how those attributes interface with state programs make our members' challenges more severe.

But in a larger sense, we are also concerned about the long-run impact this crisis will have on our industry and the state's economy as a whole. For California to recover from the economic blow dealt it by COVID-19, our industry must also recover. And for our industry to recover, any broad-based economy recovery effort must take these same employment characteristics into account if they are to succeed.

The California motion picture and television industry is unique because it is comprised almost exclusively of freelance workers (who are employees, *not* independent contractors) who move from project to project over the course of a year to work for different production companies. These sporadic work engagements are often punctuated by periods of unemployment. Our members also may not work every day or even every month; moreover, they may be employed by multiple employers in a year of vastly different sizes.

In the short run, these unique attributes often conflict with state programs aimed at assisting workers in need. For example, unemployment insurance benefits look to the previous 5 quarters of employment in order to set the amount of unemployment benefit to be paid; however, because of the sporadic employment and pay fluctuations common in the industry, such a metric does not always work well for our members. We hope we can work with the Administration to address issues where possible.

Our larger concern is to ensure that when a comprehensive economic recovery plan is crafted in California, the unique attributes of our industry's employment arrangements are taken into account. In previous circumstances at the federal level, well-intentioned economic relief legislation had the unintended consequence of omitting our industry's workers because it was assumed that what worked for traditional single-employer industry workers, or multi-employer construction industry workers, would similarly work for motion picture and television industry workers. The differences are simply too great to have a "one size fits all" solution.

We recognize the difficulty of the challenge you currently face with the current health crisis facing California. We appreciate the leadership you have shown for our state, and we have supported and participated in the solutions necessary to contain this horrible virus despite the devastating effect those solutions have had on our members. We will continue to do both.

We simply ask for three things: 1) to the degree possible, make changes to state programs providing worker relief to make those programs more accessible and effective for our members. We will shortly provide some suggested changes that we believe would have a significant impact on the problems our members face due to the shutdown of the entire industry in the past 10 days; 2) when the primary focus of your Administration's efforts shift from defeating the disease that currently threatens our state to helping our state's economy recover from the virus' devastating effects, that we be permitted to work closely with you to craft an industry-specific plan that will ensure a full, equitable and prompt return to full production of the entertainment magic that is ingrained in the fabric of California; and 3) to the degree we are successful at the federal level in achieving an industry-specific plan, consider conforming state relief to be consistent with and complementary to that federal program to bring even faster recovery of this key California industry.

Thank you for your partnership with us, and consideration of our views.

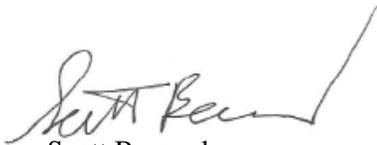
Sincerely,



Thom Davis
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CC: Angie Wei, Special Advisor the Governor
Julie Su, Secretary, California Labor and Workforce Development Agency