



the **animation** guild

IATSE LOCAL 839

# SHOP STEWARD HANDBOOK

**The Animation Guild  
and Affiliated Optical Electronic and  
Graphic Arts, Local 839 I. A. T. S. E.**

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*Effective January 9th, 2014*

Okay, so you've been appointed an Animation Guild shop steward. You know that you'll be getting your quarterly dues waived while you do the job (yippee!) but what **IS** the job, exactly? And what do you do?

**Shop Stewards** are the Guild's eyes, ears and primary contact inside each contract studio. When a member/employee has a question, shop stewards supply an answer, or relay the question to the Animation Guild office.

### **Shop Stewards' Responsibilities:**

- A) Attend general membership meetings (six per year)
- B) Attend quarterly union lunches to share information and strategies with other shop stewards and the Business Representative
- C) provide information about, and encourage participation in:
  - TAG wage surveys
  - union elections
  - contract negotiations and ratifications
- D) Introduce themselves to new TAG employees (and report new employees to the Guild office.)
- E) Answer member questions, or refer questions to TAG staff.

### **Questions** that often come up are:

When does my health coverage start? (If you're on staff, usually six months after hire.)

What happens when I need to work extra hours to meet a production deadline? (Overtime needs to be paid.)

How do I get into the 401(k) Plan? (Fill out enrollment and beneficiary forms, available on Guild website or at Guild office.)

Should I be getting Dismissal Pay? (If you've worked 3-6 months or more, the answer is usually "yes.")

It's useful for Shop Stewards to have basic knowledge about the Guild's various contracts, and what's inside them. All of our

contracts can be found on the Contracts and Wages page of our website (<http://animationguild.org/contracts-wages/>).

## **There are five different contracts:**

### **1) The Local 839 Collective Bargaining Agreement**

This is the Grand-daddy, the contract off of which other animation contracts are keyed, also the agreement that covers most (but not all) studios. It's been around since 1952, and contains:

**Contract Job Classifications and Wage Minimums.** (pp. 64-95.) Wage minimums run from \$1000 to \$2000 per week, depending on the classification in which a member is working.

**Contract health and pension benefits** (pp. 44-45) are in addition to wage minimums. They are: \$5.9875 per hour for health contribution and Defined Benefit pension; \$.04 per hour for Contract Services Administration Trust Fund contribution, and 6% of scale wages for the Individual Account Plan (part of the Motion Picture Industry Pension Plan.)

**Vacations:** (pp. 24-28 of contract) Two weeks per year, minimum. (4% of straight time earnings.) Three weeks per year after eight years service in a studio. (Any employee is free to negotiate MORE vacation, if they have the leverage.)

**Dismissal Pay:** (pp. 34-36): Dismissal is due automatically from studios 110 days after layoff without a recall. (TSL and Nickelodeon Contracts: 90 days without recall. And on request.) 1 week's pay (to 150% of scale rate) after 6-12 months of employment; 2 weeks' pay (up to 150% of scale) after a year of employment by studios; 10 hours pay (at most studios) after 3 months of employment.

**Overtime and Holiday Pay:** (pp. 17-23) Overtime for Daily or Weekly employees is **time and a half** after eight hours worked, and **double time** after fourteen elapsed hours (including meals and breaks).

**Holidays:** (p. 21) There are **nine paid holidays** during the year: New Year's Day, President's Day, Good Friday, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day (and day after), and Christmas Day. (Note: a few studios have Martin Luther King Day instead of Good Friday.)

**“On-Call” employees** (p. 7): This is anyone who agrees to be “On-Call” and exempt from overtime regulations – supervisors and leads but not assistants, trainees or apprentices. On-Call employees get no additional pay for work during the first through the fifth workdays. But On-Call employees get time and a half for eight hours (1.5 x 8 hrs) for work on the sixth or seventh workdays.

**Employee Classifications:** (pp. 65-75) All employees working under the TAG Contract work under a classification in the contract book. It's important employees know what classification they work under, what the hourly and weekly rate for that classification is, and to ask if they think they might be misclassified.

**Grievances:** (pp. 36-41) Grievances are filed by the Business Representative for contract violations. There are multiple steps involved (starting with, in most cases, a member's desire/ willingness to initiate a grievance.)

**Step I:** Representative phones studio about issue

**Step II:** Representative writes studio about issue, giving details

**Step III:** there is a non-binding reconciliation hearing to try and resolve the issue

**Step IV:** there is binding arbitration where a neutral arbitrator renders a decision.

## **2) Sony Pictures Animation Contract**

This is an agreement between the International Alliance of Theatrical Stage Employees (the IATSE -- our mother international) and Sony Pictures Animation. It covers Animation and Editors Guild members for pre-production and post-production work for Sony Pictures' theatrical animation. It has many of the same provisions as the 839 agreement.

## **3) TSL and TTL (The Secret Lab/ The Traveling Lab) Contract**

This agreement is between the IATSE and Walt Disney Pictures; it covers Animation Guild employees at Disney Toon Studios and Walt Disney Animation Studios. It has fewer job categories than the 839 agreement, but closely follows its other provisions.

## **4) WAG Collective Agreement**

This is an IATSE-Warner Bros Theatrical Animation Agreement that is almost identical to the TSL/TTL contract.

## **5) Nickelodeon CG Contract**

This is a new contract, resulting from a TAG organizing drive. It follows the 839 contract but has fewer and different wage rates.

All the above contracts can be found on the Animation Guild website – [www.animationguild.org](http://www.animationguild.org).

## **The Motion Picture Industry Pension and Health Plan**

The Motion Picture Industry Pension and Health Plan (MPIPHP) provide a seamless cloak of benefits for members. The MPIPHP offers industry-wide health and pension coverage largely funded by signator studios. It covers over 100,000 participants. The Plan's component parts:

## **The Motion Picture Industry Health Plan**

This is a comprehensive health plan that covers participants, dependents and children. It covers individuals through Anthem-Blue Cross, Kaiser-Permanente HMO, or Health Net HMO. (New participants choose one of these three plans on initial enrollment OR during open enrollment periods that occur each July.)

All plans cover doctor visits, prescription drugs, hospitalization, dental care, and eye care. (Each plan has multiple options and other bells and whistles; see the Health Plan's Summary Plan Description at [www.mpiphp.org](http://www.mpiphp.org) for more details.)

## **Motion Picture Industry Defined Benefit Pension**

An old-style pension plan, funded by signator studios, that vests in **five qualified pension years** (a "pension year" equals 400 or more contribution hours reported to MPIPHP in a calendar year.) Vested (qualified) participants get a monthly payout on retirement. (Normal retirement is 65, but there are variations. See the Pension Plans Summary Plan Description at [www.mpiphp.org](http://www.mpiphp.org))

## **Motion Picture Industry Individual Account Plan**

This is a "defined contribution" plan, also funded by the studios, that vests in **one qualified pension year**. Six percent of a participant's minimum wage rate is paid into the Plan each week. Essentially, it's a lump-sum account that earns interest and income from investments selected by MPIPHP financial advisors, and is paid out to the participant on retirement.

## **The Animation Guild 401(k) Plan**

This is a "defined contribution" plan, separate from MPIPHP plans, and funded by TAG member participants, up to \$17,500 tax-deferred dollars in 2014 (\$23,000 for participants fifty or above. Those who are 50+ must check the "before-tax contribution" and "catch-up contribution" boxes to deduct

wages above \$17,500.) This is a self-directed pension plan, designed to supplement the MPI Pension Plans. (There are 24 different mutual funds from which to choose.)

As a shop steward, you probably won't have all the answers. But remember that the Animation Guild staff is ready and willing to assist you with information you might need:

Lyn Mantta: Office Manager  
lyn@animationguild.org

Steve Hulett: Business Representative  
shulett@animationguild.org

Steve Kaplan: Organizer  
skaplan@animationguild.org

Marta Strohl Rowand: 401(k) Specialist  
marta@animationguild.org

Trell Jackson : Front Office  
trell@animationguild.org

All staff members can also be reached at the Guild office at 818-845-7500. The Guild's office hours are Monday through Friday from 8:30am to 5:00pm.

### Useful Websites

TAG 401k Forms: <http://animationguild.org/401k-forms/>

TAG New Member Presentation:

<http://animationguild.org/new-member/>

TAG Blog: <http://animationguildblog.blogspot.com/>

Motion Picture Industry Pension and Health Plan:

<http://www.mpiphp.org/>

MPTF Health Centers (PPO Participants ONLY):

<http://www.mptf.com/healthcare>