

**AICP Draft Memorandum of Agreement
Drivers, Wranglers, and Animal Handlers & Trainers
December 11, 2021**

**MEMORANDUM OF AGREEMENT FOR
STUDIO TRANSPORTATION DRIVERS, TEAMSTERS LOCAL #399,
DRIVERS, WRANGLERS AND ANIMAL HANDLERS & TRAINERS --
ASSOCIATION OF
INDEPENDENT COMMERCIAL PRODUCERS
COMMERCIALS AGREEMENT**

This Memorandum of Agreement is entered into between the Studio Transportation Drivers, Teamsters Local #399 (“Union”) and the Association of Independent Commercial Producers, Inc. (“AICP”) on behalf of those production companies that have authorized it to negotiate and execute this Memorandum of Agreement on its behalf. Each such production company is hereinafter referred to as the “Employer” or “Producer.”

The terms of the 2017 Commercials Agreement, Drivers, Wranglers, and Animal Handlers & Trainers (including all side letters) (“2017 Commercials Agreement”) shall be incorporated in the Transportation Drivers, Teamsters Local 399 – Association of Independent Commercial Producers Commercials Agreement of 2022 (“2022 Commercials Agreement”) except as modified below and subject to conforming changes. The language in this Memorandum is not in contract language, except when so designated or when the context clearly indicates otherwise.

This Memorandum of Agreement shall require ratification by the members of the Union. Upon ratification, the provisions herein shall be effective as of February 1, 2022, except as otherwise stated.

1. Term

The term of the 2022 Commercials Agreement shall be for seventeen (17) months from February 1, 2022, through and including June 30, 2023.

Article XXVII¹ (“Term and Effective Date”) shall be modified to read as follows:

“This Amended Agreement shall be for seventeen (17) months effective as of February 1, ~~2017~~ 2022, and shall remain in full force and effect through ~~January 31, 2022~~ June 30, 2023.”

¹ The term provisions will remain in the last article of the contract but the article number may change to accommodate the insertion of the new article for the Commercial Industry Administrative Fund, described in Paragraph 3 below.

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2. Wages

Minimum (scale) hourly rates of the 2017 Commercials Agreement shall be increased by 4.75%, effective January 30, 2022.

3. Commercial Industry Administrative Fund (CIAF):

Add as a new Article the following:

The AICP shall establish a Commercial Industry Administrative Fund (“CIAF”). The CIAF shall be utilized solely for the purposes of defraying the costs and expenses of the AICP incurred in labor relations, collective bargaining agreement negotiations with the Union, and ongoing contract administration, including, but not limited to, administration, legal fees, consultant fees, staff costs, web site and seminar costs, publication and distribution of contract/negotiation/administration and related bulletins, labor relations costs, and costs involved in administering the Commercials Agreement grievance and arbitration process.

The funds of the CIAF shall not be used to support non-union productions, discourage or undermine membership in the Union, nor fund any actions adverse to the Union, and it is agreed that such adverse actions do not include the administration or negotiation of the Commercials Agreement or actions taken in the protection of provisions under these agreements, rights and remedies in any forum. The CIAF shall be funded by Producer/Employer contributions who are signatory to the 2022 Commercials Agreement in the amount equal to thirty cents (\$.30) for each hour worked or guaranteed by each covered employee under the Commercials Agreement. The forgoing amount of thirty (\$.30) cents for each hour worked or guaranteed shall be increased to the same amounts to and effective on the same dates as set forth in the then current AICP/IATSE Commercials Production Agreement.

Contributions to the CIAF shall be paid to the AICP (or its designated collecting fund) and held in a separate AICP (CIAF) account (or by its designated collecting fund for transmittal to AICP) and administered as determined by AICP in accordance with the purposes of the CIAF as set forth in this Article. The AICP on behalf of the CIAF, or AICP’s assigns or designee (not the Union) shall be responsible for enforcement of delinquent contributions to the CIAF and such parties, or any of them, in their own name shall have all enforcement rights, remedies, and procedural standing to maintain any action or proceeding, at law or in equity, necessary to audit and/or recover delinquent contributions along with court costs, reasonable attorney’s fees, and pre-judgment interest.

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8. Holidays

Article XXI² (“Holidays”) shall be modified to read as follows:

“Recognized holidays shall be the same as those designated in the then current Screen Actors Guild Commercials Contract: New Year’s Eve, Martin Luther King, Jr.’s Birthday, President’s Day, Memorial Day, Juneteenth (June 19), Fourth of July, Labor Day, Veteran’s Day, Thanksgiving, Christmas.”

10. Committee for 401(k)


During the Term of the 2022 Commercials Agreement, the parties agree to form a study committee comprised of up to five (5) representatives of the Union and up to five (5) representatives of the AICP for the purpose of studying the feasibility, legality, and desirability of setting up a multiemployer 401(k) plan (or of participating in an existing, qualified multiemployer 401(k) plan) for employee wage deferrals.

For the Teamsters Local 399

For the Association of Independent Commercial Producers, Inc.

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12/15/2021

12/16/2021

Date

Date

² The article number may change based on the placement of the new CIAF article in the agreement.
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