



Actor's Television Programs Agreement (ATPA)

Summary 2013-2015

Rates & Conditions as at Jan 2024

About this Agreement

The Australian Television Programs Agreement (ATPA) represents the minimum rates and conditions which apply to all performers, and television/digital drama and comedy producers, working in Australia. It is negotiated between Equity, and the Screen Producers Association of Australia (SPAA).

Hours of Work, Overtime & Penalty Rates

Hours of work: Generally, for drama and comedy programs, ordinary hours are 40 hours per week, 8 hours per day to be worked between 7am and 8pm, Monday to Friday. Beyond these hours, performers are entitled to overtime.

For employees working on a serial program, the ordinary working week is either 32 hours (for 1-2 episodes per week) or 40 (for 3, 4 or 5 episodes per week), which may be worked over 5 days.

Performers (class I & II) may be engaged on a daily or weekly basis except where a wardrobe call or additional dialogue recording (ADR) is required outside the period of engagement – in which case the minimum call is 2.5 hours.

Extras, bit players, doubles, and stand-ins, may be engaged by the week, day, or hour, with a minimum call of 4 hours. Artists must be given no less than 10 hours' notice of call times.

Unsafe or unreasonable hours of work: If considered unreasonable, artists are entitled to refuse working additional hours beyond their ordinary hours. For example, if working overtime has a genuine impact on the health and safety of the cast or crew, or an unreasonable impact on family/carer responsibilities, all artists have the right to refuse an overtime request.

What is included as 'time worked'? The time taken for the application and removal of make-up and costumes counts as time worked.

A performer required by the producer to attend a medical appointment will be paid an hourly BNF rate, with a minimum call of 2.5 hours.

Stunt performers are paid at their total fee (as opposed to the BNF) when performing a stunt, regardless of whether the rehearsal is recorded.

Turnaround: The time between the conclusion of work on one day and the commencement of work on the next, must be 10 hours. If not, you are entitled to be paid double time until the artist receives that 10 hour break.

When an artist receives only one scheduled day off in a week, the break must be a minimum of 34 consecutive hours. If such break is less than 34 hours, the artist shall be paid double time for the period worked within that 34 hours – for example if only given a 30 hour break, the artist shall receive double time for the first 4 hours of work, post break.

Union Rights & Health & Safety Rights

Your right to be an active union member: Equity members and non-members have the right to attend organised Equity cast meetings during production or rehearsals.

MEAA Equity members have the right to (and are encouraged to) elect Equity cast deputies who can then work as an intermediary between union members and producers. By law, performers at work cannot be discriminated against or harmed in any way by a producer because they choose to be an active member of their union.

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ABN. 84 054 775 598

Your Right to a Safe & Healthy Workplace: Employers have responsibilities under the *Workplace Health & Safety Act 2011* to eliminate, so far as reasonably practicable, any risks to employees' health and safety in the workplace.

To assist with maintaining and improving the health and safety of employees at work, an employee can request the employer to assist in organising the election of Health & Safety Representatives (HSR) from crew and cast. If an employer receives a request, they must by law, facilitate such an election.

Once an HSR is duly elected they have the power under the WHS Act 2011 to: represent employees in relation to health & safety matters; investigate complaints; and advise employees if it is not safe to work.

Annual, Paid Sick, & Compassionate Leave

Annual Leave - 12 months continuous service: *(Generally applies to weekly performers engaged on long running TV series.)*

For each year of continuous service all performers are entitled to 4 weeks (20 days) paid annual leave. An artist may be directed by the producer to take some of their accrued annual leave entitlement in any period in which the program is in shutdown or production break. Where the producer directs a performer to take their leave they will give the maximum possible notice to the performer and no less than 1 month notice (4 weeks).

Annual Leave – 12 months continuous service:

Performers who work on programs for less than 12 months have their annual leave payment calculated in the following way: 1/12th of their total fee (divided by 40 hours for weekly employees or by 8 hours for daily employees), that 1/12th figure is then multiplied by the number of actual hours worked during the engagement, including overtime. All untaken leave that has accrued must be paid out at the end of the engagement.

Personal Leave (Sick Leave): For each year of service, performers are entitled to 10 days' paid personal / carer's leave pursuant to the NES and Fair Work Act 2009. The entitlement to paid personal/carer's leave accrues progressively during a year.

Compassionate Leave: A performer on a weekly hiring has access to 3 days paid compassionate leave where a member of their immediate family or household contracts a life threatening illness, receives a life threatening injury, or dies.

Postponement & Cancellation

Postponement: A call can be postponed to an alternative date/time without payment if more than 7 days' notice (168 hours prior to the original call time) is provided to the performer.

In all other circumstances the following payment applies, calculated on the daily BNF of the postponed call:

- 24 hours' notice or less - 75%
- Between 24 – 48 hours' notice - 50%
- Between 2 – 5 days' notice - 33.33%
- Between 5 - 7 days' notice - 16.75%

Call substituted by another call: Where a postponed call is replaced by another call the performer will be paid the rate negotiated for the original call.

Postponement due to adverse weather conditions:

Where a performer is booked for a call but no work is performed on that day due to weather conditions, the performer will be paid 50% of the daily BNF if they were *not* required to attend the place of work on that day, or 75% if they were required to attend the place of work.

If the performer has attended the place of work and was not advised of the weather related postponement prior to their attendance or the place of work is more than 20km from the relevant GPO, the performer will be paid 100% of their BNF.

Cancellation: If a call is cancelled the performer will be paid their total fee.

Overtime and Penalties

Saturday can be worked as ordinary hours if an artist has been rostered a day off during the Monday – Friday immediately prior to the worked Saturday. The Saturday worked must not exceed 8 hours and must be paid at time and a quarter.

If an artist works a Saturday without having had a day off between Monday - Friday, it will be considered overtime and they shall be paid at the rate of time and three quarters for the first 3 hours, and double time thereafter.

For night work the following rates apply:

- Between 8.00pm – 7.00am Monday to Friday – additional 25%
- Before 7.00am and after 8.00pm on Saturday – additional 50%

All time worked on a Sunday is paid at the rate of double time.

Producers may purchase in advance a specific amount of overtime, provided that:

- Prior to the artist commencing employment the overtime details of are set out in writing, agreed to, and signed;
- The amount is no less than the total of all applicable rates.

If an artist works hours in excess of the overtime already purchased, the producer may be liable to pay further overtime (see ATPA clause 12 (j) for full details).

Travel, Transport & Facilities

Transport/Travel: The employer must provide transport between the pick-up point and place of work if an artist requires it.

The pick-up point must be within 20km of the GPO in the capital city in which the performer lives. If the studio is outside this radius, the location of the pick-up point must be within the radius.

The producer shall provide performers under 16 years with transport between home and work.

The employer shall provide transport from work to home in the following cases:

- Where an artist commences or finishes work at a time where normal means of transport is not available within 30 mins of completing their shift; and
- Where an artist is starting work before 7am or finishing after 7pm (8pm daylight saving). (Unless the artist has their own means of transport.)

If the producer requests that an artist uses their own transport, they are entitled to an allowance of:

- \$1.35 cents per km for motorcars
- \$0.64 cents per km for motorcycle

Travelling time both ways between the pick-up point and place of work is counted as time worked, except in relation to interstate artists or artists staying in accommodation other than their own residence, in which case entitlements differ (see ATPA for full details).

When required to travel, an artist shall be provided with travel tickets for aircraft, train or ship (where applicable). If travelling during mealtimes, the artist is provided with a meal, or paid an allowance. If required to stay away from home overnight, an artist is paid an accommodation allowance (see ATPA allowances sheet).

Casting, Options, Holds, Diversity in Casting, Commercial Tie-ups

Auditions, screen tests & interviews: Artists shall be given specific times of attendance for an audition, screen test or interview.

Only producers and members of their staff can be present in auditions and screen tests and they shall not be held in public. Recording of auditions/screen tests can only be used for private viewing by producers, and their staff, and shall be retained by the producer solely for reference purposes.

An artist shall receive minimum rates of pay for auditions and/or screen tests (other than the initial audition/screen test). The minimum pay rate is:

- 1 July 2022 - \$53.29

The artists shall be paid per hour with a minimum payment of one hour at the above rate. The commencement of an audition/screen test is the artist's arrival time, or call time, whichever is the later.

An artist shall not be required to do the following:

- Perform a sex simulated scene in any audition or screen test;
- Appear nude or semi-nude in the first audition or screen test.

If required to appear nude/semi-nude in an audition, the producer shall:

- Provide the artists with the script 24 hours prior to audition;
- Allow the artist to nominate someone to be present throughout the audition;
- Make no recording of the audition.

Wardrobe Call: An artist called for a wardrobe call shall be paid a minimum 2.5 hours at the minimum hourly rate of:

- 1 Jan 2023 - \$50.41

If the artist is required to stay overnight and is called for wardrobe on a day off, they shall receive their BNF for the day.

Options: A contractual option to lock a performer into future contracts on subsequent series/programs can only be sought from performers contracted on a weekly basis, or in a role defined as a 'major role'.

Diversity in Casting: In 2013, producers agreed to adopt a new casting policy that encourages the inclusion of performers from diverse ethnic backgrounds and/or with a disability. Before the casting process commences, any contract between a producer and a director/casting consultant should outline this policy.

Commercial Tie-ups: An artist's name or image cannot be used for commercial tie-ups between programs and commercial goods, or commercial advertising without written consent.

If seeking consent from an artist, a producer must outline in writing information on a range of matters (see ATPA clause 39(b) for full details).

Holds: The producer cannot arrange for a performer to be placed on 'hold' in excess of 36 hours from the time when the performer/agent received the hold request (except where the commencement of the hold period falls on a Friday or precedes a holiday).

Except in exceptional circumstances (e.g. weather conditions) the producer may not place a performer on hold more than 3 times in any calendar month.

Nudity & Smoking

An artist shall not appear nude/semi-nude or in a sex simulated scene, unless:

- It has been previously discussed with the artists and stated in their contract; or
- Separate written consent by the artist has been obtained.

In seeking consent for such scenes from an artist, a producer must place the necessary details in writing (see ATPA clause 43 for full details).

During rehearsal/filming of such scenes the set or rehearsal space shall be closed to all but essential production personnel. The artist may request a closed set when appearing semi-nude and may nominate someone to be present.

Producers may use stills of such scenes for publicity purposes with written consent from the performer.

Photographic stills cannot be taken during rehearsal or filming of scenes, however they can be taken before or after in a special photographic session (see ATPA clause 43(c) for full details).

The artist holds the right of approval regarding the selection of publicity stills. They may not withhold their approval beyond those conditions the artist set as part of their consent.

A stand-in or double cannot be used in nude/semi-nude or sex simulated scenes without the original artist's written consent.

Where third parties, including TV networks, breach contracts relating to footage containing nudity, the producer must take all reasonable steps to rectify the breach.

Smoking

Written consent must be sought from a performer before any scenes involving the performer smoking are rehearsed or recorded. Such written consent must specify where smoking is required and the extent of the smoking involved.

Facilities

Studio: Adequate change rooms and separate rooms/facilities for sexes shall be provided, including mirrors, seating, towels, soap and where necessary showers and hot and cold water. A 'green room' shall be available for artists use on ongoing serial or series productions.

On Location: Producers must provide adequate shelter from harsh weather and sun, change rooms, toilets and washing conveniences, with towels and soap provided. An enclosed area such as a room, tent, marquee or other facility is also required when more than 4 performers are present.

Facilities for Juvenile Performers: The producer must provide a separate green room for juvenile performers (16 yrs. or under) if tutoring is required.

Superannuation

10.5% of performer's Total Fee to be paid to Media Super.

Visit www.mediasuper.com.au for more information.

Rates of Pay – valid as at January 2024

Weekly performers engaged on serial drama/comedy (episodes per week)

Engaged by the week	Eps Per Week	Min Industry Rate
Performer Class 2	1 or 2	\$1,112.10**
	3	\$1,598.64**
	4	\$2,085.18**
	5	\$2,571.72**
Performer Class 1	1 or 2	\$1,027.08**
	3	\$1,476.43**
	4	\$1,925.78**
	5	\$2,375.13**
Double	1 or 2	\$946.88**
	3	\$1,361.44**
	4	\$1,775.40**
	5	\$2,189.66**
Bit Player	1 or 2	\$990.90*
	3	\$1,437.40*
	4	\$1,874.80*
	5	\$2,312.30*

Rates for all programs other than serial drama/comedy

Engaged by the week	Min rate
Performer Class 2	\$1163.26**
Performer Class 1	\$1074.32**
Bit Player (max 6 lines or 50 words)	\$999.90*
Double	\$990.90*
Engaged by the day	
Performer Class 2	\$279.19**
Performer Class 1	\$257.84**
Bit Player	\$249.66*
Double	\$225.82*
Extra/Stand-In	\$225.82*
Engaged by the hour (minimum call of 4 hours)	
Bit Player	\$32.85*
Double	\$30.86*
Extra/Stand-In	\$30.86*

* Minimum rates are set by the Broadcasting, Recorded Entertainment and Cinemas Award (BRECA).

** Industry minimum rates negotiated by MEAA and Screen Producers Australia as an above-Award payment.

Need more information?

This document is intended as a summary of the ATPA only. For a detailed understanding of the terms and conditions please refer to the agreement. If you require further information or wish to join, speak to your Equity Deputy on set or contact MEAA:

MEAA Member Central: 1300 656 513

Email: aid@meaa.org

Website: <http://www.meaa.org>

ATPA Allowances as at January 2024

MEALS	Rate from 1 January 2023
Breakfast	\$21.30
Lunch	\$24.26
Dinner	\$37.09
Supper	\$24.26
ACCOMODATION	
Private home	\$14.10
Caravan	\$28.68
Shearers' quarters	\$57.26
TRANSPORT	
Car	\$1.35
Motorbike	\$0.64
WARDROBE	
Formal wear	73.00
Other Wardrobe	\$43.62
Special Character	\$73.00