

## **FESTIVAL SEASON IS UPON US!**

by KRISTY CUMMINGS, Business Representative

Summer is approaching in New York City which means that the festival season is upon us! We at SDC would like to take this opportunity to remind you about the different contracts used for some of the theatre festivals that will soon be underway.

### **New York Musical Theatre Festival**

July 9-29, 2012

Contract: The **NYMF** Contract

### **Midtown International Theatre Festival**

July 16 - August 12, 2012

Contract: The **TIER** Contract

### **New York International Fringe Festival**

August 10 - 26, 2012

Contract: The **TIER** Contract

### **NYMF CONTRACT**

The NYMF contract calls for minimum compensation for each artist (Director and Choreographer) of no less than \$500 (no less than \$750 for Director/Choreographer) as well as a minimum pre-production fee of no less than \$500 (no less than \$750 for Director/Choreographer). In addition, a \$500 health contribution and 8% pension payment on all compensation is required. Property rights and rights of first refusal are protected under the NYMF Contract as well. The NYMF Contract is NOT for use on any other productions including those in other New York City festivals. To receive a copy of the contract and pre-production rider or to learn more about the **NYMF** contract please contact Business Representative Kristy Cummings at [KCummings@SDCweb.org](mailto:KCummings@SDCweb.org).

### **TIER CONTRACT**

The Tier Contract should be used for productions at theatres that are not covered by or referenced to a collectively bargained agreement, or subject to the Regional Commercial Contract or NYMF Contract. The Tier Contract sets compensation minimums based on seating capacity, number of performances and ticket price. Your Employer will be responsible for a pension contribution of 8% of all compensation, plus a fixed health contribution. Property rights and rights of first refusal are also protected under the Tier Contract. The electronic Tier Contract form has been designed to calculate the appropriate tier *automatically*. Employers should complete the form electronically and allow the form to calculate the appropriate Tier. The contract form will also provide the corresponding health and pension contribution amounts. To view the **Tier** Contract, [click here](#).

### **Some helpful reminders about Festival Contracts:**

- If you are a Member, your Employer is required to file one of the contracts above in order to hire you for one of these festivals. We know that as Directors and Choreographers you are preparing and developing your Festival projects for months prior to the first rehearsal, and we believe that you should be justly compensated for the work you are doing.

- If your Playwright is the Producer of your Festival project and therefore the person with whom you have filed an agreement, your right of first refusal is with that Producer/Playwright. If that Producer/Playwright produces or co-produces the project again, you must be given the option to direct or choreograph the subsequent production. If another Producer picks up the project, the right of first refusal cannot be enforced. This new Producer cannot use or recreate your work without compensating you, but it is within their right to hire a new Director and/or Choreographer for the project.
- Remember, all shows have to start somewhere and you want to be involved if the project does in fact have a longer life. You should treat every show that you work on as if it could be the next *[title of show]* or *Next to Normal*. Put something down on paper to keep your best interests at hand and address your future with the show.
- A note to our Associate Members: Even though you are not filing an SDC contract when you work on a festival show, you can still consult the Contract Desk with questions or concerns about language or specific clauses in the agreement that you are signing- and you should sign an agreement to protect your rights as a Director and/or Choreographer.

*If you have any questions regarding either of the contracts above or any of the reminders given, please contact Business Representative Kristy Cummings at 212.391.1070 ext. 231 or [KCummings@SDCweb.org](mailto:KCummings@SDCweb.org). We at SDC wish you the utmost success with your festival productions this year!*