



June 29, 2020

Mr. Gary Smith
Film & Digital Media Liaison
Los Angeles County Film Office
– Chief Executive Office
500 W. Temple Street, Suite 750
Hollywood, CA 90012

Barbara Ferrer, PhD, MPY, MEd
Public Health Director
Los Angeles County Health Agency
313 N. Figueroa Street, Room 806
Los Angeles, CA 90012

Dear Dr. Ferrer and Mr. Smith,

On behalf of the 143,000 members we represent here in California, we want to thank you for being such a forceful and positive presence in Los Angeles County's effort to find the proper balance between medical recovery and economic recovery during this pandemic. We also greatly appreciate your outreach to the Unions who represent the working women and men of our industry.

As you know, the lockdown created nearly 100% unemployment for those working on film and television productions. So, we were relieved when first the Governor, and then the County of Los Angeles, allowed us to begin the process of returning to work safely under your guidance. Your recently released guidelines are extremely thorough and thoughtful, and we appreciate the focus on helping thousands of working families who live and work here in Los Angeles begin to restore wages and benefits.

We do, however, want to bring one issue to your attention that we are concerned about a potential, unintended, consequence. This language is particularly problematic because of some characteristics of our industry and work patterns. First, there is no official retirement age in our industry; people have unique and highly valued skill sets and it is not uncommon for someone to work into their 90s. Second, despite that, there is already a real problem of ageism in our business which values youth, particularly in front of the camera. Third, for those whose work takes place on the set, there is no option to work from home. Because of these factors we believe that your language could be used to justify not employing people over 65 who work on sets, since they are both considered vulnerable and yet cannot do their work from home. This could end the careers of many talented and celebrated filmmakers, actors, and cast and crew.

To avoid this outcome, the Industry-Wide Labor Management Safety Committee Task Force White Paper was anchored by a number of guiding principles to ensure that the return to work was both safe and equitable. In fact, one of the key principles in the White Paper reads "Individual rights under applicable laws intended to protect against discrimination must be respected and safeguarded, to support the maintenance of a non-discriminatory workplace."

We appreciate that your language is mitigated by “whenever possible” but we feel the signal it sends is that these people should not return to work. If some of the other vulnerable populations, such as people of color, were named in the County guidelines we would be voicing these same concerns. We of course fully support, the need for individuals to recognize their potential (if not actual) age related vulnerability and for employers to take the right precautions and apply safety protocols for this age group. But we feel this can best be evaluated by the individual and their healthcare provider.

We recognize that it may not be possible to remove that sentence since it follows CDC guidelines, so we are asking if we could work with you to mitigate its potential negative impact. We have some thoughts on additional language that could be added that would enable you to rest assured that you have recognized a health vulnerability and for us to feel comfortable that such recognition will not lead to discrimination.

We thank you for your consideration and look forward to a further conversation.

Sincerely,



Thom Davis
President
California IATSE Council



Kerri Wood Einertson
National Director of Government Affairs & Public Policy
SAG-AFTRA



Alex Aguilar
Business Manager/Sec-Treasurer
LiUNA! Local 724



Ed Duffy
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CC: Emily Beller, DVM MPH, DACVPM
Los Angeles County Department of Public Health