



625 Church Street
 Toronto, Ontario
 Canada M4Y 2G1
 Phone 416.928.2278
 Toll-free 1.877.913.2278
info@actratoronto.com
www.actratoronto.com

Background Performer Guide

A **background performer** is a performer who is not a principal performer, who provides atmosphere to a scene through what's called "*special silent businesses*" either alone or as a member of a group.

Under the **Independent Production Agreement (IPA)** covering film and television, a background performer does not give individual characterization, does not speak, sing or mime dialogue and performs within the competence of the average person, even in dress clothes or costumes.

Under the **National Commercial Agreement (NCA)**, a background performer is one whose face may be recognizable, appears solely as atmosphere, whose performance is not directly associated with the demonstration of or identified with the product or service, does not materially react to or illustrate the commercial message or off-camera narration and who does not speak or make vocal noises such as laughing. A background performer may be directed and may be given individual characterization. The Commercial Agreement also includes a definition for a **Group Background Performer**, who is a performer engaged as part of a group who always appears in a crowd scene and is not given individual direction.

Many ACTRA members make a living as background performers.

General Working Conditions

Eating: If restaurants are available in the area of the shoot, you may be required to buy your own meal. The production usually supplies a meal, but they don't have to unless the first meal break is only a half-hour. When meals are provided, the same food must be provided to all members.

Working: The following conditions must be met for all performers on an ACTRA set:

- a supply of pure drinking water
- a suitable seat for each performer
- a stretcher in the event of medical emergencies
- separate clean and private change rooms for men, women and minors of each gender
- safekeeping for your clothes and valuables
- clean, accessible toilets and washrooms
- under the IPA, the producer is required to provide an escort or transportation to the nearest public transit if the performer wraps between 10 p.m. and 6 a.m.
- under the IPA, background performers doing nude scenes shall receive additional payment (see the IPA) and must have a rider detailing the nude performance

Note: if the above are not provided, notify the appropriate person on set. If the situation is still not resolved, call your agent or the ACTRA Toronto steward responsible for the production.

Wardrobe – IPA

If the production requires a wardrobe call prior to the day of the shoot, you must be paid a minimum of **two hours** at the hourly rate. If you're required to bring two or more wardrobe changes to a 'go-see,' you must be paid for a wardrobe call. Sign a time sheet or voucher. If you wear your own clothes to the shoot and aren't required to change, time isn't deducted for wardrobe. Background performers are only required to bring one change of clothes. If you're asked to bring more changes of clothes, you must be compensated an additional **five dollars per change**.

Wardrobe – Commercial Agreement

If the production requires a wardrobe call prior to the day of the shoot, you must be paid a minimum of **one hour** at the applicable hourly rate. Be sure the wardrobe call is noted on your contract. Performers, including background performers, may be required to bring up to three wardrobe changes without additional compensation.

Meal Penalties – IPA

Fifth Hour Meal:

Meal breaks one-hour long are given at the end of the fifth hour from the start of your workday. If you go over five hours and you don't receive a substantial snack, you're paid an additional two times your hourly rate until you receive a meal break.

Sixth Hour Meal: The meal break may occur at the end of the sixth hour from the start of your day on condition that a substantial snack is served prior to the fifth hour. If this condition is met, there will be no meal penalty between the fifth and sixth hours.

If you go over the sixth hour, you're paid a penalty of an additional two times your hourly rate until you receive your meal break. Subsequent meal breaks must be called no later than six hours after the end of the first meal or after each four hours of overtime worked. The second six hour period doesn't require a substantial snack.

Please note: the meal penalty can be paid in quarter-hour units. Completion of the shot is permissible and is not an infringement of the meal penalty. If your call time is earlier than the general crew call and you receive a meal (non-deductible first meal), the next meal break will be six hours from the general crew call.

Meal Penalties – Commercial Agreement

Fifth Hour Meal: Meal breaks are given before the end of the fifth hour from the start of your workday. If you go over five hours and you don't receive a substantial snack, you're entitled to a meal penalty.

Sixth Hour Meal: The meal break may occur at the end of the sixth hour from the start of your day on condition that a substantial snack is served prior to the fifth hour. If this condition is met, there will be no meal penalty between the fifth and sixth hours.

Signing out – IPA and Commercial Agreement

Make sure all information on your voucher or contract is correct – the times worked, your meal breaks, your address, postal code, social insurance number (SIN) and ACTRA number. If you have a HST number, make sure it's correctly written on your contract.

Getting paid – IPA

Your cheque will be mailed to the address on your voucher. If you had an upgrade on set, mark it on your voucher and get a contract for the upgrade. If you do not agree with the information on your voucher, check the box marked 'disagree,' notify your agent and the ACTRA Toronto steward. Keep a copy of your voucher – it's your recorded proof of work.

Getting paid – Commercial Agreement

Your cheque is mailed to ACTRA Toronto within 15 working days from the day you work, and then forwarded to you or your agent, as indicated in your membership record with ACTRA. If you do not agree with the information on your contract, check the box marked 'disagree,' and notify ACTRA Toronto's Commercial Department. Keep a copy of your contract – it's your recorded proof of work. It's your responsibility to send in ACTRA's copy of your contract.

Problems on set

If you see a performer-related problem on set that involves:

- working young performers (under 12 years old for the IPA; under 13 years old and without permission for the Commercial Agreement) more than eight hours a day
- unscheduled stunts or dangerous situations where stunt performers are not being used
- unscripted nudity or sexual situations not outlined in your contract
- Call ACTRA Toronto immediately at **(416) 928-2278**.

If you have other performance-related problems such as late payments or cancellations, call your agent. If your agent believes your concern is valid but cannot resolve the problem, contact ACTRA Toronto and ask to speak to the steward responsible for the production.

You can find electronic copies of the IPA and the National Commercial Agreement on our website at www.actratoronto.com.

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ACTRA Toronto has more than 15,000 members and is the largest organization within ACTRA (Alliance of Canadian Cinema, Television and Radio Artists). As an advocate for Canadian culture since 1943, ACTRA continues to secure the rights and respect for the work of professional performers.

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