



COVID-19 Safety Requirements and Rider for Fully Vaccinated (Non-Touring only) Workplaces

Rider to Contract

Employer:
Employer City/State:
Producer:
Show:
Theater:
City:
State:
First Rehearsal Date:
Opening Date:
Closing Date:
Date of Submission:

Equity protocols presume that all Equity members and everyone that interacts with the actors and stage managers has been fully vaccinated and the show will be presented at one location. Tours may not produce under this rider. Productions that play more than one indoor venue may not produce under this rider. Producers without a fully vaccinated company must consult with their Equity business representative for appropriate terms.

The following safety protocols are agreed to by the union, the employer, and the actors and stage managers. Close adherence to these safety protocols is required to ensure the safest possible workplace. Equity reserves the right to adapt safety protocols in response to the state of the pandemic. Any adjustment in protocols shall be memorialized in an update to this rider. This rider shall be binding unless or until a subsequent rider is executed by the employer and Equity.

Vaccinated people should avoid attending crowded indoor events or gatherings. Each person's decisions affect not only their individual safety but that of their colleagues.

1. "FULLY VACCINATED" – This protocol is for a fully vaccinated company. "Fully vaccinated," as defined by the CDC, is more than 14 calendar days following receipt of a final dose of an FDA or World Health Organization authorized or approved vaccine.
 - a. For the purposes of this document, "fully vaccinated" further means that Equity members and everyone that interacts with them in the workplace will be fully vaccinated. If anyone is not vaccinated, please contact the Equity Business Representative.
2. GOVERNMENT -- All federal, state, county and city reopening requirements must be followed and the employer will immediately report any positive COVID-19 tests to the appropriate authorities.
3. COVID-19 SAFETY MANAGER(s) – There must be no less than one dedicated COVID-19 Safety Manager (CSM). This person(s) must always be onsite. The employer shall employ as many CSMs as are necessary to ensure that:
 - a. The CSM(s) shall oversee and ensure compliance with these safety protocols. The CSM(s) must have autonomy and decision-making authority concerning this COVID-19 related safety protocol.
 - b. **The employer confirms that the CSM(s) has completed the appropriate training prior to the start of in-person work.**

- c. The CSM(s) cannot be a stage manager or actor employed for the production and actors and stage managers may not be assigned any COVID-19 related duties outside of their individual responsibility as an employee.
 - d. Responsibilities of the CSM(s) include overseeing, monitoring, and enforcing protocols for testing, symptom monitoring, protocols following a positive test, cleaning and sanitization, masks and respirators, ventilation, press events, case reporting, contact tracing, and conducting orientations and training.
 - e. The dedicated CSM(s) shall be readily accessible to all actors and stage managers, and those that interact with the actors and stage managers.
4. COVID-19 TESTING – An FDA authorized antigen or PCR test must be administered to the vaccinated group per the following to ensure there is no breakthrough COVID-19 infection:
- a. No less than three (3) times a week during in-person work when the “Risk Level” on the COVIDACTNOW website (<https://covidactnow.org>) for the county is Dark Red (Severe) and Red (Very High).
 - b. No less than two (2) times a week during in-person work when the “Risk Level” on the COVIDACTNOW website (<https://covidactnow.org>) for the county is Orange (High), Yellow (Medium) and Green (Low).
 - c. Test information can be found at: <https://www.fda.gov/medical-devices/coronavirus-disease-2019-covid-19-emergency-use-authorizations-medical-devices/in-vitro-diagnostics-euas#individual-molecular>
 - d. Everyone must receive a negative PCR test result no more than 72 hours prior to the start of in-person work.
 - e. Testing will continue on a weekly basis throughout in-person employment.
 - f. Antigen test results should be received no later than three (3) hours after administration. PCR Test results should be received no later than 48 hours after administration. Equity must be immediately notified by email of late test results.
 - g. There will be no cost to the actors and stage managers including no upfront/out of pocket nor payment for reimbursement costs. The tests taken for employment cannot be covered by the Equity-League Benefit Funds.
 - h. Any time needed for testing shall count toward allowable compensable hours.
 - i. Equity strongly recommends that employers require masks and vaccination of audience members. If masks and vaccinations are not required of the audience, the above workplace testing protocols must be followed no less than three (3) times a week during in-person work regardless of the COVIDACTNOW risk level.
5. SYMPTOM MONITORING – Anyone in the vaccinated group who becomes ill or has at least one symptom must report their symptom(s) to the COVID-19 Safety Manager(s) and self-isolate. The individual can return to in-person work if they receive a negative antigen or PCR test result or is cleared by a licensed health care provider. .
- a. When an actor or stage manager is in self-isolation, food, groceries, laundry, and medications must be delivered and delivery fees must be paid by the employer.
 - b. If the actor or stage manager shares housing with another, including family members at their home, the producer will arrange alternative housing for the actor or stage manager to self-isolate.
 - c. For self-isolation obligations, see 11 below.
6. PROTOCOLS FOLLOWING A POSITIVE TEST – The CSM(s) shall utilize the attached worksheet in the event of any positive tests. Equity must be immediately notified by email.
- a. Anyone who is sick or tests positive for COVID-19 will not be allowed to attend in-person work until evaluated and cleared by a licensed health care provider.
 - b. Any positive test result from an FDA authorized antigen test must be followed immediately up with an FDA authorized PCR test for confirmation. The COVID-19 Safety Manager(s) will ensure that anyone with a positive test immediately self-isolates per the protocols in (5)(a) & (b) above and contacts their licensed health care provider for further instructions.

The COVID-19 Safety Manager will stay in contact with anyone that is isolated due to a positive test.

- c. If an individual is confirmed positive for COVID-19 using the PCR test, everyone must be retested immediately. Any additional positive antigen tests must then be followed immediately up with a PCR test for confirmation and follow the same self-isolation protocols. The COVID-19 Safety Manager(s) will determine who has been exposed and what additional precautions are necessary. The CDC's and local government's public health recommendations for community-related exposure will be followed.
 - d. If an individual is confirmed positive for COVID-19 using the PCR test, in-person work will pause in any space(s) where the individual worked until enhanced cleaning has been performed as outlined in the CDC's recommendations for cleaning and disinfection.
 - e. Anyone who may have been exposed will be immediately notified. The producer will maintain confidentiality as required by federal and state law.
 - f. The individual will be evaluated by a licensed health care provider before being allowed to return to in-person work.
 - g. The employer has inquired with its workers' compensation carrier about any limitations on COVID-based claims and has that information readily available for employees.
7. **CLEANING, AND SANITIZATION OF THE WORKPLACES AND EMPLOYER-PROVIDED HOUSING** – All spaces must adhere to CDC guidelines for cleaning, sanitization, and cleaning products: <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>.
- a. Prioritize cleaning high-touch surfaces at least once a day. If the space is a high traffic area, or if certain conditions (listed at the website above) apply, you may choose to clean more frequently or disinfect in addition to cleaning.
 - b. Props, sets, microphones, transmitters, and headsets that actors and stage managers use will be cleaned after each use. Any costume pieces that are not washed after each use must be appropriately sanitized. See applicable rulebook for full costume cleaning requirements.
8. **MASKS AND RESPIRATORS INDOORS** – Actors, stage managers and everyone that interacts with them in the workplace(s) must always wear either a close-fitting mask (i.e., surgical mask, multi-ply cloth mask) or respirator (i.e., N95, KN95 or KF94) and wear it correctly (covering the nose and mouth). Actors need not wear their close-fitting mask or respirator when rehearsing and/or performing.
- a. Close-fitting masks & respirators will be provided at no cost to the actors and stage managers.
 - b. In cases where a production employs actors or stage managers who are Deaf or hard of hearing, face masks for all employees shall be the FDA approved transparent type.
 - c. Stage managers will test their headsets to make sure cues can be heard clearly while wearing a close-fitting mask or respirator.
9. **VENTILATION FOR WORKPLACES AND EMPLOYER-PROVIDED SHARED HOUSING – The Producer/Theater recognizes that adequate ventilation is necessary in the theatrical venue(s), rehearsal studio(s) and employer-provided shared housing unit(s).**
- a. To achieve adequate ventilation in the long term, full information can be found at the following link:
<https://www.actorsequity.org/resources/Producers/covid19-info/>
 - b. To achieve adequate ventilation in the short term, the Producer/Theater agrees to provide appropriate mitigation at the workplace(s) and shared housing prior to the arrival of the stage managers and actors. Appropriate mitigation will include enough HEPA air purifiers that capture 0.125 microns and will cover the entire square footage in each space of the venue(s).
10. **AUDIENCE AND PUBLIC INTERACTION** – Signage has been posted in all spaces and corridors to provide information that visitors are not allowed.
- a. No visitors will be allowed backstage.

- b. There must be at least six (6) feet between audience members and the actors.
- c. There will be absolutely no interaction between the actors, or stage managers and patrons.
- d. Autograph signings, Meet-and-Greets and backstage tours are strictly prohibited.
- e. Approval of press events will be given by the COVID-19 Safety Manager(s) and a CSM must accompany members of the cast to all press events outside of the employer-provided venue.
- f. Talkbacks may only happen if the participants remain onstage and audience remains at least ten (10) feet away from the stage.
- g. In-person presentations (i.e., preshow speakers or talkback moderators) to the audience may only be made by a member of the vaccinated group.
- h. The venue may only be shared with other shows and/or organizations under the following circumstances:
 - i. All organizations are fully vaccinated. OR
 - ii. If the organizations are not in the building at the same time as the vaccinated group, and there is adequate time for air changes and cleaning to take place.

11. SELF-ISOLATION OBLIGATIONS – Producer shall continue full compensation for actors and stage managers requiring self-isolation. Producer’s obligation to continue compensation and housing shall not be limited by the expiration of an actor or stage manager’s individual employment agreement, provided actor or stage manager remains under self-isolation. Any cancellation of rehearsal or performances related to COVID-19 will not reduce actors or stage managers’ rights to compensation, housing, and other benefits under this contract. For self-isolation protocols, see 5(a)&(b) above.
12. TERMINATION – Any closing of the production related to COVID-19 will result in payment to the “non-isolating” actor or stage manager of salary and benefits for two weeks or the remainder of the contract term, whichever is less. Producer may not terminate actor or stage manager’s contract due to an actor or stage manager’s absence due to COVID-19.
- a. Upon closing of production, if an out-of-town actor or stage manager is unable to travel home by the means specified in the actor or stage manager’s contract due to health impairment or travel restrictions imposed by public authorities, Producer shall continue housing and any contractual per diem until such time as travel is allowed.
13. GENERAL INFORMATION – The Producer will provide the safety protocols in advance of the first day of employment and will review the safety protocols with all employees on the first day of employment.
- a. Equity shall have the discretion to determine whether a Producer has failed to adhere to and enforce these safety protocols. If Equity makes such a determination, Equity may withdraw permission for actors and stage managers to perform. This action shall not be considered a violation of any no strike provision of the agreement. Actors and stage managers shall receive compensation until compliance with the safety protocols is reached.
14. MANDATING VACCINATIONS – Should the Producer require all employees to be fully vaccinated (i.e., two weeks after the last vaccine dose) as a condition of beginning employment, the following safeguards must be satisfied:
- a. The Producer must notify all employees of the specific proof of vaccination that will be required and the deadline for providing such proof. The deadline will be extended for good cause.
 - b. Employees who are not already vaccinated will receive compensation for four (4) hours of their prorated contractual salary for obtaining their vaccination.
 - c. If the Employer intends to administer the vaccine:
 - i. The producer will provide all employees with specific information concerning its vaccination program including, but not limited to, where and when vaccines will be administered, what information employees will be provided prior to being vaccinated (e.g., the type of vaccine being administered, the requisite number doses, information about EUA vaccines, fact sheets for recipients, etc.), and the

screening questions that will be asked prior to vaccination. This information must be provided to the employees at least one week prior to the vaccinations being given.

- ii. Only qualified medical professionals will be administering the vaccine.
- d. The Employer will provide sick pay at the contractual rate for employees who become ill due to receiving the vaccine.
- e. All records of vaccination will be maintained separate from employees' personnel files.
- f. With respect to employees with known physical or mental disabilities, pregnancy-related medical conditions, and/or sincerely held religious objections:
 - i. The Employer will promptly notify employees seeking an accommodation of the required documentation.
 - ii. The Employer will engage in an interactive process in order to determine appropriate accommodation; and
 - iii. All medical information received in connection with this process will be kept confidential and maintained separate from employee personnel files.
- g. The producer complies with all applicable laws. **It is the employer's responsibility to determine its obligations under the law and maintain compliance.**

PRODUCER MUST SIGN FIRST.

I, the Producer, confirm that all the above safety guidance has been read carefully, is agreed to, and will form part of each Actor or Stage Manager's contract.

Producer Name:

Actor/Stage Manager Name:

Signature:

Signature:

Date:

Date:

The producer must complete and sign this rider and return to Actors' Equity for approval prior to distributing to the Actors and Stage Managers. To be executed in quadruplicate and attached to each copy of each contract entered into between Actor/Stage Manager and Producer.

Revised: 10/1/2021