



# THE BULLETIN

HOLLYWOOD  
CALIFORNIA

CHARTERED  
MAY 15, 1939

LOCAL 728 STUDIO ELECTRICAL LIGHTING TECHNICIANS  
THE ONLY IATSE LOCAL DEDICATED TO SET LIGHTING

VOL. 20; No. 4  
2010



## **How Illegal Downloads and Counterfeit DVDs are Robbing Your Future and Costing the Industry**

**An Important "Must Read" For EVERY Member Pages 3, 4 & 5**

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### Also Inside:

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# Permit calls going out when so many are on the books

by Greg Langham, President



In the last month, Bruce Prochal reported that there were three permits dispatched as balloon tech. This seems to be an ongoing issue with some of these balloon companies. This really bothers me because we have almost 200 members on the books. When so many of our members are out of work, need money and are having a tough time making ends meet, it really is irritating to see permit calls given out. Can we stop this? Sure we can.

It's the responsibility of every member to become as qualified as possible. Alan Rowe, our Safety and Training Director, has talked about this in the past. When it is slow, why don't you sign up for a class or two so that you can become as experienced and versatile as possible? That way, when a specialty call comes in, you're ready to take the job.

I'm urging members, particularly those on the books, to contact Alan to see what you need to do to get qualified to take some of these balloon tech calls. You can also contact Call Steward Bruce Prochal so he can explain why these calls are going to permits. Then both of them can guide you in the right direction.

While you're at it, check out the class schedule and get some other training under your belt. We are proud of our longstanding tradition of being the most highly

qualified and professional lighting technicians in the country ... but it all starts with knowledge.

On a different note, at our last Executive Board meeting we spent some time discussing the District II Convention and approving the budget for this yearly event. Members voted to increase our Swag gift bags given out at the convention. Originally, the gift included Local 728 pins. But, the Executive Board members decided to enhance the gift to include the addition of coffee cups. The Swag gift bags will not exceed \$4,000.

There was also discussion about expenses. In lieu of a per diem for their meals, Local 728 delegates will have to turn in all of their receipts along with any unused meal money to the Local after the convention.

A lot of decisions are made at the Executive Board Meeting and observers are always welcome to attend. At the last meeting, Shaun Breedlove and Bill Mamches were in attendance. It's nice seeing members take time out of their busy schedules and on their own dime to come and observe. If you're interested in attending as an observer, please give me a call at the Local. It's important that you contact me first so that I can ensure there is adequate seating for any and all members who would like to attend.

- Greg Langham

I.A.T.S.E.  
LOCAL 728  
HOLLYWOOD, CALIFORNIA

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VICE PRESIDENT

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THE BULLETIN

PUBLISHER

MARGIE STITES

PACIFIC MEDIA GROUP

EDITOR

GREG A. LANGHAM

— UNION —  
**SPOTLIGHT**

**PROUDLY CELEBRATING OUR  
70TH ANNIVERSARY**

**FIRST NOTICE**

MATTHEW BOEKA, DIMITRIS BOGIANTZIS, GRAHAM BREMNER, JAMES GINN, BRIAN HICKMAN AND RICHARD MORTELL.

**SECOND NOTICE**

DANIEL M. CASSELL, NICHOLAS HUIZING, JORGE KUNZE, AND CODY STRONG.

**NEW MEMBERS**

CONGRATULATIONS TO THE FOLLOWING MEMBER WHO WAS SWORN IN ON APRIL 15, 2010: MATTHEW S. MCADAM.

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**MEETING NOTICE**

**ATTENTION ALL  
MEMBERS**

THE NEXT GENERAL MEMBERSHIP MEETING WILL BE HELD AT 9:00 A.M. (SHARP) ON **SAT., JULY 17, 2010** AT IATSE LOCAL 44, 12021 RIVERSIDE DR. NORTH HOLLYWOOD **PLEASE BRING YOUR UNION CARD!**

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# IP Theft & Piracy: Stealing our future and threatening our jobs

by *Patric J. Abaravich,*  
*Business Representative - Secretary*

**P**iracy ...it's a magical word with romantic undertones that brings to mind swashbucklers Johnny Depp and Errol Flynn. But in reality, piracy is really Internet theft. The stealing of intellectual property costs our health, welfare and pension plans tens of millions of dollars every year.

The International and the AFL-CIO, along with a bevy of federal government agencies including the Justice Department, FBI, Homeland Security, and the U.S. Patent and Trademark Office (to name just a few), have joined forces and are now treating piracy as a major problem. Together, they have taken major steps on the national level to help reduce and stop the digital theft of motion picture products.

In December, Vice President Biden, a long-standing champion of U.S. intellectual property rights holders, convened a meeting that included IATSE President Loeb. Representing entertainment industry workers, Loeb noted that products that are routinely stolen cost the industry an estimated \$6 billion a year.

In response to that meeting, Attorney General Eric Holder announced the formation of an Intellectual Property (IP) Task Force as part of a broad IP enforcement initiative. The task force includes representatives from a wide variety of government offices who will work in unison to protect American IP and the millions of jobs that depend on it.

It is estimated that piracy results in \$5.5 billion in lost wages annually, and the loss of an estimated 141,030 jobs

that would have otherwise been created. Moreover, when you look at the graph of residual contributions (Page 5) that go directly to our pension and health plans from supplemental markets (e.g. the sale of DVD's), you can see where we are losing ground.

Several years ago, everyone started downloading music for free on the Internet and the musicians were up in arms. Now, the shoe is on the other foot. Unfortunately, the federal government can only do so much fanning out cyber marshals across the country to hunt down illegal downloading sites.

We, as a Local and as individuals – *and as recipients of this money* – really have to spearhead this movement and we can start in our own homes. We have to be more attentive to our kids, family members and friends who think there is no harm in downloading a movie or two. Just recently, the blockbuster 'Avatar' was released on DVD. Before its release, roughly 12 million illegal downloads had already taken place. And that's just one movie!

We are the start to the answer to this problem. We have to get the word out. We need to be the watchdogs telling our neighbors, friends, family – and yes, even our own kids – this just isn't cool. You have to ask yourself: What's more important: Illegally downloading the newest hot movie or contributing to your health and pension plan, reinvestment back in the industry and keeping the crafts working?

# PIRACY

## ILLEGAL DOWNLOADS & COUNTERFEIT DVD's

### is a Crime

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### AFL-CIO Executive Council Unanimously Supports Anti-Piracy Measure

The AFL-CIO Executive Council, at its March 2 meeting in Orlando, unanimously adopted a statement on the subject of the theft of intellectual property. Submitted to the Council by the Department of Professional Employees on behalf of the entertainment unions and guilds affiliated with the AFL-CIO, the statement offers a detailed analysis of the harm done to U.S. workers by piracy.

IATSE International President Matthew D. Loeb, a member of the AFL-CIO Executive Council, said "This is a strong statement of support from the AFL-CIO in our fight against the theft of product upon which the members of the entertainment industry unions and guilds depend. We will continue to pursue every avenue we can to stop digital theft."

"While we support increased broadband access for all Americans, it's important to remember that downloading illegal content is the same as walking into a record or bookstore and stealing a CD or DVD," said AFTRA National President Roberta Reardon, who is also a member of the AFL-CIO Executive Council. "Recording artists, for example, earn more than 90% of their income through the physical and digital download sales of their albums, and stealing their work – as well as that of actors, singers, dancers and other professional talent – seriously threatens their ability to earn a living and support their families. Moreover, the online theft of

copyrighted – and uniquely American – material severely depresses the domestic job market by making it difficult for our members to find new work and continue producing the creative works that enrich our culture and our economy."

SAG President Ken Howard said, "I'm grateful to AFL-CIO President Trumka and members of the executive council for their resounding approval of the resolution against digital theft. Today's action provides important support to the tens of thousands of men and women in the entertainment industry whose jobs are threatened by illegal duplication and download of movies and television shows."

AFL-CIO President Richard Trumka issued the following statement: "The AFL-CIO fully supports entertainment workers, and stands behind them in the fight against the theft of the products they work on and create."

Paul Almeida, President of the AFL-CIO Department of Professional Employees, who put forward the statement to the AFL-CIO Executive Council, said, "It's critical for all union members to support any actions possible in the fight against piracy."

Here is the entire text of the AFL-CIO statement:

#### **PIRACY IS A DANGER TO ENTERTAINMENT PROFESSIONALS**

*Submitted by the Department for Professional Employees, AFL-CIO (DPE) for the Arts, Entertainment and Media Industries Unions Affiliated with DPE*

Motion pictures, television, sound recordings and other entertainment are a vibrant part of the U.S. economy. They yield one of its few remaining trade surpluses. The online theft of copyrighted works and the sale of illegal CDs and DVDs threaten the vitality of U.S. entertainment and thus its working people.

The equation is simple and ominous. Piracy costs the U.S. entertainment industry billions of dollars in revenue each year. That loss of revenue hits directly at bottom-line profits. When profits are diminished, the incentive to invest in new films, television programs, sound recordings and other entertainment drops. With less investment in future works comes less industry activity that directly benefits workers: fewer jobs, less compensation for entertainment professionals and a reduction in health and pension benefits.

Combating online theft and the sale of illegal CDs and DVDs is nothing short of defending U.S. jobs and benefits. In the case of music, experts estimate that the digital theft of sound recordings costs the U.S. economy \$12.5 billion in total output and costs U.S. workers 71,060 jobs. In the motion picture industry, piracy results in an estimated \$5.5 billion in lost wages annually, and the loss of an estimated 141,030 jobs that would have otherwise been created.

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Illegal CDs and DVDs have afflicted even live theatre. Websites sell illegal DVDs of Broadway shows, which reduces sales of tickets and authorized CDs and DVDs. Selling illegal CDs or DVDs of plays, musicals and other shows not only

# IATSE, AFTRA & SAG join forces to combat the theft of Intellectual Property

steals the work of the entertainment professionals, but makes quality control impossible.

Most of the revenue that supports entertainment professionals' jobs and benefits comes from the sale of entertainment works including sales in secondary markets – that is, DVD and CD sales, legitimate downloads, royalties and, in the case of TV shows or films, repeated airings on free cable or premium pay television. Roughly 75% of a motion picture's revenues comes after the initial theatrical release, and more than 50% of scripted television production revenues are generated after the first run.

In most work arrangements, a worker receives payment for his or her effort at the completion of a project or at set intervals. The entertainment industry, however, operates on a longstanding unique business model in which compensation to workers – pay and benefit contributions – comes in two stages. Film, television and recording artists, as well as film and television writers, receive an initial payment for their work and then residuals or royalties for its subsequent use. Those payments also generate funds for their health and pension plans. The below-the-line workers, the craft and technical people who manage equipment, props, costumes, makeup, special effects and other elements of a production, also receive compensation for their work, while payment for subsequent use goes directly into their health and pension plans.

Motion picture production is a prime example. The professionals involved with the initial production of a film – the actors who perform, the craftspeople behind the scenes, the musicians who create the soundtrack and the writers who craft the story – each receive an initial payment for their work. When that work is resold in the form of DVDs or CDs, or to cable networks or to airlines or in foreign sales, a portion of these “downstream revenues” are direct compensation to the film talent or recording artists who were involved in those productions or recordings.

These residuals help keep entertainment professionals afloat between projects. Entertainment professionals may work for multiple employers on multiple projects and face gaps in their employment. Payment for the work they have completed helps sustain them and their families through underemployment and unemployment. For AFTRA recording artists in 2008, 90% of income derived from sound recordings was directly linked to royalties from physical CD sales and paid digital downloads. SAG members working under the feature film and TV contract that same year derived 43% of their total compensation from residuals. Residuals derived from sales to secondary markets funded 65% of the IATSE MPI Health Plan and 36 percent of the SAG Health and Pension Plan. WGAE-represented writers often depend on residual checks to pay their bills between jobs; in some cases, the residual amounts can be as much as initial compensation. Online theft robs hard-earned incomes and benefits from the professionals who created the works.

There are tools that can be used to fight digital piracy. Internet service providers (ISPs) have the ability to find illegal content and remove or limit access to it. To be truly effective, these sanctions must depart from the costly and ineffective legal remedies traditionally employed to counter theft of copyrighted

material. The European Union is developing and implementing model policies for which the trade union movement is providing strong and critical support. These policies illustrate that there are answers that make sense in a digital age.

At the core of any effort to combat digital theft is reasonable network management, which should allow ISPs to use available tools to detect and prevent the illegal downloading of copyrighted works. With respect to lawfully distributed content, ISPs should not be allowed to block or degrade service so that both consumers and copyright would be protected.

The unions of the AFL-CIO that represent professionals in the Arts, Entertainment and Media Industries (AEMI) include Actors' Equity Association (AEA), Radio Artists (AFTRA), the American Guild of Musical Artists (AGMA), the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts (IATSE), the International Brotherhood of Electrical Workers (IBEW), the Office and Professional Employees International Union (OPEIU), the Screen Actors Guild (SAG) and the Writers Guild of America, East (WGAE). The AEMI unions are wholly in support of the widest possible access to content on the Internet and the principles of net neutrality, so long as intellectual property

*Continued on Page 8*

## 2003 - 2009 Residual Contributions

	(Dollars in Millions)						
<b>Supplemental Markets</b>							
Pension*	32	16	19	59	46	39	67
Active Health	186	228	227	174	188	217	180
Retiree Health	-	-	-	-	-	-	-
	218	244	246	233	234	256	247
<b>Post '60s</b>							
Pension**	4	6	7	10	12	14	16
Active Health	-	78	39	64	81	46	56
Retiree Health	90	21	55	33	22	62	44
	94	105	101	107	115	122	116
<b>TOTAL</b>	312	349	347	340	349	378	363

\* Additional funding over Hourly Contributions to Fully Fund Pension Plan.

\*\* Required to Fund 13th & 14th Checks over 20 years.

# Spring Back

## Some Things Never Change

by *R. Bruce Prochal,*  
*Treasurer - Call Steward*

*“The great Jimi Hendrix picked up my guitar once and he said, ‘What are these rubber bands doing here? You will never get tone out of that.’”*

*From an interview with Jeff Beck from Guitar Player magazine.*

Greetings everybody! As many of you know, I was out of the office for about six months due to an unusual accident. I have been back in the office for just over one month.

I would like to thank Karen Weilacher and Bob Wood for filling in during my absence.

I would also like to thank all of our members who have called the office to welcome me on my return. Your calls have filled me with the strength and courage to continue to represent you as both Treasurer and Call Steward. Thank you all!

Let's get to this month's theme ... Spring Back ... Some Things Never Change.

Since I have been back in the office, I can not believe how little things have changed. We still have many members who are “On the Books” who fail to call the office to remove themselves from the “Books.”

What is encouraging is that many Rigging Gaffers and Rigging Best Boys and Production Best Boys are still calling in their crews.

I would like to take this opportunity to remind all Best Boys, Rigging Gaffers and/or their Best Boys that it is important to call the Local to report your crews and new hires. The primary reason

for this is to ensure that all of the Local's working members are in good standing.

Reporting your crews is just a phone call away and if you have a long list, I will accept faxes and/or e-mails. All I request is that you call me to advise me of your electronic communication. Is that too hard to do?

Shows are reporting from out of town (meaning on “Distant Location”). If you are a Gaffer or Best Boy in this situation, please call the Local. I can easily e-mail and/or fax to you a Distant Location Report Form.

It is important that the Local be informed when our members are on Distant Location just in case a situation arises (who knows what?).

Also, if you work on a Distant Location show, it is extremely important, as a Gaffer or Best Boy, that you contact the Local in whose jurisdiction you will be working as well as Local 728.

If you want to know more about rubber bands, call me at the office.

I have to go. She who must be obeyed is saying dinner is ready...  
RBP

### CALL STEWARD INFORMATION

Any Local 728 member representing the producer in filling calls or needing assistance, should contact the Local office during normal business hours. The Local's normal operating hours are 8:00 a.m. to 6:00 p.m. Monday through Friday.

If you need to hire prior to 8:00 a.m., after 6:00 p.m. or over the weekend, please phone the Call Steward at 818-438-0728.

Members seeking weekend work should call the Steward at the Local on Friday to put your name on the Weekend Availability List.

Anyone who hires off roster or hires any member who is not current with their dues without first calling the Call Steward, shall have charges filed against them and shall be subject to the assessments levied by the Trial Board if found guilty.

Our present contract work week consists of any five (5) consecutive days out of seven (7) consecutive days.

### Second Quarter 2010 Suspended and Dropped Members\*

#### SUSPENDED

ANDERSON, ERIC  
ANDERSON, RONALD  
ARGARIN, GREGORY  
BAKER, CARLOS  
BARGINEAR, ERIC  
BAUMGARTNER,  
ROBERT  
BITHELL, WALTER  
DE JONG, FRITS  
DE LA ROSA, JEFFREY  
EASTVOLD, PHILIP  
EMMONS, SEAN  
EUBANKS, JERRY  
FITHIAN, JOE  
FORD, BRENDON  
FORTUNE, JAY  
GALLART, MICHAEL

*Continued on Page 8*

Environmental Awareness Class Now Available

# A2 Class Concentrates on Generator Shutdown



by Alan M. Rowe,  
Safety & Training Director

The Safety Pass A2 Environmental Awareness class is now available. This is a required course and I recommend that you take this class as soon as possible. Our official “timeline” begins on June 1, but the class is available now. If you do not take this class before October 31, it may affect your ability to work.

Contained within the A2 Class are instructions concerning shutting down generators when lightning is within six miles. What needs to be emphasized is that an Emergency Action Plan must be put in place and acted upon before turning off the power to the set. *It is essential that the action of shutting down the generator does not create a greater hazard than lightning.*

Take, for example, the feature *Big Fish* where we had a full scale circus working. Had the generator been taken off line without following some sort of action plan, we could have experienced a much more hazardous situation with performers on the high wire, a star in the “ball of death”, and several loose tigers being plunged into

darkness. The set, mechanical devices, cast, and crew must be made safe and/or evacuated before turning off the power to the set.

There was recently an incident on a set outside of our jurisdiction where two people were severely injured in an arc flash and it may result in some changes in the way we work. Since the two people were not wearing the appropriate Personal Protection Equipment (PPE), much of the focus is now being placed on wearing the appropriate clothing for the work being done. Safety Bulletin 23

GUIDELINES FOR WORKING WITH LIGHTING SYSTEMS AND OTHER ELECTRICAL EQUIPMENT is currently being rewritten and PPE guidelines will be issued when it is complete.

In the meantime, please be mindful of the task you are performing and ensure that you are protected. When metering power and making connections at 240V or less, *NFPA 70E Electrical Safety in the Workplace* Tables 130.7 (C)(10) & 130.7 (C)(9)(a) specify

minimum PPE of non-melting or untreated natural fiber long pants & long sleeved shirt (denim jeans are acceptable), gloves, and safety glasses.

The next First Thursday Seminar will be held on June 3. The topic is on Worker’s Comp and will be presented by Cheryl Wallach of Levy, Stern, and Ford. These seminars are held on the stage at Local 80 and begin at 7:00PM. They are open to members of all Unions & Guilds, their families, and friends.

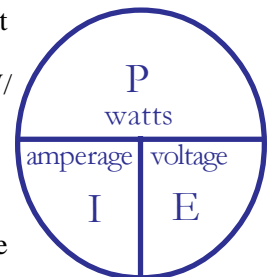
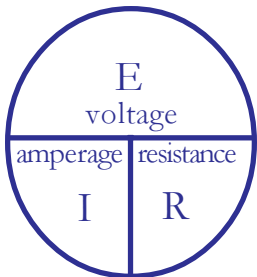
Contract Services is now reimbursing the cost of the ETCP Entertainment Electrician exam. For more information, please contact me at the Training Office (818-843-0012 or [amrowe@iatse728.org](mailto:amrowe@iatse728.org))

For up to the minute notices of Training Events & Seminars please subscribe to the Training Notification Email list by sending an email to: [728training-subscribe@yahoo.com](mailto:728training-subscribe@yahoo.com) or join the IATSE Local 728 Group on Facebook.

## Ohm’s Law: Power Formula

Now that we know the specific resistance of a 240V/20KW globe is 2.88, we can calculate exactly what happens if you forget to order the right globe for your night exterior.

If we plug 2.88 into the Ohm’s Law formula, we can see that our 240V/20kW globe is only drawing 72.22A on 208V. ( $208/2.88 = 83.33$ ). This is much less than the 83.33A that we expected. The bigger problem is with the Wattage or effective output. When we plug 72.22A into the Power Formula, we see that our 240V/20kW globe is only producing 15,022W when it is supplied with 208V. ( $72.22 \times 208 = 15,022$ ). This means that one quarter of the light output is lost. This also does not address the issue of color temperature which is significantly shifted to the orange. All of this adds up to a very unhappy Gaffer when the light is significantly different from the one that was requested.



STUDIO ELECTRICAL LIGHTING TECHNICIANS

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FIRST CLASS  
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PRE-SORT FIRST CLASS

## Second Quarter 2010 Suspended and Dropped Members

GIVENS, STEVEN  
GROSHON, HAL  
KALLEN, JASON  
LEVY, YARON  
McEACHEN, BRIAN  
McGRATH, THOMAS  
OTTO, WILLIAM  
PEACOCK, SEAN  
PHILLIPS, BRENDON  
REDDISH, CHRIS  
RENLIE, JEFFERY  
RICHTER, SHANE  
RIFFEL, DANIEL  
RYMES, CHARLES  
SANDERS, RALPH  
SCHNEIDER, KENNETH  
SCHULTZ, PERRY  
SIMMONS, OWEN  
TAMAYO, VLADIMIR  
THORPE, JAMES  
TOMICH, DON  
TREYZ, AMANDA  
TROOST, JAMES  
TROY, TONY  
WAERS, III, ROBERT

WEILAND, MATTHEW  
WHITTAKER, DAVID  
WINKLER, ROBERT  
WREEN, VINCENT

### **DROPPED**

BARTELL, II, EDWARD  
DAWSON, BRIAN  
GLOVER, WALTER  
MAGARACI,  
TIMONTY  
RODIRGUEZ, CARLOS  
THIRLAWAY, SIMON  
WOLBERGER, PERRY

*\*List current as  
of April 28, 2010*

# PIRACY

*Continued from Page 5*

rights – and the hundreds of thousands of jobs that are at stake – are respected.

Some would like to portray the debate over Internet theft as one in which a few wealthy artists, creators and powerful corporations are concerned about “giving away” their “product” because they are greedy and cannot change with the times to create new business models. The hundreds of thousands of people represent by the AEMI unions of the AFL-CIO are a testament to the falsity of that proposition.

Online theft and the sale of illegal CDs and DVDs are not “victimless crimes.” Digital theft costs jobs and benefits. It is critical, at this important moment in the evolution of the Internet and potential Internet policy, for union members and leaders to publicly and visibly engage in a sustained effort to protect members’ livelihoods, the creation and innovation that are the hallmark of their work and the economic health and viability of the creative industries in this country. The AEMI unions and other unions in U.S. entertainment stress that pirated content is devastating to the entertainment professionals who create the underlying work.

The AFL-CIO strongly supports the efforts of the AEMI unions and the Department for Professional Employees, AFL-CIO, to combat piracy. It commends their work with government and industry to develop workable solutions to protect the interests of their members. The AFL-CIO urges its affiliate unions to educate their members about the adverse impact of piracy; to support efforts to ensure that government officials and lawmakers are aware of, and support the protection of, entertainment industry jobs that will be lost to online theft; to encourage their members to respect copyright law; and to urge their members, as a matter of union solidarity, to never illegally download or stream pirated content or purchase illegal CDs and DVDs.