

***** DRAFT until approved at AGM ***
ADC ANNUAL GENERAL MEETING**

Saturday July 3, 2004 – 1 pm
University of British Columbia – Vancouver, BC

MINUTES

Attending:

Dennis Horn
Martha Mann
Brad Trenaman
Scott Henderson
Chris Dennis
Sandra Marcroft
Alan Brodie

Robert Gardiner
David Roberts
Christine Reimer
Ted Roberts
Alison Green
Rebekah Johnson
Adam Parboosingh
Ross Nichol
Itai Erdal

Doug Welch
Mark Stevens

[12 members in good standing
by proxy]

Staff:
Sherri Helwig

Call to Order

Horn called the meeting to order at approximately 1:10 pm.

Attendance and Presentation of Proxies

Horn asked that everyone introduce himself or herself for “roll call”.

Helwig noted that 12 proxies were eligible and not spoiled – Horn held 4, Brodie held 4, Mann held 2 and Roberts held 2. Helwig announced that quorum for the meeting had been reached.

Approval of Agenda

Moved by Ted Seconded by Robert to approve agenda. CARRIED.

Ross would like to add Education Contract to agenda.

Future Directions

Horn said that Dolgoy was unable to be here, but will call and join by teleconference at about 2 pm.

Horn said future directions discussion can begin. Dolgoy had instigated discussion with unions, and the Board decided it would meet with different organizations to gather information. Brodie explained that this is about getting information and not necessarily merging.

Gardiner asked if there has been any change with USA in the past 3 pages. It has not. There was more than one USA local. Dennis things all different offices, but same local 829. Gardiner asked if we would ask for similar arrangement with IA. Henderson explained talk to and see what they can do for us, and will also talk to DGC and Equity, Rebecca asked what we were anticipating form these organizations.

Dennis said that it would give us greater power and send a message to PACT. Brodie explained that there is frustration with PACT working group and that we need more clout. Ross asked whether we are serious or just wanting to scare PACT. Henderson said that we should be serious about the process. Ross asked if being independent would be better, and Henderson stated from his own perspective independent would be preferred, but we have to discuss and look at all of our options for our future. Dennis said we may lose some members if we align ourselves, but we also may gain some members. When we get information we can present to membership and begin discussions. Brodie this would be the most colossal thing ADC ever done, so it can not and absolutely will not be done without explicit consent from the membership. A discussion ensued about IA, USA, DGC, Equity, employment vs. independent work, etc. (details of conversation available in full notes).

Horn asked to table the discussion until after Dolgoy's phone call; there was general consensus that this was acceptable.

ADC 40th anniversary

Brodie said that we are still in the brainstorming phase for 40th anniversary plans for 2005. He stated that Peter McKinnon approached board with catalogue of Canadian Stage Design in conjunction with WSD and CITT. Board was asked for support and were assured that it would cost the association nothing. Gardiner asked how McKinnon's idea was revenue neutral; Helwig explained that there was a grant application in at Canadian Heritage, and other groups would help (CITT, OISTAT). We have not had catalogue in some years, so it would be good. Helwig said that ADC and APASQ members have been invited to participate in the catalogue, but not non-members. There was discussion about what the catalogue would be, include, etc. Rebekah asked about photographs and Equity performers; Helwig explained that we are talking to Equity, but Equity wants us to pay a fee to each actor in each photo.

Brodie mentioned other ideas to promote membership, promote organization, celebrate history and future.

Dolgoy called at 2pm.

Dolgoy reported on the Working Group and regular negotiation in 2002; he explained the Negotiation Committee report results, and stressed that PACT was not willing to discuss scope and scale, nor address amounts and hours of work. Dennis stated that PACT wouldn't share how they came up with their own data for their suggestions for minimum fees – they “respectfully declined” to say, but said we have the same data. Helwig said that ADC's current suggested minimum fees are better than PACT's proposal yet PACT theatres pay them so we are doing well. Dolgoy said that we are being treated like amateurs who are doing it for the love of it and “gee I guess we should pay them”. LDs have done better because we network with each other. We have to look at our own culture and what we are willing to live with.

A discussion ensued about the importance of minimum fees to the association and especially to younger designers. It was mentioned by the younger designers in the room that they, and their direct colleagues, would be “thrilled” with what PACT was proposing. Itai stated that this is a huge issue for new members if we can guarantee minimum fees. Adam agreed, and said that he and others currently have to go into other fields to supplement their theatre design work just to make a living.

Helwig pointed out the problems with removing any mention of scope and scale in the fee structure – particularly because many theatres use the fee schedule to budget, so they may not realistically change the fee for a larger, more complex show.

Discussions continued about this and about the possibility of merging with a union (particularly IA). Sholem said that it was certainly worth the discussion, and pointed out that there would be a downside (particularly a fairly substantial dues increase and having to negotiate theatre by theatre).

Sholem left the discussion and the membership stated that discussions would continue and resolutions would be sought.

BREAK

Horn called meeting back to order at 3:15

Horn said that Ted Roberts suggested we continue the minimum fee discussion over beer after the meeting. Helwig pointed out that this should not happen, as there would be nothing official and nothing in the minutes.

During the break, Helwig crafted some suggested resolutions coming out of the discussion. She presented them, they were discussed and modified, and the final resolutions are below:

The membership at the 2004 Annual General Meeting (July 3rd, 2004) discussed the ADC/PACT Working Group and the PACT proposal at length.

It was agreed that the Working Group remains something to which ADC is strongly committed, and the associations' willingness to work together is seen in a very positive light. ADC will be celebrating its 40th Anniversary next year; it was agreed that what ADC would like to see, and is willing to work hard toward, is a strong agreement with PACT toward the ideals expressed in the Working Group Statement – we could then join with our colleagues and have even more to celebrate, for everyone.

There were some questions and issues related to the specific proposal; the following are the resolutions arising from that discussion.

1. In the spirit of good-faith collegial discussion, ADC requests at least one extended face-to-face meeting within the next few months as it is felt that the “Working Group” has not yet reached its potential nor its mandate of both sides working together toward a common goal. It was felt that the negotiation-like back-and-forth of proposals and reactions might not be the best or most productive process to reach the desired ends.
2. With this Working Group, ADC and PACT have agreed to work together toward, among other things, the goal of seeing professional designers “appropriately compensated for their creativity, skills, experience, responsibilities and work hours”; ADC feels that “creativity”, “skills”, and “experience” help to form the basis of what designers can use to negotiate a higher fee beyond the minimums, while “responsibilities” and “work hours” are generally within the control of the producer – and are tied inextricably to the scope and scale of the production. It is also a working reality that theatre producers determine their design budgets long before a designer would have the opportunity to negotiate upward from a minimum, so it is felt that a strong minimum fee system could and should be a tool for the producers to use at budgeting time, not just for both sides at negotiating time – therefore, having a minimum fee model that includes scope and scale would be beneficial to everyone.

That said, ADC understands that PACT has proposed a model that does not include scope and scale in the equation, and it is to this model that ADC has been asked to respond. It is the position of the ADC membership that scope and scale is one of the more important considerations in the determination of appropriate compensation. Therefore, in order for ADC to begin to consider any minimum fee model that is not based on scope and scale, ADC would require at the very least that that scope and scale be expressly dealt with within the system i.e. providing straightforward, easily understandable information about what scope and scale is included or intended (in other words, that minimum fees would need to be explicitly tied to a minimum scope and scale – a unit set, non-musical production, up to a certain [low] number of costumes / designs, etc. – so that both parties would have common understanding and a common ground upon which to begin negotiating).

3. ADC members further stated that, before ADC could agree to even begin to consider a model that is not based upon scope and scale (which would require designers to negotiate to include even the most basic and central issues – issues notably outside of their control), some agreeable system would need to be put in place to ensure that theatres actually allow negotiation. It is the experience of ADC members that the majority of PACT producers offer a fee that they are not willing to negotiate in any meaningful way (or often at all) – they have budgeted an amount and will pay no higher than this amount. For this reason, again, it is important that the right decisions about fees are made at the point of budgeting, not at some later point related to a negotiation that may or may not be permitted to happen... and, of course, many designers who do negotiate strongly are considered “difficult” and find subsequent work harder to find. This is the simple reality of the current situation designers face – any solution approaching the ideals and goals set out for this Working Group would have to work within, address, or change that reality.
4. ADC requests that the method of calculation used to arrive at the amounts in the model be shared – the data itself can remain confidential, if PACT wishes or requires it, but ADC cannot properly respond to the amounts if there is no indication of their basis.
5. While ADC is not yet able to respond specifically to any of the amounts in the model, ADC can state generally that fees – particularly for the larger-capacity theatres – appear to be appreciably lower than minimums that producers already respect, and that, across the board, costume fees remain significantly undervalued. ADC would request further discussion particularly in these areas.
6. ADC would ask that PACT explain its reason for attaching no number (assigning “n/a”) to the smallest capacity and TYA theatres. At this time, ADC can see no reason why minimums should not be applicable in all categories.
7. ADC would ask that PACT supply a venue list for PACT members, broken into the “theatre capacity” categories proposed in the model, as well as an explanation regarding the choice of these specific categories (why these numbers were chosen as opposed to any other breakdown) so that ADC can begin to compare these categories to their real-life equivalents and better understand the breakdown.
8. ADC would ask for clarification and further discussion with the PACT group regarding how minimums based on theatre capacity would be dealt with for tours, co-productions, outdoor venues, etc.

9. The word “suggested” would need to be removed from the title of any system worked out between, and amenable to, both parties.
 10. It was noted by the ADC membership that the majority of PACT members already adhere to ADC’s current suggested minimum fee scale and understood that, in order to have PACT officially recognize minimums, ADC may be required to agree to something less desirable than the current fee structure. In order to ensure that any concessions do not negatively affect ADC members or the association, and to ensure that PACT and ADC can truly approach the goals of the Working Group (which mentioned the “betterment of the theatre community as a whole” and discussing “remuneration of professional designers” and devising “appropriate and equitable fees guidelines for the compensation of costume, lighting, set and sound designers” (not just ADC members) – ADC requests that PACT consider some level of exclusivity as an important aspect of our discussion as we move forward.
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Moved by Doug seconded by Gardiner to accept Helwig’s list, and direct her to forward the list to Sholem for confirmation and then to PACT. CARRIED.

Prague

Trenaman asked if everyone had read Green’s letter in the newsletter. Discussions ensued about the desire to participate in Prague and the realism of lack of human and financial resources, lack of ability to raise the resources (because ADC is not able to become an OISTAT centre and because CITT and ADC before that have had to run deficits as fundraising did not raise enough to put on even the most modest of exhibitions). Concerns about the last exhibition were raised about the content and presentation not being up to an acceptable standard. Issues about difficulties planning the last one were also discussed, and CITT asking ADC to partner but then making decisions on its own, and APASQ applying to host their own, separate exhibition. Brodie pointed out the irony of the “clarity and national spirit” award that the Canadian exhibition won.

Horn and Mann reiterated the Board’s stance that ADC could not and would not be involved in any upcoming Prague exhibitions (beyond advertising to its members etc.) unless an appropriate amount of money was found in advance of participation and a person or people stepped up to the plate to take on the project work.

Jack King

Mann reported on the history of the award and the desire to resurrect it. This year ADC will bear cost of printing and distributing this year, and will look for sponsorship starting with committee members. Looking for optimum time for distribution so that young/aspiring designers will be able to see it.

Master Class

Chris Dennis presented his idea of master class (based on the NY / Broadway model) in order to fundraise for the organization. There is a huge pool of talented designers in Canada and a need for good

professional development opportunities. Discussion ensued, and Dennis stated that more information would be forthcoming.

Status of Artist Legislation

Helwig gave a brief update on the Quebec situation and upcoming legislation possible in Saskatchewan and Ontario.

Approval of Minutes from Last years AGM

Moved by Mann, seconded by David Roberts to approve minutes from last year's AGM. Ted Roberts noted that the AGM was held on July 5th last year, not June 5th. Motion changed to incorporate amendment. CARRIED.

President's report

Horn stated that new standards are in Vancouver for those who would like copies. He was happy to see new members at the meeting.

He spoke about the frustrations around the working group, about the Quebec situation with APASQ (ADC's challenge of APASQ's certification) taking his and Helwig's time.

Moved by Trenaman seconded by Ted Roberts to accept President's report. CARRIED.

Mann thanked Dennis for continuing in role for ADC.

ED report

Helwig explained some of the bigger issues the office is dealing with: designers not being paid, not getting credit, etc.

She spoke about the new privacy legislation, and what that means for ADC. Members can opt out of the online directory and everything but the accounting system. She explained that it has meant that the office had to discontinue the gathering and sharing of information in the contract fee database

Helwig explained that as of June 30 we no longer accepting old versions of the contract, and she stressed to members to ensure that they are signing the current version.

Helwig gave a report about the Quebec situation, and said that little has changed since the last newsletter update. Discussion ensued about the importance of this to the association; Helwig and Horn explained the relevance to BC members (that it is not just a regional issue... and Horn stated that even if it was, ADC needs to attend to those as well, and would be willing to work on regional issues for Vancouver as well).

Moved by Scott, Seconded by Ross to accept ED report. CARRIED.

Survey

Brodie announced that 50 percent of the BC membership is present today in person or by proxy.

Survey last year, Brodie making report on that data. Not completely done yet, but have some findings:

- How many years as designer. Only 2 worked less than 5 years, Are younger members delaying membership? Big drop off at 30 years in the industry.
- 11% did not know what type of business they were running (!)
- 2/3 of respondents health or disability by other means. Most through spousal. Itai stated that insurance is important, and younger designers wouldn't necessarily have spousal support in this area.
- 62% of producers provide the information that they need.
- Less than 50 percent mostly ask permission when wish to use design again.
- 60 percent of time not happy with fees and "extras"
- 17 percent below min, 83 percent above.
- The association has been trying to be more responsive to the Western Alienation issue. People outside of TO are thinking ADC doing good job.
- 63% of designers not affected by APASQ. Ongoing time and resources need to be re-evaluated.
- 69% find min fee useful

Alison thanked Brodie for work on survey and on newsletter.

MOVED by Green Seconded by Doug to accept Brodie's report. CARRIED.

Regional committees

Committee reports were covered in newsletter.

Brodie stated he had an interesting letter from Mara Gottler that he will forward to the board.

Helwig reminded the membership that next spring will bring negotiations with PACT, and "now is the time to let us know what to fight for".

Financial Report

Helwig and Marcroft took the membership through the statement of revenue, expenses and net worth. Helwig explained that we were "way in the black" in 2003 – that we had budgeted for a deficit, but ended up with a large surplus, mainly through a large push to have filing fees paid. She said there would be an even larger surplus if she hadn't had to repay an earlier debt to the insurance fund.

Helwig stated that there is a rather large problem about dues, as we are losing members faster than we are gaining them.

Helwig explained that the survey and standards were paid for by grant money and that ADC had volunteers who worked on the standards. Many people put time into that so that we did not have to pay out additional funds.

Moved by Mark, seconded by Ross to accept financial report as presented. CARRIED.

Appointment and setting of remuneration of Auditor

Helwig stated that we had used T. Robert Hambly for a number of years.

Moved by Ross and seconded by Ross to reappoint Hambley and to set remuneration at \$749. CARRIED

Election and Acclamation of Board members

Dennis stated that Marcroft is leaving and Horn's term is up – but that he has agreed to stay on for two years. There was a call for nominations from the floor..

MOVED by Henderson, SECONDED by Green that Dennis Horn continues as president for the next two years. CARRIED.

A vote was made for the spot open on the board; Kelly Wolf was voted in.

Brodie stated that Lingren would be willing to run next year.

Horn thanked Marcroft for work on board.

New Business

There was a discussion about designing a contract that will work with educational institutions. Ross was willing to work on a contract.

Helwig and Horn stated that UBC, Ryerson, Sheridan college, Humber all sign ADC contracts; Ross said it is “too complicated”. Helwig stated that sometimes all it takes is someone standing behind the contract – two opera companies finally allowed ADC contracts to be signed after many years of pushing from members and from the office.

A suggestion was made to try to give ADC members access to Callboard; Helwig stated that she approached CITT about this in 1999 and CITT said no.

Brodie said he would be investigating advisory board for ADC to take advantage of people in the industry who do not want to serve on board, but whose input would be valued.

Mark moves to adjourn, Dennis seconds.
Meeting adjourned 5:20.