Teamsters Local Union 492 ("The Union") provides a referral service to all persons interested in employment in the NM movie industry within the Union's jurisdiction. This exhausted referral service ("Exhausted List") is offered to all without regard to race, sex, religion, national origin or membership in the Union. These procedures are intended to provide movie industry production employers with a readily available and qualified labor source. All persons currently appearing on the Union's existing Teamsters Local 492 Industry Experience Roster Group 1, 2, 3 and supplemental lists (“grouping system”) as of the effective date of the first implementation of these rules, (June 1st, 2016) will not be affected by these rules. Any person gainfully employed as a Teamster in another industry may not register on the Movie Exhausted List.

Individuals on the Exhausted List agree to these terms and acknowledge the following:

- Individuals must make themselves available on the Teamsters Local 492 Electronic Call Board (https://local492film.org/). No individuals shall be hired without making themselves available on this Electronic Call Board. A valid email address and phone number are required to be available on the list. Please add mailerl492@notifications.local492film.org and film@teamsters492.org to your contacts list to insure you receive notifications from us.

- If you work, benefits will be put into an Entertainment Industry Flex Plan & 401k account for you for every hour you work in a covered position. Call 1-888-353-9401 to find out more info.

- The union does not guarantee employment and will not recommend any individuals for hire. The Union only gives producers lists of available workers from the Teamsters Local 492 Electronic Call Board (https://local492film.org/).

- Persons on the exhausted list are not considered “grouped” individuals on the NM Industry Experience Roster; they are a list of drivers and wranglers, only to be used when the Teamsters Local 492 Industry Experience Roster grouping system is exhausted, and when there is a need for additional casual drivers or wranglers. Application for placement on the Exhausted List does not constitute, nor does it imply membership or application for membership in Teamsters Local 492. The Exhausted List is simply a referral service which provides signatory producers with access to additional help when Local 492’s roster is exhausted.

- There shall be no guarantee of roster placement. It will be at the Union’s discretion if and when additional drivers and/or wranglers will be added to the Industry Experience Roster (grouped), and only the Union will decide how many people will be allowed to join the Industry Experience Roster (grouped), and only if and when the Union decides to open the roster to additional experienced individuals.

- **Roster Grouping “Permits”** - If a Permit Date is granted, a person must perform services in the job classifications covered by the Agreement for a total, thereafter, of at least thirty (30) actual workdays within a consecutive 365-day period collectively, with one or more Producers engaged in the production of motion pictures in the state of New Mexico. Individuals applying to move to Industry Group 3 must first receive a Permit Date from Local 492. Any work experience prior to the date Teamsters Local 492
issues a Roster Grouping Permit shall not be counted or applicable to the 30 day requirement and will not be accepted. All permit eligible Exhausted List individuals will be notified with more information if/when permit applications are being accepted.

ARTICLE 1 – EXHAUSTED LIST REGISTRATION & REFERRAL FEES

Exhausted List Registration

The Union reserves the right to temporarily or permanently open/close Exhausted List registration for Drivers and/or Wranglers and/or non-residents of New Mexico at any time. The Union also reserves the right to add special skilled personnel, as needed. The Union will post on https://www.teamsters492.org the current status of acceptance (or non-acceptance thereof) for Drivers, Wranglers, Driver/Wranglers, and whether non-residents of NM are being accepted.

Individuals who wish to apply for the exhausted referral list must do so in person at the Union office in Albuquerque. Such individuals must sign the application forms, submit all required documentation, sign for and agree to abide by and accept these referral rules, and pay a $750 registration fee. Individuals must also present a valid Commercial Driver’s License (CDL) with Class A certification with no Prohibited Restrictions**, a current DOT medical certificate*, current MVR*, valid email address, and submit all other required documents according to current rules, and shall also be required to provide proof of New Mexico residency if the exhausted list is closed to non-residents of New Mexico at the time of application.

*Individuals wishing to be “Wranglers Only”, must submit and maintain a Valid Driver’s License but are not required to have a CDL, MVR or DOT Card on file. Individuals classified as “Wranglers Only” will not be permitted to work as drivers in the NM Teamster Movie Industry.

**The following are Prohibited Restrictions for Class A CDL Drivers:

L Driver limited to driving commercial vehicles which do not have air brakes. (This restriction is removed by passing Air Brake Knowledge Test and full Skills Test.)

O Not tractor-trailer. (This restriction is removed by passing full Skills Test in a tractor trailer.)

S Limited to government plated vehicles.

X CDL Permit restriction - No cargo in CMV tank vehicle.

Z No full air brake equipped CMV.

Registered individuals are responsible for making sure that their information is current and correct. The applicant is responsible for updating their Electronic Profile (on https://local492film.org/) of any change in address, telephone/cell numbers, email address, and any changes in qualifications including any new skills and/or experience, and must notify the union of any renewal, suspension or revocation of driver licenses and/or DOT cards. Failure to comply with the above requirements will result in removal from the list. All persons registering must appear in person at the Union Hall in Albuquerque. The registration fee will be due each time a person registers or re-registers. The amount of the registration fee (currently $750) and any referral fee (currently 3% of earned gross wages) is determined by the Union, and may be changed from time-to-time. Registered persons will be notified by email of any increases in fees. Individuals must be current in the payment of any fees due to the Union to register and/or remain active on Teamsters Local 492 Electronic Call Board (https://local492film.org/).

A re-registration fee may apply to individuals who have not made themselves available in the electronic referral system for two (2) years. All individuals requesting to re-register with the Union must submit updated
information, including changes in address and phone/cell numbers, email address, and pay the Union's current registration fee.

Any individual covered by these Exhausted List Referral Rules who fails to work at least one (1) day in a continuous five (5) year period, shall be removed from the Exhausted List Referral System.

**Exhausted List Referral Fees**

The Union reserves the right to charge all persons who obtain employment through this referral service, a work referral fee which will be applied to defray the reasonable costs and expenses of the Union's referral service. The amount of the fee will be determined by the Union, currently 3% of gross wages earned while performing covered work or $94.00/month, whichever is greater. **There is no monthly fee required** to seek work on the Exhausted List when you are not working.

In the event the Union determines it is necessary to change a work referral fee, or to increase the amount of such a fee, registered persons will be notified by **email only** at least 30 days prior to implementation of the increase. **Please add mailerl492@notifications.local492film.org and film@teamsters492.org to your contacts list to insure you receive notifications from us.**

Work referral fees are due and payable within 10 days of the person's receipt of earnings from employment. **Should the Union have to bill for non-payment, a $50.00 fee (per billing) will be assessed.** Whenever lawfully permitted by an agreement between the Employer and the Union, persons referred under these rules may execute such forms necessary to authorize the Employer's regular deduction of such fees and remitting of same to the Union. **However, such persons remain responsible for the timely payment of their work referral fees to the Union.** *(See Article 6 – Enforcement for more info)*

**ARTICLE 2 - ELIGIBILITY**

All individuals who wish to apply for referral by the Union must appear in person at the Union office in Albuquerque and must:

(a) Submit an accurate Application/Qualifications Form for distribution by the Union to potential employers through the Teamsters Local 492 Electronic Call Board. Such Qualifications Form shall contain the applicant's name, current residence; telephone/cell numbers, valid email address, current certifications and licenses;

(b) Be current in the payment of the Union's registration and referral fees where applicable;

(c) Agree to abide by these referral rules;

(d) Complete and sign the Drug Test Release Form and applicable referral forms;

(e) Not be currently working in another Teamster industry;

(f) Shall be required to prove NM residency according to the current residency rules if the exhausted list is closed to non-residents of New Mexico at the time of application.

**ARTICLE 3 - MOVIE REFERRAL EXHAUSTED LIST**

The Exhausted Group List shall consist of all other eligible individuals who:

1) Have met all of the requirements as outlined in Article 2 "ELIGIBILITY" and;

2) *Have and maintain a current Class A commercial driver's license with no Prohibited Restrictions**, which must be kept current; and
3) *Have a current DOT medical certificate; and
4) Have a valid email address & phone number; and
5) Paid all applicable fees owed; and
6) Have complied with any requests for documents, including but not limited to, proof NM residency according to current rules and policies at the time any documents are requested; and
7) Have made themselves available on the Teamsters Local 492 Electronic Call Board ([https://local492film.org/](https://local492film.org/)).

*Individuals wishing to be “Wranglers Only”, must submit and maintain a Valid Driver’s License but are not required to have a CDL, MVR or DOT Card on file. Individuals classified as “Wranglers Only” will not be permitted to work as drivers in the NM Teamster Movie Industry.

** See Article 1 for Prohibited Restrictions

**ARTICLE 4 - REFERRAL PROCEDURES**

The Union will refer individuals registered on its electronic referral list to interested employers and will maintain an Industry Experience Roster with Groups 1, 2, 3. Furthermore the Union may have other lists that may be maintained by Local 492 to supplement the grouped/rostered workforce including, but not limited to, the Supplemental List and also the Exhausted List (which is made up of any new applicants on/after June 1, 2016).

The Local Union will inform those signatory Producers involved in the production of motion pictures in the state of New Mexico of the 492 Industry Experience Roster and that all Drivers and Wranglers, so long as qualified, will first be hired from the Group 1 list on the Industry Experience Roster. When 95% of the Group 1 Drivers or Wranglers listed are employed/unavailable, then the Company may hire from those Drivers or Wranglers listed in Group 2. When 95% of the Group 2 Drivers or Wranglers are employed/unavailable, then the Company may hire from Group 3. Additionally, the Producer may request persons, by name, from any of Local 492’s Industry Experience Rosters/lists because of their special skills and qualifications necessary to operate specialized equipment. Special Requests Definition: Exceptions to requests from lower Groups/lists will be made only if the request is made to drive an above-the-line person (cast, director, etc.) or if those persons possess special skills required to operate such equipment. All special requested Drivers must be qualified for the position they are requested for and must stay in that position. Vendors may not send Drivers with equipment or assign Drivers to their equipment unless it is deemed special equipment (see Local 492’s list of special equipment). Only the Production Company (not vendors) can assign Drivers, following the grouping system rules. Final approval will be given by Teamsters Local 492 for any individuals requested out of the grouping.

**Record Keeping**

Captains/Coordinators and Wrangler Gang bosses are responsible for reporting via email to the Local Union on a daily basis, all persons employed under the collective bargaining agreement using daily driver/wrangler sheets. Included in such reports shall be the names, start dates and call times for all new hires and the names of and dates that all such individuals who are released from work.
ARTICLE 6 - ENFORCEMENT

A. Any person who voluntarily resigns from a call or fails to report for any reason must wait thirty (30) days before being referred to any other employer. The only exception to this Article is the Union's flexibility to cover a captain and/or special equipment or as the Union deems necessary.

B. Any individual who gives or accepts any type of gifts or monetary consideration in exchange for employment will be permanently removed from the lists.

C. Any individual who by threats, intimidation, or coercion, attempts to secure employment or who interferes with or disrupts the Union's proper operation of the referral procedures will be subject to disciplinary action up to being permanently removed from the Local 492 referral list.

D. Any person who provides false information to the Union shall be permanently removed from the lists.

E. Work referral fees are due and payable within 10 days of the person's receipt of earnings from employment.
   1) It is the individuals’ responsibility to insure the payroll company/production company receives this form before they start working. Individuals will verify on their checks that the payroll company/production company is deducting the 3% referral fee from their payroll check and if not deducted, will pay such shortage to the Union within 10 days of receipt of payroll earnings.
   2) Due to the administrative costs associated with unpaid fees, individuals may be assessed a $50 billing fee (per billing) for failing to remit fees not deducted from their payroll check within 10 days of receipt of payroll earnings.
   3) In addition, if the 3% deducted is not equal to or greater than current monthly minimum ($94 per month for 2019), the Union shall bill individuals for the difference and/or shortage. (No billing fee will be assessed in these cases, so long as the 3% was deducted/paid prior to billing).
   4) All persons who are past due in payment of work referral fees will be suspended from the list and charged a $100 late fee if such person fails to make payment within thirty (30) days of the date the Union notifies them of the arrearage by email to their last known email address or prior to the first day of employment on a new job, whichever date comes first. Such persons will be reinstated to their former list provided all requirements are met, all past due fees have been paid, and a $750.00 reinstatement fee has been paid to the Union. If a person falls in arrears while they are employed, due to failing to remit fees owed within the thirty (30) days after notification or, due to failing to execute a check-off authorization form for payroll deduction of their fees and they do not self-pay such fees to the Local Union within the ten (10) day receipt of payroll earnings requirement, the Employer shall remove such person from the job until such time as any amounts due are paid. Persons who are overdue more than six (6) months from the date of emailing by the Union of notification of the arrearage to their last known email address will be permanently removed from the list.

F. The Union reserves the right to restore persons who have been permanently removed from the list, provided such person’s account for all past due fees and pay an administrative fee of $750.00 to the Union or such amount as set by the Executive Board.

G. No person referred by the Union has the authority to make any agreement with any employer which conflicts with these referral rules or with any minimums in the applicable collective bargaining agreement.

H. No one is to solicit work directly to an Employer, Captain, or Coordinator. Captains and Coordinators are to report any occurrences of solicitation to the Local Union. Any individual who solicits their own employment by phone calls or other means will be subject to disciplinary action up to being permanently removed from the Local 492 referral list.
I. Any person who fails to maintain their CDL or is found to have/add Prohibited Restrictions** to their CDL, shall be removed from the referral list until such time as they return their CDL and/or qualifications to meet the standards set forth in these rules.

J. Any person who fails to pass a drug or alcohol test shall be barred for work and/or referral under these procedures for six (6) months from the testing and until such time as the individual successfully completes a substance abuse program and is certified fit for duty by a substance abuse professional. Any person who fails a second drug or alcohol test shall be permanently barred from work or referrals under these rules and shall be permanently removed from the Local 492 referral list. The Company must report any failed drug tests to the local Union immediately.

** See Article 1 for Prohibited Restrictions

ARTICLE 7 - REMOVALS

If a Local Captain believes that any Teamsters Local 492 referent is not adhering to these Rules or such person has engaged in any act or acts which has or may have an adverse effect on Teamsters Local 492's relationship with any Employer or has or may cause a negative reflection on Teamsters Local 492, the Captain shall notify the Teamsters Local 492 Movie Business Agent in writing of the situation. Such written complaint must be filed with the Business Agent within fourteen (14) calendar days of the alleged conduct causing the complaint. The Business Agent shall investigate the complaint and if he or she determines that the complaint valid, the individual will be permanently removed The Exhausted List.

ARTICLE 8 – AMENDMENTS

Teamsters Local 492 reserves the right to amend these rules at any time, with a thirty (30) day notice, to the affected persons. Notification of any amendments to these rules will be made by distribution to the persons on the Exhausted List via email only. Please add mailerl492@notifications.local492film.org and film@teamsters492.org to your contacts list to insure you receive notifications from us.