



# PRODUCE AT YOUR OWN RISK!

WHEN THE THREAT TO  
YOUR SAFETY IS WHAT  
YOU DON'T KNOW

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“WHAT? WHAT  
DO YOU MEAN, I  
WAS SUPPOSED  
TO ARRANGE FOR  
THAT? HOW WAS I  
SUPPOSED TO KNOW  
THAT? IT'S GONNA  
COST *HOW MUCH?*”

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This is a one-sided phone conversation no producer wants to have when it comes to safety programs and provisions to make their film and television production sets safe. Unfortunately, many producers are unaware of the responsibilities they assume when starting a project.

Set safety is everyone's business and responsibility.

OSHA (Occupational Safety and Health Administration) guidelines, which apply to all workplaces, require that “employers ... provide a safe workplace ... free from serious recognized hazards”, and that “all employers must provide safety training” for specific skills that their job may entail. Fall protection, hearing protection, respiratory protection, environmental awareness and general safety measures are just a few of the types of safety training that producers are responsible for providing to employees. The Contract Services Administration Training Trust Fund (CSATTF), also known

as Safety Pass, provides a wide variety of safety classes specifically for members of the Hollywood locals of IATSE, Teamsters Local 399, Camera Local 600 (for nationwide members) and, in conjunction with the DGA (but only as a training entity and only at the behest of the DGA), for Assistant Directors and Production Managers.

Union crews are required to take safety training classes before being hired on an IATSE signatory production (or at least become compliant within a specified and authorized time frame). The certification received from the classes means they have been safety-trained to perform the duties required by their positions. Safety training and skills training are two distinct processes, not to be confused with each other. Non-union “reality” programming or non-fiction crews also require safety training. All are performing the same jobs as their union counterparts, often in remote, uncontrolled and hazardous environments.

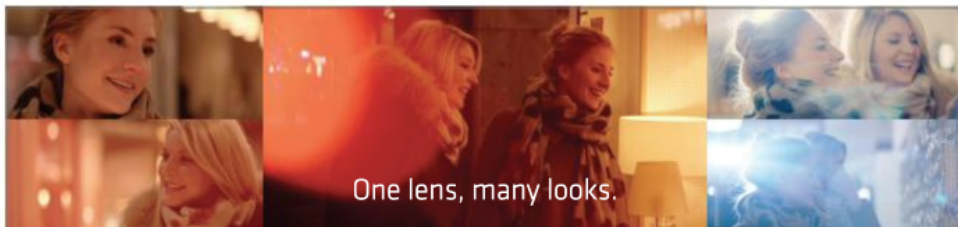
Where does that leave the producer? How do we ensure we are hiring a competent crew, providing a safe work environment and avoiding hazards on our own sets?

As a follow-up to the Produced By Conference discussion panel “20 Seconds to Disaster” held in June at Sony Studios, we want to make producers of all formats aware of some of the responsibilities that come with the job. Here are a few things you may not know that you don't know.

*“Somehow, it's easier to create when you're out there in real places on real streets, no matter what the hardships are while shooting.”* Gale Anne Hurd

In the world of Non-Union/Reality/Non-Fiction (NURNF) production, producers are required to have a safety program in place, which includes providing safety training to their employees. To accomplish this, they often look to freelance individuals and/or companies who are OSHA-certified and can provide such training services to companies or individuals. What are some serious recognized hazards? Well, in addition to the aforementioned fall, hearing, respiratory training and environmental awareness, recognized hazards include working in confined spaces, welding and cutting, dealing with compressed gas usage, high electrical currents, scaffold usage, aerial booms, noise exposure, blood-borne pathogens, and many others. These are actually situations surprisingly common on NURNF productions. Do we have you thinking about your last shoot? Good. Now you know what you don't know.





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PRODUCE AT YOUR OWN RISK!

To be clear, the term "producer" here is referring to the production company or primary employer. A "hired gun" producer (who may or may not be an owner or officer of the production company) is usually charged with implementing the safety program by making sure their technical crews have the appropriate safety training for the job(s) they are undertaking. If an accident or incident occurs over the course of the project and said accident results in death, dismemberment, or requires a hospital stay of 24 hours or more, then OSHA will almost certainly investigate the circumstances. One of the first questions

asked will be, "What type of safety training did your employee(s) involved in this accident have?" A producer's assumption that a freelance employee had previous training elsewhere does not protect them from potential fines or actions in association with an employee's culpability. Head off a potential problem by conducting a thorough interview at the outset, specifically asking the question, "What is the extent of your safety training?" If the answer is "not much," you or the company will be required to provide it before employing that person's services.

Insurance agencies can be a good source

of information regarding what type of safety training may be required for a particular show or project. Those agencies will insist on proof that certain safety measures are in place before binding the production insurance. Does your show have stunts? Pyrotechnics? Firearms? Are you working in or around water? Does your script call for an attic or basement, maybe a water tank (which could be considered a "confined space")? Each one represents another set of OSHA requirements. Again, it's what you don't know that can hurt or kill you or someone else on the set. For instance ...

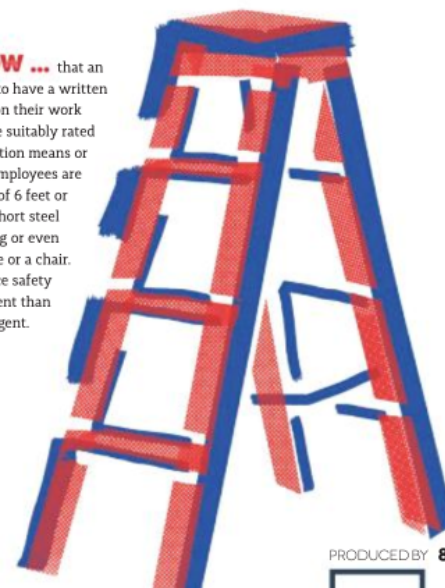


**DID YOU KNOW?** Sure, part of a producer's job is to put out fires, but did you know they need to be trained and authorized to do so? That is, when a real (not just metaphorical) fire breaks out, simply having a fire extinguisher on set is not enough. You must have someone who has been "hands-on" trained to know what type of extinguisher might be required as well as how to use it effectively for putting out a small fire. If properly used and administered, a fire extinguisher rated for the type of materials that may ignite (wood, paper, gasoline, combustible metals, chemicals, etc.) will extinguish a small "incipient stage fire" (fire within the first two minutes), but an incorrect type of extinguisher or one used improperly can cause a small fire to grow into a larger, more dangerous and headline-grabbing incident on your set. The employee who uses a fire extinguisher must also (in advance) be authorized to do so by the employer. Not just anyone can grab an extinguisher and go to town putting out a fire. This has led to calamity in the past.

**DID YOU KNOW ...** that employers must ensure their employees have proper training in the use of hand and power tools? In this instance, a "reasonable assumption" of safety training can apply as long as the employer confirms that their employees are 1) properly trained and/or experienced; and 2) using tools that are safe and in good working order, regardless of whether they belong to the employer or the employee.



**DID YOU KNOW ...** that an employer is responsible to have a written fall protection program on their work premises, well as provide suitably rated and inspected fall protection means or equipment when their employees are working at an elevation of 6 feet or more? This applies to a short steel deck platform, scaffolding or even when standing on a table or a chair. The employer can enforce safety standards that are different than OSHA's, but no less stringent.



**DID YOU KNOW ...** that a California-based employer must also have a written heat illness prevention program that conforms to the recently passed guidelines and requirements of the State of California? The guidelines require you to provide suitable shade for 100% of the attending employees when the temperature reaches or is forecast to reach 80 degrees. In addition, you must provide a minimum break of five minutes in a cool, shaded area for each employee who may require it when working in the sun and/or heat.



**DID YOU KNOW ...** that hazard communication and the Global Harmonizing System that affects labeling of products or materials have new, stricter requirements that took effect June of 2015? These requirements can affect many things common on your set, from window cleaner and dry-erase markers to hairspray.



**DID YOU KNOW ...** an employer must have in writing a proper emergency action plan (an E.A.P.) not only for their offices but for each individual shooting location? An E.A.P. lists specific actions or policies to be followed when an emergency or evacuation occurs. The producer must designate a "competent" person to implement and/or oversee the employer's safety policies.

**DID YOU KNOW ...** that hearing protection—administrative, engineering, or PPE (personal protective equipment)—must be provided to your employees when the ambient noise levels reach or exceed 90 decibels (which is only slightly over normal human conversation)? Or that even moderate noise levels over extended periods can result in hearing loss and require protective measures?



**DID YOU KNOW ...** an employer must select and authorize a "qualified" rigger to plan, execute, and create rigging for any tasks required for the project? This includes suspending lighting truss or scenery, or even fabricating a ladder or platform where one doesn't normally exist.

So even after you labor long and hard to find the perfect projects to create, rack your brain, patience, and intestinal fortitude to provide the talent, financing, distribution outlets, and production logistics to get the project made, you STILL have to make sure you create and sustain a proper safety program that includes training. Otherwise one small or not so small accident (they are never called "on purposes") could undo and possibly destroy all the hard work and best-laid plans you made in mounting your dream project.

With all that in mind, happy safe producing. ■

*"As OSHA defines them; A "competent" person is someone charged with being able to recognize and identify an existing danger or hazard and has the authority to implement steps to alleviate said hazard or remove people from harm's way. A "qualified" person is someone who has been designated by the employer who has demonstrated their abilities via training, experience or certified instruction to safely perform the assigned duties and is (when required) licensed.*

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