



## Taking legal action against ICA's union-busting

Dear ACTRA members, allies, and friends,

This week, we took our strongest legal action yet in the fight against the transparent union-busting by the Institute of Canadian Agencies (ICA).

We filed a complaint with the Ontario Labour Relations Board against the ICA for bargaining in bad faith over the past year as ACTRA sought to reach an agreement on the renewal of the National Commercial Agreement (NCA).

The ICA never wanted a renewal NCA. They only wanted a special deal for their member agencies to have the option to ignore the contract whenever they wanted so they could make low-paid and low-quality non-union commercials.



The fact is parties to a collective agreement cannot just walk away. They cannot make proposals that weaken a union's scope, knowing full-well the union would never agree. And as a result, the ICA advertising agencies are conducting an unlawful lockout of ACTRA performers, and we are confident the labour board will agree.

In the meantime, we continue to work with the Association of Canadian Advertisers (ACA), our partners in the renewal agreement, and the many engagers that are continuing to work with us to make commercials through the NCA. Engagers that use the best talent available. ACTRA talent.



We continue to say, loudly and proudly, that *You're in Good Company* with ACTRA. And we will keep working to make commercials that deliver results—through the renewal NCA.

Thank you for your support and solidarity. As always, if you have any questions or comments, please E-mail us at [actra@actra.ca](mailto:actra@actra.ca).

In solidarity,  
Marie Kelly and Eleanor Noble

**Missed a previous NCA Bulletin update? Catch up here:**

[actra.ca/stability/members/](https://actra.ca/stability/members/)

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### *Who's Who*

The National Commercial Agreement (NCA) covers the engagement of performers in all commercial productions, including television, radio and digital. The NCA was historically negotiated between ACTRA and two parties that do advocacy work on behalf of their commercial industry members.



The Institute of Canadian Agencies (ICA) historically negotiated the NCA on behalf of advertising agencies. Not all ICA agencies are signatory to the NCA. Not all NCA signatories are members of the ICA.



The Association of Canadian Advertisers (ACA) represents Canadian advertisers. Advertisers hire ad agencies to produce their commercials.



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### *Negotiations Timeline*

- **August 2020:** ACTRA, ACA, and ICA agree to extend the terms and conditions of the current NCA, including the Local and Regional (L&R) Commercial Addendum, for a one-year term without any changes or concessions to support the commercial industry in its pandemic recovery.
- **April 2021:** ACTRA, ACA, and ICA commence negotiations to renew the NCA, including the L&R Commercial Addendum.
- **March 2022:** ICA triggers a lockout of ACTRA Performers, initially as of midnight ET on April 2, 2022, but later extended to 12:01 a.m. ET on April 26, 2022.
- **April 2022:** ICA seeks terms unacceptable to ACTRA and ACA only to leave the bargaining table and subsequently deem the contract has expired.

- **April 2022:** ACTRA and ACA reach a tentative agreement to renew the NCA for a one-year term (June 1, 2022, to May 31, 2023) with a 2% increase to rates and fees over which time the two parties will work together to simplify and modernize the agreement.
- **May 2022:** ACA's Board of Directors and ACTRA Members ratify the renewal agreement.
- **May 2022:** ACTRA files 14 grievances in Montreal, Toronto, and Vancouver seeking full compensation for performers who had their union contracts pulled out from under them and to cease-and-desist engaging in non-union operations in violation of the NCA.
- **May 2022:** ACTRA files a complaint with the Ontario Labour Relations Board that the ICA and the nine advertising agencies it represented in negotiations, bargained in bad faith over the past year as ACTRA sought to reach an agreement on the renewal of the NCA. ACTRA is also seeking damages in the form of wages, benefits, and retirement contributions lost as a result of Engagers unlawfully making non-union commercials.