

1 COMPLAINTS AND DISPUTES PROCEDURES FOR FILM AGREEMENT

- 1.1 Both PACT and BECTU shall submit any differences or disputes arising solely in relation to the terms of this Agreement in accordance with this Disputes Procedure in a timely manner, and agree to use this procedure and no other until that procedure is exhausted.
- 1.2 In the first instance crew members should informally raise issues of concern with the HOD, Line Producer, the Head of Production or Production Executive as referred to in the Deal Memo. Where informal efforts to address complaints are not successful, the matter in question may be referred to the disputes procedure set out below if it relates to the terms of this Agreement.
- 1.3 In the event that a dispute or difference about the terms of this Agreement arises between a crew member or crew members and an employer, either party to the dispute or difference, or BECTU or PACT, shall within seven (7) days of its cause having arisen, invoke the following procedure:
 - 1.3.1 every endeavour shall be made by the authorised representative of the employer, the authorised unit representative of BECTU (if any) and the crew member(s) concerned to resolve the matter at the place at which it has arisen. Failing such resolution within seventy two hours:-

the matter shall be referred to an industry panel consisting of two representatives of BECTU and a representative of the employer and a PACT nominee, none of whom shall be those directly concerned with the matter in dispute. This meeting shall be held within one week of either party receiving a written request for the meeting from the other. The Chair of the panel shall alternate. Each member including the Chair shall have one vote. If the decision of the panel is unanimous then it shall be binding. If the panel is unable to reach a unanimous decision, and if either party wishes to pursue the matter, the following stage will apply: within seventy two hours either party may refer the matter to the Advisory, Conciliation and Arbitration Service, for conciliation or by mutual agreement for arbitration. In the event that no reference is made to ACAS or elsewhere, or such reference fails to achieve an agreed or arbitrated outcome, the Disputes Procedure shall be exhausted.
 - 1.3.2 The employer and crew member agree to accept as final and binding any resolution of a dispute reached under the Disputes Resolution procedure. No stoppage of work or lock-out shall take place until the procedure has been invoked and all stages of it exhausted, and the guiding principle shall be that whatever practice or custom was in operation before the registration of a dispute under this Clause shall continue until the procedures laid down have been exhausted.
- 1.4 Reference in this Clause to periods of twenty four and seventy two hours are to be interpreted as excluding Saturdays, Sundays and UK Bank or Public Holidays.