

Congress of the United States
Washington, DC 20515

March 19, 2020

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Speaker Pelosi and Leader McCarthy:

Thank you for your work on behalf of our nation advancing swift and decisive legislative responses to the emerging coronavirus crisis. The bipartisan Families First Coronavirus Response Act that overwhelmingly passed the House on Friday, as well as the previously approved \$8.3 billion in emergency supplemental appropriations, will help protect the health and financial security of families across the country as we confront this unprecedented challenge.

Already, the sweeping disruptions to public life that are crucial to slowing the spread of the coronavirus have sent shockwaves through the economy, bringing many industries to a standstill as workers and employers heed the instructions of public health officials and scale back all but the most essential activity. In the coming weeks, it is critical that Congress provide relief to impacted workers and their families. Particularly hard hit are freelancers, contractors, and other independent workers who in many cases lack the resources of a large employer as well as unemployment and paid leave protections provided to traditional employees. As events are called off, contracts postponed, performances canceled, and other opportunities for work reduced, we must ensure that relief is provided to all affected workers, regardless of the structure of their employment.

In particular, we urge you to include protections for freelance and contract workers in the entertainment industry who have lost work because of coronavirus-related cancellations or postponements. For every worker or performer on stage or in front of the camera, there are dozens more who make their living in this industry—an industry in crisis, with virtually every workplace in the country shut down over the past week.

The unique freelance nature of work in film, television, theater, and live music means that a large number of the professionals who make these productions possible work only sporadically—often with extended periods between paying jobs—and count on income from each project to make ends meet. As a result, many of them can't qualify for traditional unemployment benefits or paid emergency leave, yet will now be unable to cover their basic expenses due to lost work. Many of these workers have arranged, contracted for, and planned on work on a film, television show, streaming program, commercial, theatrical or other live production that has been cancelled or postponed as a result of the coronavirus emergency. However, these union workers are not adequately protected by rules designed for traditional single-employer relationships, or even consistent multi-employer work as in industries like construction.

As Members representing many constituents who work in film, television, theater, and live music, we urge you to include protections for those who have lost work due to coronavirus-related cancellations and postponements in the entertainment industry. Due to the unique, sporadic nature of work in this industry, we

believe that benefits provided to these workers should be calculated based on verifiable anticipated earnings for a current or future contract that has been cancelled, rather than prior wage history.

Thank you for your attention to our constituents' concerns in this unprecedented situation and your consideration of our request.

Sincerely,

Adam B. Schiff
MEMBER OF CONGRESS

Karen Bass
MEMBER OF CONGRESS

Brendan F. Boyle
MEMBER OF CONGRESS

Julia Brownley
MEMBER OF CONGRESS

Tony Cárdenas
MEMBER OF CONGRESS

Judy Chu
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David N. Cicilline
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Gilbert Ray Cisneros, Jr.
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John A. Yarmuth
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CC: The Honorable Richard Neal
Chairman, Committee on Ways and Means

The Honorable Kevin Brady
Ranking Member, Committee on Ways and Means