

## **PETTY CASH AND USING YOUR OWN MONEY TO BUY ITEMS FOR THE PRODUCTION**

Using your own credit card or cash to purchase items needed in your department is a concern that we have dealt with over the years. This issue especially came to the forefront during a recent production that struggled to pay bills that were owed. From the phone calls I received, related to this financially challenged production, a clarification of the risk you take when using your own money on behalf of a production, is something that should be explored.

First of all, crew often refer to purchases using their own money as being “owed petty cash.” Petty cash is in reality when the production gives you money to purchase necessary items to do your job and you in turn hand them back receipts and any unspent cash. The word “petty” also refers to an item of little significance or trivial. If you are owed thousands of dollars that would not be considered “petty.” However, in our industry the lines of financial responsibility has become blurred and crew are now placing themselves in unintentional risk.

When asked why they use their own credit card to purchase items, rather than receive money from the production first, the response often revolves around limited time frames and the need to properly perform their job. Under pressure to meet deadlines and supply items, or even a selection of samples for choosing, it appears it becomes much easier to buy now and settle up later. In other words crew members have become a form of “bridge financing” for the production.

At this point it is important to mention that none of this falls under the Collective Agreement. We have no more ability to pursue this money on your behalf than we do to represent an unpaid vendor. Which is essentially what you have become; a vendor. At least with a vendor they should have built in a profit margin to offset some of the risk, you on the other hand have not.

Whenever we receive calls about outstanding “petty cash” owed we always explain our limitation in being able to help someone and that it is our strong recommendation that you never use your own money to purchase any items on behalf of the production, a position supported by labour law. Although that may seem like we may be ignoring the practicalities that crew have in trying to perform their job, it is in reality explaining what we can do and the concerns we have for crew being financially harmed. In the recent financially challenged production already mentioned, I received many phone calls of crew individually owed thousands of dollars in non-payroll related disbursements. In fact, one crew member claimed to be owed about ten thousand dollars in “out of pocket” expenses. Although this crew member did not fall under our bargaining unit we still tried to help, if only by being a sympathetic ear. It was a case of a crew member trying to complete their job properly and believing that eventually all would be rectified, which had not happened at the time of our conversation.

Do not think when you use your own money to purchase items that your only worry should be productions that lack the ability to pay, as this is not the case. When you spend the production’s money through petty cash you have been given, it is up to the production to prove you spent their money inappropriately, as they would have to collect money back from you for any disputed purchases. Whereas when you approach the production to be reimbursed for money you already have spent, you run the risk of them rejecting your receipts and therefore leaving you holding the bills. This latter situation has come to our attention several times through the years.

In conclusion, members are feeling pressure to supply their own money to purchase items to properly perform their duties. By doing this the risk of collection becomes their responsibility. This risk increases greatly if you are working for someone you do not have an established trusting relationship with. As always, our recommendation is not to use your own money in any situation but to discuss a financial plan with the employer to determine your financial needs before starting any job.

To summarize what I have discussed in more direct legal language:

***“...members who pay for a production's requirements out of their own pocket are effectively advancing their own money or credit to that production. Such advances fall outside of our collective agreements and, therefore, the Union's jurisdiction to pursue their collection on our members` behalf pursuant to a grievance or other collective bargaining process. In the result members must pursue the collection of such advances on their own behalf as a “loan”, “debt”, or otherwise pursuant to applicable law and are at risk of the production`s refusal to acknowledge such advances as a “loan” or “debt” and/or any responsibility for the member`s advance(s).”***

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