

Insurance Coverage for Work-Related Illness or Injuries

XR Extreme Reach Talent (ERT), acting as “employer of record,” provides insurance coverage for work-related injuries and illness in connection with those commercials or other productions for those individuals ERT pays compensation. The actual insurance we can provide depends on certain factors. Below please find guidelines to ensure that necessary and appropriate coverage is in place. Details about the various policies are attached.

Work In the United States

ERT carries traditional Workers’ Compensation Insurance (WC) for all employees working in the United States and paid wages by ERT, whether those employees are based in the U.S. or elsewhere. We also provide WC for those individuals working in the U.S. that you engage through a bona fide loan out company and for whom ERT pays compensation to such loan-out company. Our WC policies meet all U.S. state requirements. See below for insurance coverage for individuals compensated directly by you or your client, and on whose behalf we only make contributions to the SAG-AFTRA Pension and Health Plans.

Stunts & Hazardous Productions

From an insurance perspective, most productions are straightforward—crew, producers, the director and others work to ensure that the shoot is managed in a safe manner. But sometimes projects involve work that may present a greater risk of harm. If you are responsible for talent in a production, you must confirm that you have full coverage for the activities occurring.

Please find a [Hazardous Shoot Questionnaire here](#). If you anticipate stunts or hazardous work on your production, please complete the form and forward it to riskmanagement@extremereach.com at least 10 days prior to your production. The proposed work will be evaluated to determine if the risk is: (a) acceptable under our existing policies, (b) poses risk beyond our policy limits and cannot be accepted, or (c) poses additional risk and requires additional charges.

Work in Canada

If you are paying your U.S. employees through ERT U.S., they are covered by our traditional WC plus a Foreign Voluntary Workers Compensation (FVWC) policy. It is preferable that your Canadian-based production company obtain provincial WC for your non-U.S. hires. Note that ACTRA (the Canadian actors’ union) requires on-set insurance purchased through their benefits organization. If the local production company will not provide WC and you are working with Canadian talent in Canada, ERT has a relationship with a coproducer through which WC may be able to be provided for work in certain provinces. Note that this will require some coordination, therefore notice as early as possible is very important.



Work By Individuals for Whom ERT Only Pays P&H Contributions

In some cases, you or your client will pay talent directly, and request that ERT make the contributions to the SAG-AFTRA Pension and Health Plans. We cannot guarantee that individuals paid in this way would be considered “employed” by ERT, for the purpose of WC, therefore there is risk that our WC policy would not apply in case of an injury. We have worked with our broker to develop a new policy. Individuals on whose behalf we pay contributions only whose work does not occur in their home, may be covered by a Business Travel Accident (BTA) policy. BTA provides benefits like WC to an injured employee—medical care, disability benefits, and death benefits but does not provide employer liability protection. Your liability protection must still be assured through your own general liability insurance and or contractual limitations negotiated with your talent. The general differences between WC and BTA are described below.

Work Outside the U.S. and Canada

When employing U.S.-based talent around the world, they will be covered by WC and FVWC. In general, we are not able to pay session fees for work by foreign nationals if the work occurs outside the United States and Canada. The myriad tax, immigration, employment, labor, and workers’ compensation laws in each jurisdiction make it impossible for us to anticipate your needs and provide for them in any sound manner.

Differences In Insurance Coverage

	Workers' Compensation Insurance	Business Travel Accident Insurance
General	The specific benefits provided under workers’ compensation insurance are determined by state law and vary state by state.	This coverage, made available by Extreme Reach Talent, extends to performers (working anywhere but from their home) for whom we act as a conduit for the payment of SAG-AFTRA Pension and Health Plans contributions although we are not paying the compensation.
Medical Care	Generally, there is no maximum dollar figure for qualified required medical care. WC coverage is primary relative to claimant’s existing insurance.	The medical costs benefit is capped at \$250,000. The benefit is secondary to the covered individual’s existing insurance.
Temporary Disability	Due when a claimant is not working because of the work injury while being treated and are based on some percentage of the claimant’s wages. Maximum weekly benefits vary by state, with most about \$1,500 to \$1,000 per week. Some states max out the total amount of these payments or the number of weeks these benefits are owed.	These payments are due when the covered individual is not working because of the work injury while being treated. The benefit amount is \$500 per week and can last as long as 104 weeks.



Permanent Disability	<p>This benefit is due after the claimant has reached a static level of recovery. A Permanent Partial Disability payment is usually based on the nature of the injury. In the event of Permanent Total Disability, most states provide for on-going weekly payments based on the worker's lost wages. Occasionally, total recovery is capped by total dollars or total weeks of benefits.</p>	<p>This benefit is due after the covered individual has reached a static level of recovery. Permanent Total Disability is paid at the policy maximum of \$200,000. Dismemberment results in payments at a percentage of the policy maximum based on the nature of the injury.</p>
Death	<p>Often payments similar to the Permanent Disability payments to go to children in the event of death of the employee. An amount to go to funeral costs is usually provided.</p>	<p>Death of the covered individual is paid at the policy maximum of \$200,000. In addition, there are benefits for certain childcare and education expenses.</p>
Employer Liability	<p>In most cases, the employer is protected from awards for damages for injured employees because under state law workers' compensation benefits are the "exclusive remedy" for work-related injuries.</p>	<p>BTA is private insurance and therefore does not have the same statutory protection for employers against lawsuits for damages by injured individuals. Employers need to look to their own insurance coverage and/or limitations set forth in the engagement agreements with talent or their loan out companies.</p>
Foreign Voluntary Workers' Compensation		
<p>Foreign Voluntary Workers' Compensation insurance is complementary to the traditional Workers' Compensation coverage. The most important element is an extension of the time of coverage. Most state-based policies only cover for 30 days of temporary work outside the US. This may be insufficient for your needs. FVWC extends protection for injured employees and provides the exclusive remedy of WC to completion of a foreign job. Also, FVWC provides for repatriation in the event of accident or injury.</p>		

Questions? Get in touch at riskmanagement@extremereach.com