

FCAP is an incentive for production companies to help create more job opportunities for New Mexico film and television crew professionals. A production company is reimbursed 50% of a participant's wages for up to 1040 hours physically worked by the qualifying crew member in a specialized craft position. This on-the-job training program is in addition to the 25% film production tax rebate.

**PROCESS for FCAP** \*PHASE ONE, PHASE TWO and PHASE THREE available via online PORTAL

**FCAP - PHASE ONE VIA ONLINE PORTAL - DURING PREP**

1. Email [rochelle@nmfilm.com](mailto:rochelle@nmfilm.com) the company's Federal W-9 form.
2. The company must create an online account ("user id" and "password") through the online portal. [CLICK HERE](#) to register and create an online account. *(Note: the portal works best with Chrome, Safari and Firefox. If the "user" has created an account with another project - we recommend that the "user" create a new online account with a new email address (i.e. create a production email).*
3. Once an online account is created, the company may start the process to fill out the FCAP Application Part I through the portal. If you've already created an account [CLICK HERE](#).
4. It is recommended that the company notify department heads / keys that the company is participating in FCAP.
5. The company must complete and attach the following via the online portal:
  - Complete the online FCAP Company Application Part I / Exhibit A;
  - PDF of the budget top sheet: *(Note: there are additional requirements if the total budget is over \$2M: through the online portal. Provide a list (names and titles) of 8 NM residents employed in head / key level positions in a minimum of 6 different craft departments - these crewmembers are not required to be program participants or mentors. Include crew name and position.);*
  - The company must complete the Example Exhibit B (#9 in the portal FCAP application) *(FYI – FCAP reimbursement will not exceed this amount)*. The estimate is determined by adding the totals from the number of hours that will most likely be worked - times the average wage for each potential position then dividing the grand total by two (2) (i.e.: 600 hours X \$14.00 average hourly rate = \$8,400.00 / 2 = \$4,200.00/FCAP reimbursement). Positions and totals will change once participants are approved and

detailed earnings reports have been submitted. **Note:** it is better to add all potential positions that the company may fill for the estimate.

- **Note:** crewmembers must be a resident in NM at least 1 year prior to employment
6. The company will receive the FCAP agreement from NMFO and will need to email the signed PDF copy of the FCAP agreement for review and approval **before** principal photography commences.

### FCAP PHASE TWO VIA ONLINE PORTAL - DURING PRINCIPAL PHOTOGRAPHY

1. Within the first week of principal photography, the company must email participating crewmembers the [FCAP Trainee Application](#) / or if the crewmember is a NM veteran the [FCAP OSS Participant Application](#).
2. Once the FCAP Participant Application is completely filled out, signed/dated and all contact information for both the participant and mentor are included – the company must:
  - enter the FCAP Participant Application information via the online portal
  - attach PDF's of crewmember resumes and FCAP trainee applications to the portal;
  - the crewmember must have been a resident of NM for a least 1 year prior to employment
  - the FCAP trainee job title must correspond with the [FCAP Job Title list](#);
  - the job title on the application is consistent with start paperwork, call sheets, crew lists and detailed earning reports
  - attach the preliminary crew list and day one call sheet - production will need to highlight trainees in yellow and mentors in another color. Highlight documents before scanning and submitting.
3. FCAP trainee applications will not be accepted after principal photography has ended.
4. All contractual obligations with unions must be met by the company for applicants applying for FCAP job positions under that union or guild's jurisdiction.
5. The company may submit additional applications for new hires and crew who change position during principal photography. **Note:** NMFO: a) may send the company a list of questions and notes on submitted crewmembers; b) may schedule a set visit during production; and, c) may email all participants and designated mentors notifying them of the receipt of the applications.

### FCAP PHASE THREE - DURING NM WRAP

1. The company submits a call sheet from the last day of principal photography to NMFO.
2. The company submits final crew list to NMFO. Production will need to highlight trainees in yellow and mentors in another color. Highlight documents before scanning and submitting.
3. The company must submit the detailed earnings report summary and supporting detailed earnings reports generated from the production's payroll company for each approved participant.
4. The company approves the final claim (submitted by NMFO):
  - only wages from hours physically worked by participants apply towards the reimbursement, i.e. straight, time-and-a-half, double, golden, 6<sup>th</sup> and 7<sup>th</sup> day hours;
  - hours and wages where participants did not physically work in their position do not qualify, i.e. benefits, fringes, kit rental, per diem, travel, holiday, meal penalties, idle time, forced time, mileage, etc.;
  - hours worked out-of-state do not qualify;

**Note:** A company is typically reimbursed approximately 60-70% of the estimated agreement amount (Application Part II / Example Exhibit B).

5. The company shall submit updated post-production contact information to NMFO. **Note:** The NMFO will a) email each participant acknowledgement of their participation in FCAP, which will be copied to their mentors; b) conduct an internal audit to ensure the amount of the reimbursement is correct; and, c) mail the check and a copy of the claim to the production company per the information submitted on the Federal W-9.

### COMPANY QUALIFICATIONS

1. The company must be a temporary film or television production company that was formed to produce one (1) film or multimedia product.
2. The minimum total budget of the project must be \$200,000.00 (two hundred thousand dollars).
3. For qualifying projects that have a total budget over \$2,000,000.00 (two million dollars) additional requirements, apply: eight (8) New Mexico residents must be employed in key standard level positions or higher-level positions in a minimum of six (6) different craft departments. These crewmembers are not required to be program participants or mentors.

4. Post-production companies and digital production projects do not qualify for FCAP for physical production; however, if a company in these areas of specialty operates year-round and has full-time employees, contact the Job Training Incentive Program Manager at 505-827-0323 or visit the [New Mexico Economic Development Department/JTIP webpage](#) to determine if the company qualifies for JTIP under the manufacturing category. In addition, post-production companies may qualify for FCAP for qualifying permanent emerging media companies, contact the Sr. Manager of Operations and Workforce Development Programs at 505-476-5604 or [rochelle@nmfilm.com](mailto:rochelle@nmfilm.com).
5. The NMFO will request confirmation from production that all NM vendors with outstanding obligations have been paid prior to reimbursement.

## PARTICIPANT QUALIFICATIONS

1. Applicants must be New Mexico residents who have resided in NM for 1 year prior to hire date.
2. Applicants must be raising their film or television position to a higher classification or be adding a new skill set in the hired job position.
3. Applicants must work in standard crew positions and perform the job responsibilities associated with these job positions per industry standards. The company or applicant must include justification for this request prior to principal photography. **Note:** Additional positions available for NM veterans through FCAP Operation Soundstage (OSS).
4. Applicants must have previous experience in the department for advanced positions.
5. For applicants to qualify in an advanced position within a department, at least one crewmember must be employed in the job level directly under the FCAP participant. For instance, participants that will be working in the "Best Boy" position must have a third-tier crew member consistently working in the department.
6. Applicants are allowed to have a maximum of one (1) previous film or television credit in the hired position as defined by this program. Exceptions may be requested for those with two (2) credits depending on the complexity of the new job position and the total budget of the previous productions from which those credits were accrued. **Note:** *A film or television credit for the purpose of this program is defined as work on a film or television production for more than (1) one week where the project was not a student film, an internship, an*

*unpaid position, a documentary, a commercial or film where the budget was under \$200,000 and the production company did not participate in this program.*

7. Applicants must not have a film or television credit in a higher position within the department of employment.
8. If the applicant has participated in FCAP previously and did not exceed the one thousand and forty (1040) hours available per position, the applicant, mentor or company representative may call the NMFO at 505-476-5604 to check on the number of available, unused hours (“open hours”) of a specific person in a specified job position.

*Note: The NMFO is not permitted to give out a list of previous program participants.*

9. For positions that are under the jurisdiction of a film union or guild, the FCAP applicant must supply a copy of their membership card to the company. If they do not have a copy of their card or are an applicant of the union/guild, membership status will be verified through the union or guild by the NMFO.
10. If the resume of an applicant or mentor is not available or additional information is needed, the union/guild, applicant, mentor and/or any other available individuals may be contacted by the NMFO in order to determine if the applicant qualifies as a training participant and therefore is certified as such by the NMFO.

## PROGRAM INFORMATION FOR PARTICIPANTS

1. There is a maximum of one thousand and forty (1040) hours for each person who qualifies in a specified position. As they work on a film or television project, the hours are deducted accordingly.
2. Participants must work at least eighty (80) hours in their hired position in order to qualify.
3. The hours of the qualifying participants only apply to their hired position as approved by the NMFO per their application.
4. Participants cannot be mentors simultaneously on a production.
5. The responsibilities for the qualifying position must meet the industry standards.
6. No more than two (2) crewmembers may participate in the FCAP per department. Exceptions *may* be made upon approval by the NMFO if, for example, a department has more than ten (10) crewmembers or a company is based in a rural location. **Note:** additional positions are available for NM veterans through FCAP Operation Soundstage (OSS).

7. In departments where a crewmember participates in FCAP, only one (1) crewmember may have the title of and work in the capacity of the following job positions: Supervisor, Head, Key and Best. (This does not apply to multi-unit or multi-camera situations.)
8. The qualifying participant's hourly pay rate must be consistent with their job position per their contract or deal memo with the company. In addition, the participant's pay rate must be higher in comparison to the job positions in the lower tier within that department. Union/guild contract agreements with the company may be referenced when applicable.
9. Participants may qualify for an additional one thousand and forty (1040) hours if the training received through this program is used to progress from their current job to a higher job classification or to move laterally into a new skill set and the individual meets program qualifications.
10. Participants may apply any unused hours to future on-the-job training work opportunities in the specified job position until the one thousand and forty (1040) hours are exhausted. (Unused hours are also referred to as having "open hours" in the job position.)
11. Unused training hours in a lower level position are forfeited once a trainee moves to a higher level within that skill set and that department.
12. Participants and their mentors are recommended to be safety certified.

## MENTOR INFORMATION

1. Mentors must be certified as qualified mentors by the NMFO.
2. New Mexico residents are preferred as mentors.
3. Mentors cannot be participants simultaneously during the production. In the case where the supervisor of a participant is also in the program, an additional "go-to" person, upon their agreement, must be listed as the mentor.
4. A mentor must work in the same or directly related department as their participant (trainee) and have previous experience in their participant's position of employment.
5. Any requests for mentors who are not NM residents shall be considered by the NMFO.

## OPERATION SOUND STAGE (OSS) – ADDITIONAL POSITIONS AVAILABLE FOR NEW MEXICO VETERANS

OSS is a program for New Mexico military veteran and reserve component members interested in transitioning into the film/TV industry. OSS is administered through the FCAP for physical production policy and guidelines. OSS provides additional on-the-job training for entry-level positions including Directors PA and Producers PA. **Note:** OSS applicants require a different FCAP participant application.

1. Company must submit the FCAP trainee applications through the online portal using their user id and password. Copies of the [OSS FCAP Application](#) and resumes must be completed by crewmembers and attached to the online portal within the first week of principal photography.
2. FCAP/OSS trainee applications will not be accepted after principal photography has ended.