

NATO of California/Nevada

PREVIEWS

Information for the California and Nevada Motion Picture Theatre Industry

CALENDAR of EVENTS & HOLIDAYS

Labor Day
September 3

Rosh Hashanah
September 12-13

**National NATO
Board Meeting**
September 18-19

Yom Kippur
September 22

Autumn Begins
September 23

Columbus Day
October 8

**Sexual Harassment
Prevention Training**
So. California - October 9
No. California - October 11

ShowEast
October 15-18

Halloween
October 31

**Daylight Saving Time
Ends**
November 4

Film Product Seminar
So. California - November 8
No. California - November 13

Veterans Day
November 11

NATO of CA/NV Sexual Harassment Prevention Training Seminar Scheduled for October

We are pleased to announce that once again, John LeCrone and Janet Grumer of the law firm Davis Wright Tremaine LLP will be presenting a two hour workshop, **FLIRTING WITH DISASTER: Sexual Harassment Prevention Training**, to all interested NATO of California/Nevada member companies. The Southern California workshop will begin at 10:00AM on Tuesday, October 9th at Mann's Festival Theatre in Westwood. The Northern California seminar will be held on October 11th at Renaissance Rialto's Orinda Theater beginning at 1:00PM.

The training classes will meet the requirements of California Government Code § 12950.1, which requires that all California employers having 50 or more employees provide at least two hours of interactive training and edu-



Janet Grumer



John LeCrone

cation regarding sexual harassment to **all supervisors** within six months of their assumption of a supervisory position. The law also requires updating this training for all supervisors at least once every two years, but more frequent updates are prudent to prevent harassment and discrimination before it happens.

The training classes will be aimed at helping supervisors to recognize sexual harassment and other forms of workplace harassment, they will cover the appropriate immediate action that needs to be taken along with tips on how to report and prevent harassment in the workplace. Additionally, the seminar will focus on avoiding claims of retaliation once harassment has been reported, the subject of many recent lawsuits in this area.

See SHPT, continued on page 2

Get Set To Preview The Future At The November Film Product Seminars

NATO of California/Nevada has made arrangements with Real D to present a special 45 minute demonstration of the future of cinema as part of the upcoming 2007 Fall/Winter Film Product Seminars. The seminars are set for November 8th in Northern California and November 13th in Southern California. The demonstration of Real D will include 3-D footage from upcoming releases as well as alternative programming.

Because of the special presentation the available auditoriums will have limited seating. Reservations will be accepted on a first come, first served basis; once we reach our capacity registrations will be cut off. Watch your mail for the October issue of *Previews* and visit the Seminars and Meetings section on our web site, www.NATOCalNev.org, for all the details.

Previews
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**National Association of
Theatre Owners of
California/Nevada**

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SHPT, continued from page 1

The seminar will spotlight common problems and practical solutions to the many problems faced by theatre employers in particular, especially given the number of employees in their first jobs, policies of promoting from within, and the geographic dispersion of locations. The seminar will be aimed directly at movie theatre company issues, making it ideal for line supervisors and managers, district managers, Human Resources professionals, and corporate management alike.

Our presenters come to us with a vast store of knowledge on the subject, in addition to presenting sexual harassment prevention training seminars, Mr. LeCrone represents employers and management in wrongful discharge, harassment and discrimination litigation, wage and hour class actions, and trade secrets/unfair competition litigation. Ms. Grumer is a former movie theatre executive whose practice focuses on theatre and retail clients, including employment and general litigation issues.

The training classes will be offered free of charge to NATO members and their employees but is by reservation only. The registration deadline is Tuesday, September 25th. ▼

Training Must Be Interactive

California law requires that the training be “interactive.” This means that video training alone is likely insufficient without discussion, role-playing, a question-and-answer session, or other similar techniques led by a qualified trainer. Employers using a webinar for training must document that each supervisor who was not physically present in the same room as the trainer actually attended the training and actively participated in it.

Businesses that do not complete the training are subject to a corrective order from the Department of Fair Employment and Housing as well as increased exposure to harassment claims.

Source: California Chamber of Commerce Alert

Registration Form

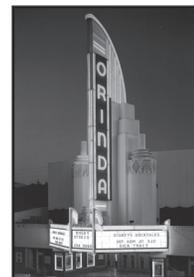
Please provide the following information for each attendee, if registering more than one person please list all names and information on *one* sheet or email:

Name and position: _____
Company name: _____
Theatre: _____
Email address: _____ **Daytime phone number:** _____

Check off the session you would like to attend:



October 9th 10:00AM
Mann's Festival Theatre
 10887 Lindbrook Drive
 Westwood, CA 90024



October 11th 1:00PM
Renaissance Rialto's Orinda Theater
 2 Orinda Theater Square
 Orinda, CA 94563
 Easily accessible via the
ORINDA BART STATION

Reservation deadline is September 25th
Fax to 310/460-2901 or email to Office@NATOCalNev.org

California New Codes Soon to be in Effect

Part 1

By Gene Boecker, NATO of CA/NV Code Consultant



On January 1, 2008, California will have new codes in effect. After that date, all new construction submittals must meet the new regulations. Prior to that date, the submitter can request the use of the new codes or continue to use the existing regulations. Also, after that date, the fire marshals will begin to enforce new provisions to existing buildings based on the requirements in the new Fire Code. It will be necessary to understand these regulations and their impact on both new and existing facilities. City of Los Angeles is expecting a one year transition into the codes. During this transition period, LA will accept plans designed under either set of codes.

The current regulations are based on the 1997 Uniform Building Code and 2000 Uniform Fire Code. The new Building and Fire codes will be based on the 2006 International Building Code and International Fire Code (sometimes referred to as I-Codes). Mechanical and Plumbing codes will be the updated 2006 Uniform Mechanical and Uniform Plumbing Codes. These regulations are in many ways similar to the existing set of codes and in some ways vastly different. This article will address both the ramifications as they apply to new construction and as they apply to existing facilities. The discussion below will identify changes between the existing codes and what the new codes will require.

New Construction

Occupancy classification. In the current code, a theatre is either a Group A, Division 2.1 or a Group A, Division 3; depending on the number of seats in the auditorium. Under the new regulations all theatres will be classified as **A-1**. The A-1 classification is attributed to facilities with fixed seats. Requirements based on the number of occupants are differentiated within the various provisions of the codes.

Building Separations. There will no longer be area separation walls. In order to divide a structure into multiple buildings a **fire wall** will need to be constructed. Fire walls have potentially lower rating but will be required to have an increased structural reliability. The wall must be designed to remain in place if the building on either side collapses.

Size (Height and Area). Buildings can be potentially larger than under the prior code. There is also a provision that will allow for an **unlimited area** theatre as long as it is only one-story

in height, sprinklered throughout, built of non-combustible materials, and surrounded on all sides by an open space of at least 60 feet.

Automatic Fire Sprinklers. Under both the current and the new code, **any multi-plex cinema** will need to be sprinklered. However, any stand alone theatre will need sprinklers if it has an occupancy exceeding 300, is more than 12,000 square feet in area, or is located at other than the level of exit discharge (grade).

Fire Alarms. This requirement is now in the building code in addition to being located in the fire code. Whereas the current code requires fire alarms in any A-2.1 building, the new code will only require a fire alarm when the **occupant load exceeds 300**. Note however, that the occupant load in this case means the occupants within the entire facility – not within the individual auditoriums.

Accessibility. California Accessibility provisions have been modified to be closer to the provisions in the federal ADAAG and the International Building Code (IBC). However, they are still located in Chapter 11 and still customized for California.

Means of Egress. Egress widths will be able to be calculated based on a **lessened criteria**. The current regulations require 0.3 inches per occupant for stairs and 0.2 inches per occupant for doors and corridors. The new code will allow 0.2 inches per occupant for all conditions. However, handrails must be spaced so that they are not more than 60 inches apart instead of the 88 inches under the current code. Probably one of the biggest changes is that corridors will not need a fire rating if the building is fully sprinklered.

There are many other changes but there is little room for further discussion here. The International Code council has a seminar on the transition and a workbook that is of assistance in noting the differences.

Next edition – Existing Facilities ▼

Gene Boecker, R.A . a project manager with Code Consultants, Inc. is a consultant to NATO of CA/NV. Mr. Boecker can be reached at 314/991-2633 or via email at geneb@codeconsultants.com.

TECHNICAL *Corner* Concessions

By Wayne Kochanek, ACS Enterprises Inc.



Go ahead... POP the question

Pop... pop, pop... pop, pop, popcorn! How wonderful that our customers take for granted (as they should) the joy of walking into an auditorium with a super size fresh bag of hot popcorn. Of course, those in the corn popping business know a bit better - it can be a tumultuous ride getting those tiny seeds to consistently expand a thousand times over to guarantee that perfect bag of popcorn.

Let's take a trip down that oil tube of popping wisdom. First, you'll need to absorb the basic concept of how a kettle works. We're talking concept here, understand, there may be a little more mechanics involved on equipment side, but for the most part you'll get the big picture.

Class, come to order. – Kettles are calibrated for a certain amount of seed and oil. They work in harmony with the heat. The heat is turned on and off by a thermostat. (Hang in there!) The thermostat is set for certain low and high temperatures. The high temperature shut off point coincides with the time the seeds have finished popping and by no coincidence the kettle needing to be dumped.

A lot of thought has gone into this marriage of seed, oil and heat and it needs to be preserved for the expansion sake of all future seedlings! (I'm done preaching.) Your machine may beep or a light may illuminate to signal you when the kettle has reached temperature and should be dumped. Of course your ears will tell you when the seeds have stopped popping. **Never leave a machine unattended.**

Here are some basic signs which will help you determine if the calibration on your popper is true. We're not talking deep repairs here, so put the ratchet set down. Sure, there are other variables which may factor in to the performance of your machine and could warrant a service call, but the following go a long way in helping you trouble shoot.

SEED – use the right measuring cup. Your manufacture has taken the time to create the perfect cup for your machine, use it. That plastic chemical bottle cut in half is not safe. What size is your machine – 20, 32, 48, 52, or 60 ounces? You should know.

Too much seed and the machine will seem to pop slow toward the end because the oil has burned off. You'll get extra seeds in the corn. The color of the corn is good at first but become very white at the end. The machine signals dump before the seeds are done popping,

Too little seed and the corn will finish popping early before the heat shuts off. The excess oil could smoke as it burns off. Corn may be dark from oil or oil may spill from the kettle as it is dumped. The machine may signal to dump far after the corn has finished popping.

OIL - Set your machine to the right distribution of ounces. Pumps will change the amount of oil dispensed with age - tubes will dry and shrink constricting flow. A tech may have replaced the tubes with longer or shorter runs. Bag and oil line connection may get air leaks slowing oil movement. So... measure the oil on a regular basis and get the right amount. Tip: The standard ratio for seed vs. oil is 3 to 1. That's 3oz of seed for every 1oz of oil. (Check with your manufacturer if you want to vary from this.)

Too much oil – Oil also cools the kettle down between cycles and turns the thermostat back on. Too much oil and the kettle will cool too much before getting back up to popping temperature. This can make it seem longer between dumps, cycle times may increase. The first corn out of the kettle will be oil saturated.

Too little oil - The kettle will reach temperature faster causing the thermostat to turn the heat off before all the corn is popped. The seeds need oil to pop. Another sign may be the buzzer or indicator light going off early, before you need to dump. You may get burned popcorn at the end of the batch.

Thermostat set too high – Danger! Danger! Cycle times may seem shorter, but there is a danger of a fire when the kettle is too hot. Adding oil to a kettle that is too hot can flash fire. This is why we always add seed first and oil second. If you feel your kettle is too hot, first assure seed and oil measurements are correct. Then have a trained technician look at your machine. They may need to adjust or replace the thermostat. The signs on this one can be splattering oil, burned seeds, adverse smoking, discoloration in kettle, indicator signaling dump before seeds are fully popped.

Thermostat set too low – Corn will take a long time to pop. It's soggy, not fluffy and little Bobby spits it back at you. Assure corn and seed measure-

ments are correct. Another sign may be the indicator buzzer or light does not come on. Have a trained technician look at it. Here is where the repair variables increase on you.

When is the last time you checked with your manufacturer? They have training books, flyers and even videos to help you understand and educate your staff. Go online to their websites or contact them.

A quick word about energy consumption: Energy Management is huge. Companies are looking to monitor everything these days, from HVAC, to lighting, to the amount of water consumed. The savings can be significant. Here's how you can do your part. Check with your manufacturer on the time it takes to warm up your equipment, it's shorter than you think. Conversely – turn the heat off after popping. It not only saves power, but reduces the wear and tear on your machine. There's no need to have relays, timers, circuit boards and motors snapping on and off trying to heat a kettle with no product. Maybe some day the janitorial crews will be able to sweep the fallen popcorn into an influx regenerator and convert it to energy. Hey, think out of the box.

As always, if you are repairing in-house be safe. Understand your equipment and never guess at proper installation. Call a qualified technician. "Quick" fixes and poor installation only lead to more repairs. ▼

Wayne Kochanek is Director of Facility Development for ACS Enterprises, a full-service company offering a wide-range of comprehensive programs for the motion picture industry. For additional information, please visit www.acs-ent.com or email Wayne at concession@acs-ent.com.

LABOR ISSUES & Updates

Judge Blocks Video Game Law State Ban On Sales To Minors Called Unconstitutional

Reprinted from San Jose Mercury News, By Edwin Garcia and Howard Mintz

SACRAMENTO - A state law intended to bar California retailers from selling or renting violent video games to minors was declared unconstitutional by a federal judge in San Jose who concluded that the legislation violates the First Amendment.

In a 17-page ruling, U.S. District Judge Ronald Whyte permanently blocked the law, which was signed by Gov. Arnold Schwarzenegger in 2005 to address mounting concerns that some violent and mayhem-filled video games incite violent behavior in youth. Among other things, the law required video game publishers to put an "18" label on particularly violent games.

The ruling was expected by video game makers - which have seen similar judgments in other states - but Schwarzenegger immediately vowed to appeal the ruling to the 9th U.S. Circuit Court of Appeals.

Whyte indicated he was "sympathetic" to the concerns of lawmakers, but he found insufficient evidence to continue the law of a connection between violent videos and violence in children.

The evidence does not show that "playing violent video games immediately or necessarily results in real world violence," the judge wrote.

The law, written by Assemblyman Leland Yee, D-San Francisco, hadn't gone into effect; the Video Software Dealers Association and Entertainment Software Association sued the state days after Schwarzenegger signed the measure.

The law, AB 1179, would have prevented those under 18 from buying or renting games depicting serious injury to people "in a manner that is especially heinous, atrocious, or cruel" - a standard that would have been determined by the courts. Retailers in violation would have been fined up to \$1,000.

Schwarzenegger vowed to "vigorously defend this law."

"I signed this important measure to ensure that parents are involved in determining which video games are appropriate for their children," Schwarzenegger said in a statement.

An association of video game retailers said eight similar laws across the nation had been overturned in the past six years, including in Michigan, Washington and Missouri.

"It is now time for the California Legislature to move beyond political grandstanding," said Bo Andersen, president of the Entertainment Merchants Association, "and accept the video game industry's invitation to work with them to educate the public about video game ratings and encourage parents to utilize those ratings when selecting video games for their families."

Industry's argument

The association, formerly known as the Video Software Dealers Association, challenged the law, arguing that the legislation infringed on free-speech rights and that the issue should be addressed by more parental involvement in the video game habits of their children.

Game makers agreed.

"Video games should be treated as all other forms of entertainment and not unfairly regulated

See Video Game, continued on page 6

Video Game, continued from page 5

by the Legislature,” said Bill Roper, chief executive of San Francisco game developer Flagship Studios. “There can be no better arbiter of what is appropriate entertainment for minors than their guardians.”

Yee, now a state senator, said he was surprised and disappointed by the ruling.

“This was an extremely important bill for children,” said Yee, who holds a doctorate degree in child psychology. “It was to protect our children from the harmful effects of these ultra-violent video games.”

Yee said numerous studies “suggest those individuals who play these ultra-violent video games do report a higher incidence of violent solutions to conflict situations.” The problem, he added, is that it’s impossible to produce a scientific study to prove that correlation because children can’t be forced to participate in such a study.

While hard evidence may be lacking, Mary Wiberg, executive director of the California Women’s Commission, a state agency that supported the measure two years ago, said she’s convinced that some young men who play violent video games grow up to abuse women.

Theater owners

The case, like similar lawsuits in other states, was watched by the National Association of Theater Owners for possible reverberation in the movie industry, which has fought off government attempts to legislate enforcement of ratings systems.

The association’s president and chief executive, John Fithian, said the constitutional precedent set by this ruling was consistent with courts that have analyzed voluntary industry ratings.

Theaters, he said, can block children under 17 from watching certain movies deemed violent similar to the way video game resellers warn young customers about violent video games: through labeling and packaging.

“It’s voluntary action from the movie theater, just as it is voluntary action from the retailer selling a video game,” Fithian said. “You don’t have an absolute right to go onto private retail property and buy things. You’re allowed in and the companies can set the policies for admission they want to set.”

Most games sold in retail stores are rated by the Entertainment Software Rating Board, a non-profit established 13 years ago which encourages stores to prohibit minors from purchasing software labeled “M” for “Mature 17+” and “A” for adults.

Legislative efforts probably won’t stop with this decision, said Michael Pachter, a research analyst at Wedbush Morgan. “I think politicians are going to get a bit more clever about how to craft these laws.” ▼

What to Do If Social Security Number ‘No Match’ Notice Arrives

Recent news articles have appeared regarding the federal crackdown on illegal immigrants, based upon the Social Security “no match” letters. The following are recommendations from the California Chamber of Commerce on how an employer should react should they receive a “no match” letter. (Editor)

The current crackdown by the Department of Homeland Security (DHS) is not a change to the law or the I-9 process. DHS is merely stepping up enforcement of current law while waiting to finalize regulations on this issue that were first released last year.

The “no match” letters from the Social Security Administration are not new and have always advised employers not to terminate someone just because of the letter.

There are several reasons such a letter might be issued, such as transposing numbers, making honest mistakes about your Social Security number or failing to change your name for Social Security purposes.

Some employers ask for a Social Security number on their employment application, and other applications may ask if the employee is able to provide documentation of his/her ability to work in the United States. Oftentimes the application also will contain a statement that the employee has to sign, attesting to the truthfulness of the information on the application.

If the employee has signed such a statement and used a false Social Security number, the employee has falsified employment documents, which alone may be grounds for termination.

The problem for the employer occurs when the Social Security number has been used for purposes of I-9 verification. The Form I-9 must be completed by all new hires and this has been the law since 1986. The new employee must present documentation that verifies identity and employment eligibility. One document that can be used to prove employment eligibility is a Social Security card.

Once the employer is on notice of the “no match” on the Social Security number, the employer should check that employee’s I-9 form. If the employee has used a falsified document for identification or employment eligibility purposes, the individual has engaged in fraud — the individual completing the I-9 form has to attest under penalty of perjury his or her status as a citizen, lawful permanent resident or alien. The I-9 form also contains a statement warning that federal law prohibits false statements and the use of false documents and that imprisonment or fines are permitted for such violations.

If the employee is not eligible to work in the United States and/or cannot provide documentation of his or her ability to do so, the employer can no longer continue to employ that person. ▼

Source: California Chamber of Commerce Alert

Scholarship Program Benefits Many

Throughout the year we receive notes from some of our scholarship recipients that we like to share with you, our members.



Dear NATO of CA/NV,

I want to thank you for awarding me this amazing scholarship. I cannot put in to words how much this will change my life as a student. I have been working full time to support my educational expenses and my family. Because of the NATO scholarship, I am able to work fewer hours and concentrate on learning and volunteering in the community.

This is very important because I plan on founding a non-profit organization with the goal of spreading awareness about poverty in America. To do this, I need to study current trends surrounding the issues of homelessness, discrimination, health care issues, etc. The NATO of CA/NV scholarship will help me by enabling me to have time to do the research needed.

I will use the scholarship to pay for educational expenses such as tuition, books, school supplies, and fees charged annually by the university. Once again, thank you for having this outstanding scholarship program for theatre employees. Your kindness and generosity inspire me to pursue my dream. In the future, I hope to be able to use the money I make having a college degree to help others just like you have helped me.

Thanks!

*Virginia Elizabeth Bartz
SFSU*

Regal Edwards San Marcos 18 Theatre

Robert and Mary Beth Erickson, owners of the Fallon Theatres, a twin screen theatre in Nevada, joined NATO of California/Nevada in early 2002 and since then they have taken advantage of the many benefits provided by the Association, in particular the Scholarship Program. They have actively encouraged their employees to submit applications to the scholarship program and over these past five years 9 of their employees have been selected to receive scholarships. We are happy to share Mr. Erickson's letter of appreciation:



Dear Milt:

The NATO of California/Nevada Scholarship Program under your leadership is exceptionally generous, providing opportunity for continued education for our greatest asset, our staff. You've set a standard with this program not only for the entertainment industry but for the entire business and professional community which is unparalleled. In the case of our employees at Fallon Theatres the NATO of California/Nevada Scholarships have made a huge difference in the lives of very talented students and enabled them to follow their dreams. I compliment you on your foresight and commitment to this program.

It is a privilege to be a part of NATO of California/Nevada. The organization and you and your staff are an invaluable resource to us and we appreciate the support you have given Fallon Theatres.

Sincerely yours,

(signed) Robert H. Erickson

NATO of CA/NV Supports Children's Museum of LA

The charitable contributions committee of the National Association of Theatre Owners of California/Nevada voted to support the Children's Museum of Los Angeles with a contribution of \$25,000.

The contribution was acknowledged by Board of Governors Co-Chair, Bruce Corwin of Metropolitan Theatres, a long-standing and active NATO of CA/NV member and separately in the following letter from the Museum's CEO/CFO.

Dear Milt:

On behalf of the Children's Museum of Los Angeles, thank you for responding to our urgent appeal for support with a gift of \$25,000 as we work with our contractors to continue construction.

You are a true champion of the Museum.

The building is more than 90 percent complete and is a true wonder to see. Reaching the milestone of obtaining our Temporary Certificate of Occupancy will be an important step in achieving our ultimate dream of opening a cutting-edge, interactive facility to educate and inspire millions of children and youth – something we could not do without your support.

Thank you, again, for your unwavering commitment to the Children's Museum of Los Angeles.

Sincerely,

*(signed) Cecilia Aguilera Glassman
Chief Executive Officer/
Chief Financial Officer*

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for October**



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**NATO of CA/NV
Supports Children's
Museum of LA**



**Judge Blocks Video
Game Law**



**What to Do If Social
Security Number 'No
Match' Notice Arrives**



Technical Corner
Go ahead... POP the question

ADDRESS SERVICE REQUESTED

