

## New Jersey Film Tax Credit Program Diversity Plan

For applicants that wish to apply for the 2% Diversity Tax Credit, please review this form in its entirety and provide information where required.

While this information is requested as part of the preliminary application for tax credits, further guidance is provided as to how the Authority will evaluate actions taken by the applicant prior to the actual issuance of tax credits.

### Part 1: Diversity Goal

**Applicant Name:** \_\_\_\_\_

**Title of Film or Television Production:** \_\_\_\_\_

- 1. Based on the total number of people employed on the film/television production by the applicant, please provide the overall diversity goal the applicant is setting for the percentage of employees that are/will be women and minority employees: \_\_\_\_\_ % (Goal cannot be less than 15%)**

Please provide the supporting numbers that the overall diversity goal is based upon:

Estimated Number of Employees on Film/Television Production: \_\_\_\_\_

Estimated Number of Minority and/or Women Employees on Film/Television Production:  
\_\_\_\_\_

*For purposes of this plan, minority worker means a worker who identifies as at least one of the following categories: Black/African American, Hispanic/Latino, Asian, Native Hawaiian or Other Pacific Islander, American Indian/Alaska Native.*

- 2. The applicant certifies that it is committed to making good efforts to hire a diverse workforce including minority and women workers and vendors that represent the diversity of the State of New Jersey. Furthermore, the applicant will:**

\_\_\_\_\_ Make it a priority to actively recruit and hire minority workers in all areas of production, including in skilled, advanced and managerial areas of production, and not just in talent and entry level positions.

\_\_\_\_\_ Make it a priority to recruit and hire women in all areas of production, including in skilled, advanced and managerial areas of production, and not just in talent and entry level positions.

3. Does the applicant intend to participate in training, education and recruitment programs that are organized in cooperation with New Jersey colleges and universities, labor organizations, and the motion picture industry and are designed to promote and encourage the training and hiring of New Jersey residents who represent the diversity of the New Jersey population?

Yes      No

If yes, please explain or provide more information about the program that the applicant intends to participate in. If no, please explain why the applicant chose not to participate.

## Part 2: Activities Applicable Generally

Please indicate which activities the applicant plans to perform in order to track progress against the diversity goal and promote the hiring and recruitment of minority and women persons on the film production. **In order for a diversity plan to be approved by the NJEDA, both mandatory activities must be agreed to by all applicants, and a minimum of two elective activities must also be agreed to. At this application stage, the applicant must only indicate which activities they agree to perform.**

The additional information related to good faith efforts described below will be requested of the production company by the NJEDA at a later date, as part of the certification process (when the production is completed and the applicant seeks to be issued the tax credit for which they were approved).

During the certification process, the NJEDA will first review the mandatory activities. If the applicant can demonstrate, through payroll reports or the diversity goal tracker, that the diversity goal stated in Part 1 was met, no further review of elective activities is required. If the applicant cannot demonstrate through payroll reports or the goal tracker that the goal was met, or if these reports show that the diversity goal was not achieved, the NJEDA will then seek to determine whether the good faith efforts were performed against the elective activities.

<b>*** MANDATORY ACTIVITIES ***</b> All applicants must Indicate "YES" to both mandatory activities to be considered for diversity plan approval.		
Activity	How will a good faith effort be demonstrated to the NJEDA?	Will the applicant perform this activity?
<b>1. Track the applicant's progress in reaching the applicant's diversity goal by using a payroll report prepared by an independent third party payroll company, or the Diversity Employment Tracker and Tracking Sheets provided by the New Jersey Economic Development Authority.</b>	The applicants progress against the diversity goal can be demonstrated to the Authority in one of two ways:  <b>1. Payroll Report Prepared and Submitted by a Third-Party Payroll Company</b> , listing, at a minimum, the employees on the production, the gender, and the ethnicity of the employees. Based on the information on the payroll report, the Authority should be able to independently verify the overall diversity goal on the approved diversity plan was met. <b>All companies using a payroll company will be expected to use this method, unless the payroll company is not able to provide the information.</b>  <b>2. For productions unable to provide a payroll report</b> , fill out <b>the Diversity Goal Tracker</b> provided by the EDA, listing <b>ALL</b> employees of the production company working on the production in New Jersey, and provide the required information for each employee. The information	Yes _____  No _____  <b>All applicants must select "YES" to this activity to be considered for diversity plan approval.</b>

	<p>provided on the tracker should substantiate the diversity goal information provided in Part 1.</p> <p>Further, provide a copy of a completed and signed <b>Tracking Sheets</b> for each employee reported as minority or woman on the Diversity Goal Tracker that is being counted against the overall diversity goal. *</p> <p>* NJEDA will have the right in its sole discretion to contact individuals listed on the payroll report or diversity goal tracker to verify their services rendered on the film production.</p>	
<p><b>2. Produce a written assessment upon completion of the production that summarizes the progress on reaching diversity goals and discusses ways to improve the process for reaching diversity goals in future productions.</b></p>	<p>Produce and submit to the Authority this written assessment upon completion of the production and prior to any actual issuance of a tax credit.</p> <p>If the diversity goals were met, the assessment should address which activities were most effective in meeting the goal, as well as any additional ideas or best practices the production may recommend for encouraging diversity on future film and television productions.</p> <p>If the diversity goals were not met, the assessment should address why the production believes the goals were not met, any identified successes in achieving diversity on the production despite not meeting the stated goals, and ideas for improvements to processes to help meet diversity goals in future productions.</p>	<p>Yes _____</p> <p>No _____</p> <p><b>All applicants must select “YES” to this activity to be considered for diversity plan approval.</b></p>

**ELECTIVE ACTIVITIES**

A minimum of two activities must be selected "YES" to be considered for diversity plan approval.

Activity	How will a good faith effort be demonstrated to the NJEDA?	Will the applicant perform this activity?
<p><b>1. Interview minority persons and women for employment opportunities in all areas of production not just talent and entry level positions.</b></p>	<p>Using the <b>Diversity Interview Tracker</b>, complete the fields for each employee listed indicating the following:</p> <ul style="list-style-type: none"> <li>• The name of the candidate interviewed</li> <li>• The position interviewed for</li> <li>• If the candidate is a minority and/or woman.</li> <li>• The date on which the interview with the minority or woman was conducted.</li> <li>• Name and title of the interviewer.</li> <li>• Confirmation that an official application was completed, signed, and on file.*</li> </ul> <p>* NJEDA will have the right in its sole discretion to review all or a sample of applications completed by minorities or women to ensure compliance. Applications may be redacted to protect personally identifiable information such as name, address, and social security number. The application, however, must indicate the position applied, date of the application, and if the applicant self-identified as a minority or woman.</p>	<p>Yes _____</p> <p>No _____</p>

**ELECTIVE ACTIVITIES (continued)**

A minimum of two activities must be selected "YES" to be considered for diversity plan approval.

Activity	How will a good faith effort be demonstrated to the NJEDA?	Will the applicant perform this activity?
<p><b>2. Place advertisements for minority and women workers that run for a minimum of five days in appropriate trade journals available in the tri-state area.</b></p>	<p>Provide copies of all advertisements for minority and women workers placed in trade journals.</p> <ul style="list-style-type: none"> <li>• Each advertisement must include a specific solicitation for each position that can be traced back to positions identified on the Payroll Information or Diversity Goal Tracker.</li> <li>• Provide copies of all receipts from trade journals. All receipts must illustrate the name of the trade journal, date of purchase, amount of the sale, and period which the advertisement is run.</li> <li>• For each trade journal, provide a short explanation why the selected trade journal was an appropriate medium for the position advertisement.</li> </ul>	<p>Yes _____</p> <p>No _____</p>
<p><b>3. Provide opportunities for women and minorities to get experience working on the production through an internship or other comparable program.</b></p>	<p>Provide NJEDA with information on the internship/professional experience program, including an overview on how the internship/professional experience program works, how minority and/or women candidates are recruited and selected to participate in the internship/professional experience program, and any marketing materials or information that are used to make minority and/or women candidates aware of the internship/professional experience program.</p> <p>Also provide tracking sheets signed by minority and/or women candidates that participated in the internship/professional experience program for the film or television project applying for the tax credit. *</p> <p>* The Authority reserves the right in its sole discretion to contact these individuals to verify and discuss their participation in the internship/professional experience program.</p>	<p>Yes _____</p> <p>No _____</p>