

TELEVISION COMMERCIALS AGREEMENT – SUMMARY
AFTRA & SAG

ISSUE ADDRESSED	APPLICABLE TERMS FOR AFTRA & SAG October 30, 2003-October 29, 2006																																																																																												
Base Contract	Both AFTRA and SAG have a "stand-alone" contract book covering this work. The rates and working conditions are identical.																																																																																												
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Ad Lib/Creative sessions	<p>When performer is requested to devise action not provided by the script, storyboard, or specific direction.</p> <table border="1"> <tbody> <tr> <td>1st hour of audition</td> <td>\$212.05</td> </tr> <tr> <td>additional ½ hr units</td> <td>\$106.03</td> </tr> <tr> <td>additional 50% @ session</td> <td>scale+50%</td> </tr> </tbody> </table>			1 st hour of audition	\$212.05	additional ½ hr units	\$106.03	additional 50% @ session	scale+50%																																																																																				
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Dealer use	Flat rate for 26 week cycles for buys made by dealer or distributor of product. One holding fee cycle which falls within the 26 week dealer cycle is covered. Dealer A - made and paid by the manufacturer or distributor of the product. Dealer B – made and paid by the national manufacturer or distributor of the Product.															
Downgrade	If principal performer's face does not appear in final cut of the spot. Performer shall be notified no later than 15 days after the first use of the commercial and shall be paid an additional session fee. If performer does not receive notice nor payment then they are entitled to all use payments which occur until they are in receipt of both.															
Editing - Creating New Spots & Tags	With very limited exceptions, additions or changes to an existing spot will create a 2nd new spot with separate payments due for integration of footage and use. Please consult Media Services for details in this area. If changes are allowed, many will be payable as "Tags" at the following rates: <table border="0" style="margin-left: 40px;"> <thead> <tr> <th></th> <th style="text-align: center;"><u>On-camera</u></th> <th style="text-align: center;"><u>Off-camera</u></th> </tr> </thead> <tbody> <tr> <td>1st tag</td> <td style="text-align: center;">\$535.00</td> <td style="text-align: center;">\$402.25 [Session Fee]</td> </tr> <tr> <td>2 - 25</td> <td style="text-align: center;">\$157.90 ea.</td> <td style="text-align: center;">\$119.65 ea.</td> </tr> <tr> <td>26-50</td> <td style="text-align: center;">\$ 88.10ea.</td> <td style="text-align: center;">\$ 66.40 ea.</td> </tr> <tr> <td>51+</td> <td style="text-align: center;">\$ 48.25 ea.</td> <td style="text-align: center;">\$ 36.20 ea.</td> </tr> </tbody> </table>		<u>On-camera</u>	<u>Off-camera</u>	1st tag	\$535.00	\$402.25 [Session Fee]	2 - 25	\$157.90 ea.	\$119.65 ea.	26-50	\$ 88.10ea.	\$ 66.40 ea.	51+	\$ 48.25 ea.	\$ 36.20 ea.
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Exclusivity	Unless separately negotiated and paid, client can only hold performer exclusive for the narrow definition of the specific product. Eg. Fast food, not all restaurants; Dolls, not all toys; etc. 1-3 noncompetitive products or services / 150% of minimum compensation for session or use. 4+ noncompetitive products or services but not complete exclusivity / 200% of minimum compensation for session or use.															
Fitted and Not Used	Pay full session fee.															
Flight Insurance	A performer required to travel by plane: <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">Principals:</td> <td style="text-align: right;">\$11.30</td> </tr> <tr> <td>Extras:</td> <td style="text-align: right;">\$11.30</td> </tr> </table>	Principals:	\$11.30	Extras:	\$11.30											
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Footware	Dancer who provides their own footware shall be paid an allowance of \$11.30.															
Foreign Use	Commercial airing outside the United States and its territories, Canada and Mexico. If commercial is made for foreign use only – must be noted on the talent contract at time of session.															
Hazard Pay	Principals and Dancers who works under hazardous conditions are entitled to additional pay as follows: <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">Fist Day</td> <td style="text-align: right;">\$162.15</td> </tr> <tr> <td>Each additional day</td> <td style="text-align: right;">\$105.40</td> </tr> </table>	Fist Day	\$162.15	Each additional day	\$105.40											
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Holding Fees	In order to retain the exclusivity of the performer to the client's product, each 13 weeks starting with the session (which is considered the first holding fee), all principal performers are paid an amount equivalent to a scale session fee, unless otherwise negotiated. This also enables the client to use the spot. Exemptions from holding fees: Non-identifiable voice over (cartoon voices/disguised voices/sound effects). Off camera solo/duo/ group singers. Non-identifiable pilots. Made for cable use only/Made for foreign use only/non-air demo/seasonal w/special provisions/Made for dealer use only w/special provisions.															

Late Payment Damages	<p>Principals: \$3.00 per business day for 25 days, or a total of \$75.00. If written notice is given, a \$75.00 additional lump sum is due and \$10.00 per calendar day accrues until whole amount is paid.</p> <p>Extras: \$2.50 per business day for 30 days, or a total of \$75.00. If written notice is given, an additional \$5.00 per calendar day accrues until whole amount is paid.</p>										
Makeup Test	Principal performer is given a makeup or wardrobe test and is not used in the commercial, is entitled to ½ session fee for each day tested.										
Maximum Period of Use	21 months from the first day worked. Session+(7) 13-week cycles = 21 months										
Meal Periods Penalty for Violation	<p>When: First meal within 6 hours of first call for the day. Next meal with-in 6 hours of the end of the first meal. Not considered work time.</p> <p>Length: At least ½ hour, no longer than 1 hour</p> <p>Penalty: 1st ½ hour - \$25.00 2nd ½ hour - \$25.00 3rd+ thereafter, ½ hour - \$50.00</p>										
Mileage	\$0.36 per mile. Mileage allowance is due for traveling outside the studio zone.										
Minor	<p>Performer under the age of 18 years of age. A parent or guardian must accompany any performer under the age of 17 at all times. Union complies with any state child labor laws that may be more restrictive.</p> <p>Work hours start no earlier than 7:00am and shall end no later than:</p> <table style="margin-left: 40px;"> <tr> <td>Under 6 years old</td> <td>7:00pm</td> </tr> <tr> <td>Over 6 years old</td> <td>8:00pm school days</td> </tr> <tr> <td>Over 6 years old</td> <td>10:00pm non-school days</td> </tr> </table> <p>Work permit and/or birth certificate, report card must accompany talent contract.</p>	Under 6 years old	7:00pm	Over 6 years old	8:00pm school days	Over 6 years old	10:00pm non-school days				
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Multiple Tracking	<p>Recording over the original track or adding an additional track, electronically or mechanically, containing the same material as recorded on the original track.</p> <p>Solo/Duo/group singers: An additional 50% of the original fee for unlimited multi-tracking.</p>										
Night Work	<p>Principal: For work between 8PM and 6AM, performer is paid a 10% premium in quarterly increments.</p> <p>Extras: paid a 20% premium for work between 1AM and 6AM.</p>										
Opening / Closing	Standard opening or closing requires up to 20 extras @ Scale + \$88.80 ea.										
Overtime	<p>On camera: Work beyond 8 hours (less 1 hour for meals) in a day, paid in hourly units at time+½ for 9th and 10th hours, and at double time for the 11th hour and thereafter.</p> <p>Voiceover: If work extends beyond the 2-hour session, a second 2-hour session is payable at the full session rate.</p>										
Outgrade	Principal performer is not used in the final spot. They shall be notified in writing no later than 15 days from the first day of use. If an off camera principal is replaced, they must be notified within 2 business days or a holding fee and use payments are due until notice is given.										
Payment Due Dates	<table style="margin-left: 40px;"> <tr> <td>Session</td> <td>12 business days.</td> </tr> <tr> <td>Use</td> <td>15 business days.</td> </tr> <tr> <td>Holding Fee</td> <td>1st day of cycle</td> </tr> </table>	Session	12 business days.	Use	15 business days.	Holding Fee	1st day of cycle				
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Pension & Health	<p>SAG Pension & Health 14.30%</p> <p>AFTRA Health & Retirement 14.30%</p>										
Per Diem on Overnight Location	<p>Meals must be provided or the following paid per day:</p> <table style="margin-left: 40px;"> <tr> <td>Breakfast</td> <td>\$10.50</td> </tr> <tr> <td>Lunch</td> <td>\$15.70</td> </tr> <tr> <td>Dinner</td> <td>\$28.95 [Day total: \$55.15]</td> </tr> <tr> <td>Tours</td> <td>\$68.65</td> </tr> <tr> <td>Personal appearances</td> <td>\$68.65</td> </tr> </table>	Breakfast	\$10.50	Lunch	\$15.70	Dinner	\$28.95 [Day total: \$55.15]	Tours	\$68.65	Personal appearances	\$68.65
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Persons Covered	<p>Principals: On-camera: Speaking, face is identifiable, in foreground, demonstrating product or reacting to off-camera message, stunt/ pilot/driver, group dancers, singers, speakers. Off-camera: narrators, announcers, puppeteers and singers.</p> <p>Extras: The first 35 hired. (Stand-ins & photo doubles <i>not</i> part of the 35.)</p>
Postponement	<p>Principals: Within 24 business hours notice, can move to new date within 15 working days. Pay ½ day rate. If can't work within 15 days, pay other ½ day rate.</p>
Prior Fitting	<p>Principal: minimum 1 hour, thereafter in ¼ units. (15 mins) On a workday, part of the continuous workday.</p> <p>Extra: minimum 2 hour, thereafter in ½ units. (30 mins)</p>
Program Use (network)	<p>Class A – Network Program paid per airing in more than 20 cities. Class B – Flat rate for local programs airing in 6 to 20 cities. Class C – Flat rate for local programs airing in 1 to 5 cities. Majors: LA/Chicago/NY count as 11 cities each.</p>
Public Service Announcement (PSA)	<p>Must file a waiver with the union before seeking talent with proof of non-profit organization. This waiver gives the producer unlimited national usage for one year from the 1st airing. Session fee still due.</p>
Reinstatement	<p>If during the maximum period of use of a commercial, Producer desires to reinstate a commercial after the termination of the right to use the commercial, Producer may do so with the written consent of the performer and payment of not less than two back holding fees, with one applicable to use.</p>
Renegotiations	<p>Talent must give written notice no more than 120 days and not less than 60 days prior to the expiration of the commercial (maximum period of use) to renegotiate new rate.</p>
Rehearsal	<p>Paid as work time for all categories of performer.</p>
Rest Breaks	<p>Extras: 5 minutes every hour of actual rehearsal or shooting. Dancers: 15 minutes every hour of actual rehearsal or shooting. Minors: 15 minutes every 2 hours of the work day.</p>
Rest Period ["Turnaround"]	<p>Principals - 12-hour consecutive rest period from final dismissal to first call next day. Extras Sixteen Hour Rule that extras can work no more than a 16-hour span out of any 24 hours, including meals, wardrobe, etc. Reductions: Exteriors on nearby location, can be 10 hours. Overnight location, several exceptions. Even with a penalty paid, the principal may not have less than a 9½- hour rest period. Penalty: Principals - Lesser of session fee or \$500. With their consent. Extras - Session fee for every hour.</p>
Reuse/Residuals	<p>Performers are paid anytime the spot is aired. For use over a network as part of a network program ["Program" or "Class A" use], each separate use triggers a payment. For use over independent or affiliate stations ["Wild Spot" use], the performer is paid for each market in which the spot airs for the right to air it any number of times for 13 consecutive weeks. For use over basic or pay cable networks ["Cable Use"], the performer is paid for the total number of cable networks where the spot will air for the right to air it any number of times for 13 consecutive weeks. The client or ad agency is responsible for payment authorization.</p>
Reuse of Clips in or From Other Media	<p>If photography or soundtrack produced under an AFTRA or SAG contract is reused in AFTRA/SAG covered work, the employer must bargain with the performer for the right to do so, and pay at least the minimum rates due under the contract covering the new use. Failure to do this results in damages of triple the performer's original salary plus the minimum due under the new contract.</p>

Seasonal Spot	A commercial designed for use as a Christmas, June Bride, Valentine's Day, Spring, Summer, Fall, and or Winter commercial, etc., may only be used for one 13 week cycle per season with an optional contiguous period of not more than 2 additional weeks. No exclusivity but a holding fee is due at the end of the use cycle in order to use the spot the following season.
Skate Allowances	Skates \$9.05 per pair Skateboard \$9.05 per board
Smoke/Wet/Snow/Dust Work	An extra who works in Smoke/Wet/Snow or Dust conditions must be paid an additional \$40.00 on top of scale. Example: \$298.80 (scale rate) + \$40.00 = \$338.80 daily rate. \$338.80/ 8 hours \$ 42.35/hourly rate \$ 63.53/ x1.5 (9 th & 10 th Hour) \$ 84.70/ x 2.0 (11 th hour and thereafter)
Stunts/Stunt Adjustment	A stunt coordinator must be engaged, and available for consultation with performer. (Stunt coordinators are part of the crew and are not covered by the SAG/AFTRA contracts.) Actors have no obligation to perform stunts or hazardous activity and no performer can be forced to perform an activity they deem too dangerous. Performer consent is required. If performed, actor may consult with stunt coordinator prior to the shoot and negotiate for a stunt adjustment. If no adjustment is negotiated on the set, the actor is owed an additional full day's pay as an adjustment.
Sweetening	The addition of a new or variant track over the original track: Solo/Duo: An additional 100% of the original fee for each additional track. Group singers: An additional 50% of the original fee for an unlimited number of tracks.
Union Security	Hire a union member in good standing when producing anywhere in the US. If union membership fees are not current, union security violations are \$300.00 per performer.
Theatrical / Industrial use	Not less than 100% of the applicable session fee for 30 consecutive days of use following the 1 st exhibition. An additional 60% due for any use that occurs beyond the 30 th day.
Transfer of Rights	If the production company served as the union signatory for the session and will not be responsible for reuse payments, a Transfer of Rights Agreement should be filed with the union. Once approved by the union, this document places the responsibility of future payments and claims with the new signatory, either the advertiser, ad agency or independent signatory. Failure to receive the approved Transfer from the union could result in the producer being pursued by the union to satisfy future claims.
Travel Day to Overnight Location	Pay a full day for travel. First class airfare must be provided, unless 1000 or less air miles, where coach is acceptable. If traveling on Saturday or Sunday daily rate is @ time + ½.
Travel + Work	Travel and work on the same day, travel time calculated in ¼ hr units (15 mins). Can subtract travel from unused work time. EXAMPLE: Work 8.5 hrs, pay 9.0 hrs, subtract .50 from travel. Travel past midnight – ¼ hour units (15 mins.) @ time+1/2.
Vehicle Allowance	Allowance + mileage* (0.36 per mile) per day: Automobile \$36.05* Bicycle \$12.05 Moped \$18.05 Motorcycle \$36.05* Trailer \$36.05*
Wardrobe Allowance	\$16.90 per change of non-evening wear. \$28.20 per change of evening wear.
Wardrobe Test	Principal performer given a makeup or wardrobe test and not used in the commercial, is entitled to ½ session fee for each day tested.

Weather Permitting Calls	Must be communicated at time of booking. Good for first day of shoot only. For payment of ½ the session fee [except actors making over double scale], the actor may be held for up to 4 hours, may rehearse and/or get into make-up and wardrobe, but may not be photographed. If accepting a WP call, performer must advise employer of any potential conflicts on subsequent days.
Weekend Work	Work on Saturdays or Sundays is double the usual rate. [Actors making over double scale, are paid time+½.] Overtime is paid at the same rate as the first 8 hours. All hours are at the double time rate. Performer who spends the weekend on location and does not work, receives straight time for each such day.
Wild Spot	Broadcast on non-interconnected single stations and is independent of any program OR is used on local participating programs. Flat rate paid per unit weight per 13-week use cycle.
Work on Holidays	Performer is paid double for work on these 8 holidays: New Year's Day Martin Luther King Day President's Day Memorial Day July 4 th Labor Day Thanksgiving Christmas.

QUESTIONS? CALL, FAX or E-Mail

In Los Angeles – Tiffani Halverson (310) 440-9639 Phone (310) 254-1732 Fax
tiffani@media-services.com E-mail address

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