
**Addendum to
COVID-19 Commercial Production Safety and Testing Protocol Agreement dated 4/16/21**

This addendum (“Addendum”) is entered into as of September 9, 2021 between SAG-AFTRA (“Union”) and The Joint Policy Committee, LLC (“JPC”) on behalf of advertising agencies and advertisers who have authorized the JPC to negotiate on their behalf and to execute the Addendum. The terms of this Addendum are in addition to the terms and conditions set forth in the COVID-19 Commercial Production Safety and Testing Protocol Agreement date 4/16/21 (“COVID Safety Protocol Agreement”). Capitalized terms used but not defined herein shall have the meanings ascribed to them in the COVID Safety Protocol Agreement and/or the SAG-AFTRA Commercials Contract.

Section I. Procedure for Establishing a Mandatory Vaccination Policy:

A Producer may establish a mandatory vaccination policy for commercial productions, subject to the requirements set forth below:

- A. Producer must announce such policies as soon as possible, preferably in initial breakdowns or earliest casting discussions;
- B. Producer must apply such policies equally to all Performers in the relevant zone(s) or work location(s);
- C. Producer must abide by the vaccination inquiry procedures set forth in Section II below with respect to its applicable vaccination policy;
- D. Producer must have procedures in place to engage in the legally-required interactive process with those requesting medical exemption or religious accommodations, and must include the procedure for initiating a request in all notices of the vaccination policy;
- E. To verify vaccination status, Producer shall require individuals to provide one of the following types of proof of vaccination: i) a digital vaccination card maintained by a government, vaccination provider or verification service that checks against government records; ii) production or upload of a physical vaccination card or copy of a physical vaccination card; and iii) Producer must maintain any documentation of vaccination status securely and available only to those required to have the information in compliance with all federal and state data privacy laws, rules and regulations including, without limitation, HIPAA; and
- F. An email notice to the Union that the Producer is implementing a mandatory vaccination policy is required as soon as practicable. Notices should be sent to: commercialsreporting@sagaftra.org with copy to bhaynes@jointpolicycommittee.org.

Section II. Procedures for Vaccination Status Inquiries:

A. Mandatory Vaccination Policy in Place:

A Producer that has implemented a mandatory vaccination policy¹ **may only require a prospective employee to respond “yes” or “no”** as to whether any of the following is true:

The prospective employee is Fully Vaccinated² OR has a sincerely held religious belief or disability that would prevent them from becoming Fully Vaccinated.

The offer of employment will be conditioned on verification of (i) Fully Vaccinated status (as set forth in Section I.E above) or (ii) disability or sincerely-held religious belief and a determination, after engaging in the legally-required interactive process, that the medical exemption or sincerely-held religious belief can be accommodated without undue hardship. However, an employee may be unable to be hired without a vaccination in those situations.

Transitional Period: Any Performer subject to this Addendum who receives the first vaccine shot (or only vaccine shot if using the Johnson & Johnson vaccine) before October 4, 2021, and completes the course of vaccination within 6 weeks thereafter (including fulfilling the two-week waiting period after the second shot of Pfizer or Moderna COVID-19 vaccine) shall be authorized to work under a mandatory vaccination policy even if Performer is not yet Fully Vaccinated.

B. Mandatory Vaccination Policy in Place after Hire: On a production that implements a mandatory vaccination policy after Performers are hired, Performers that are not Fully Vaccinated or who, through the legally required interactive process, cannot be accommodated may be cancelled but must be compensated for all days booked and/or held.

C. No Mandatory Vaccination Policy in Place: On a production that has not implemented

¹ Performers that are too young to receive a vaccine (currently, under 12 years old) shall not be subject to a mandatory vaccination policy at the present time, but must adhere to the COVID Safety Protocol Agreement during production and all casting sessions.

²“Fully Vaccinated” currently means that at least 14 days have passed since the individual received a Johnson & Johnson COVID-19 vaccine shot or a second shot of Pfizer or Moderna COVID-19 vaccine. New vaccines can be used in the future if they are approved by the FDA.

a mandatory vaccination policy, Producer may not inquire about vaccination status until after an offer of employment is made, but may thereafter require Performer to verify vaccination status prior to commencement of employment, including at the time of a pre-engagement COVID test, provided that the offer is not contingent upon Fully Vaccinated status.

- D. Mandatory Vaccination at Audition Location: If a Performer scheduled by Producer (or by Producer's casting director) to audition must be Fully Vaccinated to attend an in-person audition due to a facility or governmental requirement, Producer shall provide Performer with an opportunity to audition virtually. Performers shall not be asked or required to disclose their reason for requesting a virtual audition opportunity.