



To: All JPC Authorizers

Date: September 12, 2018

Re: Recent SAG-AFTRA Activity in the Advertising Industry

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SAG-AFTRA's recent activities in the advertising industry are well publicized. The JPC is issuing this bulletin to help address industry questions and misinformation. It is important to note that, legally, the JPC cannot assert itself in SAG-AFTRA's dealings with current or former signatories that are not authorizers of the JPC. We are providing the below facts for informational purposes only:

Bartle Bogle Hegarty (BBH)

- BBH was a direct signatory to the SAG-AFTRA Commercials Contracts—not a JPC authorizer.
- On or about November 21, 2017, BBH notified the union of its desire to terminate its status as an employer under the SAG-AFTRA Commercials Contracts.
- On or about December 20, 2017, SAG-AFTRA requested that BBH collectively bargain with SAG-AFTRA.
- Since January 8, 2018, BBH has refused to bargain in good faith with SAG-AFTRA.
- On May 14, 2018, SAG-AFTRA filed a charge against BBH with the National Labor Relations Board (“NLRB”) asserting BBH’s failure to bargain over the terms of a new contract.
- On August 31, 2018, the NLRB filed a Complaint and Notice of Hearing against BBH alleging a violation of the National Labor Relations Act (“NLRA”). BBH must answer the Complaint on or before September 14, 2018.
- We do not anticipate a decision by the NLRB before Spring 2019.

Executive Media Services (EMS)

- EMS was a direct signatory to the SAG-AFTRA Commercials Contracts.
- Direct signatories sign a letter of adherence that requires them to be “bona fide producers,” and states that SAG-AFTRA may revoke an entities signatory status if it finds the entity is not a bona fide producer of commercials.
- Prior to the 2016 negotiations, SAG-AFTRA began investigating third-party signatories and sent letters to several entities inquiring as to their status as a bona fide producer.

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- Following these investigations, SAG-AFTRA determined that EMS was, in its opinion, not a bona fide producer as required by the terms and conditions of the SAG-AFTRA Commercials Contract and, on August 14, 2018, SAG-AFTRA unilaterally revoked the signatory status of EMS.
- An arbitration hearing has been scheduled for October 22, 2018.
- SAG-AFTRA also indicated that several other entities are still under investigation, including CMC/Forecast, Waving Cat, Talent Solutions and Talent Direct. At this time, those entities remain signatories to the SAG-AFTRA Commercials Contracts.