



**COMMERCIALS CONTRACT**  
**2020 LOW BUDGET DIGITAL WAIVER**

Terms

<b>Definitions</b>	<ul style="list-style-type: none"> <li>• Commercials (as defined in Section 4) made for the Internet and/or new media platforms</li> <li>• “Connected Shoots” are low budget digital productions that are also shot on the same day as a production that is not produced under the Low Budget Digital Waiver</li> <li>• “Unconnected Shoots” are low budget digital productions only</li> </ul>
<b>Accessibility</b>	Available to signatory and JPC authorizer ad agencies and advertisers
<b>Budget Threshold</b>	<p>\$100,000 per production day. The production budget includes the session fee(s), but excludes use fees, edit fees, and non-talent related post-production costs</p> <p>The Union understands that not all digital productions will have a unique budget and may instead be combined into a larger overall production budget for digital and traditional productions and other services. In such instances, Producer should use commercially reasonable efforts to determine that portion of the overall budget attributable to the digital-only production.</p>
<b>Budget Verification</b>	<p>Attestation of the budget is required prior to the shoot for all Connected Shoots and should be sent to <a href="mailto:commercialsreporting@sagaftra.org">commercialsreporting@sagaftra.org</a>.</p> <p>Upfront budget attestation is not required for Unconnected Shoots, but may be requested by the Union. Producer will act in good faith when using this waiver for low budget digital commercials.</p>
<b>Notice to Talent</b>	<p>Session, use, and edit fees must be broken down separately on the casting notice, noted at time of booking, and separately enumerated on the principal employment contract.</p> <p>Performer or his or her representative must be notified at the time of audition that Producer intends to produce under this waiver.</p>
<b>Principal Performer Session Fee</b>	<ul style="list-style-type: none"> <li>• Negotiable for Unconnected Shoots</li> <li>• Not less than scale for Connected Shoots</li> </ul>
<b>Extra Performer Session Fee</b>	<ul style="list-style-type: none"> <li>• Negotiable for Unconnected Shoots</li> <li>• Not less than scale for Connected Shoots</li> </ul>

<b>Work Hours/Overtime</b>	<ul style="list-style-type: none"> <li>• Session is an 8-hour day</li> <li>• For Unconnected Shoots, the hourly overtime rate is negotiable, but is paid based on current Commercial Contract structure</li> <li>• Overtime for Connected Shoots is paid based on current Commercial Contract rates and structure</li> </ul>
<b>Principal Performer Use Fee</b>	Negotiable for both Connected and Unconnected Shoots
<b>P&amp;H</b>	19% (or 18.5% for JPC authorizers)
<b>Principal Performer Edits</b>	Negotiable for both Unconnected and Connected Shoots
<b>Extra Performer Edits</b>	For Connected Shoots, the extra integration fee (based on scale session fee) is due
<b>Platforms</b>	Internet, New Media, and Over-the-Top (OTT)
<b>Exclusivity</b>	No exclusivity rights may be acquired
<b>MPU</b>	<p>1-year from the date of the session</p> <p>Producer must negotiate with talent for any use past the MPU. However, if a commercial appears on a social media site after the expiration of the MPU but is not relevant to any current campaign and remains in the feed tied to its original posting date, no further payment shall be required provided that Producer complies with the Union’s request, if made, to remove the commercial from the social media site.</p>
<b>Preference</b>	The Union agrees to waive the Taft-Hartley fine, but Producer is required to submit the Taft-Hartley form
<b>Use in Other Media</b>	<p>Any commercial produced under this waiver subsequently used in whole or part in any other media covered by a SAG-AFTRA collective bargaining agreement requires full use fees for that medium (e.g., television or industrial use).</p> <p>Consent of any principal performers appearing in the Commercial as used in television is required prior to any television use (due to potential existing conflicts).</p>
<b>Other</b>	<ul style="list-style-type: none"> <li>• No celebrities.</li> <li>• No stunts or hazardous work.</li> <li>• All other terms and conditions of the 2019 SAG-AFTRA Commercials Contract apply except as modified above</li> </ul>
<b>Sunset Clause</b>	This waiver sunsets with the expiration of the 2019 SAG-AFTRA Commercials Contract on March 31, 2022.