



THE JOINT POLICY
COMMITTEE, LLC

BULLETIN

To: All Signatories to the 2022 SAG-AFTRA Commercials Contracts

From: Stacy Marcus, Chief Negotiator for The Joint Policy Committee, LLC

Date: November 21, 2023

Re: Dispute with SAG-AFTRA Regarding Holding Fees & 1-Year Cycle of Traditional Digital

Background:

On November 20, 2023, the JPC filed a Demand for Arbitration against SAG-AFTRA (the “Union”) regarding the Union’s improper interpretation of the 2022 Commercials Contract MOA. The grievance is related to the JPC-issued Bulletin dated June 8, 2023. The Union claims that for spots produced under the Linear + Digital side of the CBA, if Producers pay for a one-year cycle of Traditional Digital use and no actual linear or streaming use occurs, Producers are required to pay back Holding Fees that would have otherwise been due under the Digital Only side of the MOA in order to obtain performer exclusivity. The Union has filed several claims against signatories based upon this improper interpretation of the terms of the 2022 MOA. The JPC is requesting the Arbitrator interpret the MOA as interpreted by the JPC.

Next Steps:

- **Notify the JPC in the event of any grievance filed by the Union making this particular claim. All claims will be stayed during the pendency of the arbitration.**
- The JPC and Union will conduct an arbitration in accordance with the CBA and under the rules and procedures of the American Arbitration Association.
- The JPC will bulletin the industry when there is a decision rendered by the Arbitrator or a resolution to the grievance. In most labor arbitrations, a decision is rendered within six to nine months.