We Heard You!

The union is continually developing innovative solutions to address challenges the advertising industry is facing. We now have a successor agreement that modernizes the Commercials Contracts and are pleased to introduce the Upfront Use Packages that specifically address these concerns.

Four available use packages*: 
Upfront Plus / Upfront Flex / Upfront Digital / Audio Flex

* EFFECTIVE JUNE 1, 2019

Upfront Plus

- A one-time payment to principal performers:
  - On-Camera = $20,000.00
  - Off-Camera = $15,000.00
- Includes up to 10 Class A uses and unlimited use in all other media.
- Beginning with the 11th Class A use, on-camera performers would receive $100.00 per use, and off-camera performers would receive $75.00 per use for the remainder of the maximum period of use (MPU).
- New editing rules apply.
- Exclusivity – added to the session and use payments:
  - First non-competitive product requires an additional 25% of all compensation (scale + 25%)
  - Second non-competitive product requires an additional 15% of all compensation (scale + 40%)
  - Third non-competitive product requires an additional 10% of all compensation (scale + 50%)
  - If there are over three non-competitive products then 200% of all compensation is due
- One-year MPU.
Upfront Flex

- For a one-year MPU, principal performers are paid an upfront guarantee:
  - On-camera = $8,000.00
  - Off-camera = $6,000.00

- Each use type has a set rate for each 13-week use. The rates for an on-camera performer:
  - All Cable and Local Cable: $3,400.00
  - All Wild Spot and Local Cable: $2,000.00
  - All Digital (includes Internet, New Media, OTT such as Hulu): $1,300.00
  - All Spanish Language: $2,000.00
  - All Other Domestic Use (includes Industrial, Dealer, Unwired, Diginets, Class B and Class C): $1,000.00
  - Class A: $100.00 per use
  - Foreign Use for English and Spanish regions is paid at 60% of the traditional contract rate

- Use rates are deducted from the guarantee. Once the guarantee is exhausted, the performer shall be paid for all use from that point forward.

- New editing rules apply.

- Exclusivity – applies to the session and 13-week use payments, not the guarantee:
  - First non-competitive product requires an additional 25% of all compensation (scale + 25%)
  - Second non-competitive product requires an additional 15% of all compensation (scale + 40%)
  - Third non-competitive product requires an additional 10% of all compensation (scale + 50%)
  - If there are over three non-competitive products then 200% of all compensation is due

  For example, a commercial holding one non-competitive product that is used in “All Cable,” the guarantee is still $8,000, but the 125% of $3,400 (or $4,250) shall be applied against the $8,000 guarantee.

Upfront Digital

- For a one-year MPU, principal performers shall receive payment for Internet, Over-the-Top (OTT) and New Media as follows:
  - On-camera = $3,825.00
  - Off-camera = $2,868.00

- No automatic exclusivity unless bargained for at time of hire. Performer would be paid 4 session fees upfront.

- Foreign use and Industrial use are paid at 60% of the traditional contract rates.

- To move the commercial to television, producer must obtain prior consent from the principal performers and may use either the traditional contract rates or an Upfront Use Package.

- A producer may either freely bargain for edits per the traditional contract or pay one additional session fee to use the new editing provisions.

Audio Flex

- Audio Flex is based on the “Three Ls”---Listening, Location and Length.

- Session is $350.00 per 90-minute session, or part thereof, or per commercial recorded, whichever is greater.

- For a one-year MPU, performers shall receive payments for unlimited use on each platform type at the rates for the periods identified in the Audio Flex Toolkit.

- Tags: legal changes, geographic changes, product availability, contact information, different brand names, special offers and promotions. Does NOT include legal language, car details, etc.

- Payments for tags are as follows:
  - Individual Tags = $100.00
  - Bundle of 10 = $800.00
  - Bundle of 20 = $1,300.00
  - Bundle of 30 = $1,500.00
  - Bundle of 40 = $1,600.00
  - Bundle of 50 = $1,750.00

- Mechanical edits (shorter versions) are $350.00 per edit and use counts as one with the original commercial.

Contact: Commercials Department in Los Angeles (323) 549-6858 / New York (212) 827-1454
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