



Welcome to the 2019 **Hawaii** Regional Commercials Code

This contract is tailored for regional advertisers to easily hire SAG-AFTRA performers at competitive rates with flexible terms.

Things you should know about this contract:

- **Predictable Rates** – One rate covers session and use fees (See rates on final page).
- **Flexible Use Options** – Rates for 4-weeks, 13-weeks, 1-year or 21-months.
- **No Weekend Premiums** – Rates remain the same for Saturday and Sunday.
- **Multiple Platforms** - Rates include broadcast and local cable, internet, new media and theatrical/industrial.
- **PSAs Now Included** – PSAs can also be produced under the regional code.
- **Less Paperwork** – Just a phone call and signature away from production. The full agreement can be viewed in this document.

Questions? Ready to sign? Contact Mericia Palma Elmore (808) 596-0388 or Mericia.PalmaElmore@sagaftra.org

sagaftra.org/adsgolocal

2019 Hawaii Regional Commercials Code

1. JURISDICTION

The following rates, terms, and conditions shall apply only to commercials produced within Hawaii. Such commercials are expressly limited to use within Hawaii.

2. APPLICABLE TERMS AND CONDITIONS

It is understood and agreed that all terms and conditions of the 2019 SAG-AFTRA Commercials Contract and the 2019 SAG-AFTRA Audio Commercials Contract (collectively, the “Commercials Contracts”) shall apply, except as expressly modified herein.

Notwithstanding any contrary provisions in the Commercials Contracts, the terms and conditions of the Commercials Contracts shall apply to commercials produced outside of the Jurisdiction of the 2019 Hawaii Regional Commercials Code, herein referred to as “Hawaii Code”.

In no event shall a Producer be permitted to make use of a commercial outside of the Jurisdiction of the Hawaii Code. If the Producer breaches this agreement and does make use of a commercial outside of the Hawaii Code’s Jurisdiction, the Producer as a remedy shall immediately upgrade and pay all performers on the commercial retroactively in accordance with the full rates, terms, and conditions of the Commercials Contracts, without regard to those terms expressly modified herein. Nevertheless, under no circumstance shall such a breach and upgrade authorize the Producer to produce any other commercials outside of the Jurisdiction of the Hawaii Code.

3. EFFECTIVE DATE

The Hawaii Code shall be effective for a period commencing with the date of execution by Producer of a letter of adherence and countersigned by SAG-AFTRA and shall apply to all commercials made during its term, whenever exhibited, but not to commercials made prior to its Effective Date. The rate, terms, and conditions of the Hawaii Code shall not be retroactive to any date prior to the date the letter of adherence is signed and countersigned by the parties.



4. TERM OF AGREEMENT

The expiration date of the Hawaii Code will coincide with the dates of expiration of the 2019 SAG-AFTRA Commercials Contract and the 2019 SAG-AFTRA Audio Commercials Contract at midnight, March 31, 2022, but shall continue in effect thereafter until terminated by either party upon 60 days’ written notice to the other party.

5. PAYMENT & USE

Session Fees:

All minimum session fees shall be computed and paid at 80% of the minimum session specified in the Commercials Contracts for commercials produced by a Producer who executed a letter of adherence to the Hawaii Code on a One Production Only basis and 70% of the Commercials Contracts for commercials produced by a Producer who executed a letter of adherence for the full term of the Hawaii Code. Payment of the minimum session fee below for local commercials produced under the Hawaii Code reflects a 13-week use period. Payment for additional term of use options are noted on the rate sheet. Hand Models, General Extras and Stand-Ins receive the below-listed session rate, which shall cover any and all use of the commercial under the Hawaii Code. See examples of minimum session fees for key performer categories below.

	<u>One Production Only</u>	<u>Full Term</u>
<u>PRINCIPALS</u>		
On-Camera Principals	\$570	\$498
Off-Camera Principals	\$428	\$375
<u>EXTRAS</u> (Allows Unlimited Use)		
Hand Models	\$315	\$276
General Extras	\$180	\$158
Stand-Ins	\$198	\$174
<u>AUDIO COMMERCIALS:</u>		
Actor, Announcer	\$253	\$221
P&H/H&R Contribution: 19% (18.5% for JPC Authorizers)		
Rates are rounded to the nearest dollar. For rates covering additional categories, see the attached applicable Rate Sheet.		

Payment of the minimum session fee includes all local broadcast, internet, new media, theatrical/industrial and local cable use within the Jurisdiction of the Hawaii Code. Extended or unlimited editing rights may be obtained through direct bargaining with the performer or the performer's agent. Local internet and new media use are restricted as per Section 6 below.

Use Payment Options: Producer may acquire the right to use the commercial for periods of 4 weeks, 13 weeks, 1 year or 21 months from the date of employment based on the flat rates set forth in the applicable Rate Sheet.

No exclusivity rights may be acquired by Producer with respect to principal performers who perform under the Hawaii Code. Holding fees are not required.

6. INTERNET & NEW MEDIA

The advertiser involved in the commercial must not have more than limited web sales or catalog sales outside of the Jurisdiction of the Hawaii Code. Any exceptions may be granted by the Union and must be granted in writing.

7. EXPANDED TERRITORY OF USE

With notification to the Local, Producer may expand the geographical use of the commercial by including up to three states beyond what is described in Section 1; Jurisdiction. In no case shall this expanded territory include use in California and the metropolitan areas of New York City and Chicago. For each additional state, Producer shall pay an additional 25% of the session fee for the same term.

8. RENEGOTIATION

If 21 months have expired since the date of employment, Producer must negotiate with the Performer if they wish to extend use.

9. OVERTIME/TRAVEL TIME

Any overtime or travel time payments will be based on the term of the initial session, however, in no case will the payment be based on more than the 13-week rate. Overtime is paid at time and a half for the 9th and 10th hour and double-time thereafter.

10. MULTIPLE DAYS WORKED

If a Performer is being engaged at a rate greater than the 13-week rate and there is a second and subsequent day(s) of shooting on the same commercial, the 13-week session rate shall be paid for each of the second and subsequent days.

11. PUBLIC SERVICE ANNOUNCEMENTS

Producer may utilize the 13-week rate for regional PSAs where no media time is purchased and with a use period of no longer than one year.

12. WEEKENDS/HOLIDAYS

No premium payment will be due for work on Saturdays and Sundays. Double time will be due for work on contractually mandated holidays.

13. COVERAGE OF EXTRAS

Producer need only cover up to ten extra performers under the terms of the Hawaii Code.

14. PENSION AND HEALTH/HEALTH AND RETIREMENT CONTRIBUTIONS

With respect to commercials produced under the Hawaii Code, Producer shall make all appropriate pension and health/health and retirement contributions in accordance with Section 47 of the 2019 SAG-AFTRA Commercials Contract and Section 65 of the 2019 SAG-AFTRA Audio Commercials Contract. However, instead of making contributions to the Screen Actors Guild-Producers Pension Plan and the Screen Actors Guild-Producers Health Plan under Section 47 of the 2019 SAG-AFTRA Commercials Contract, required contributions will be made to the SAG-AFTRA Health Plan and the SAG-Producers Pension Plan. Similarly, instead of making contributions to the AFTRA Health and Retirement Funds under Section 65 of the 2019 SAG-AFTRA Audio Commercials Contract, required contributions will be made to the SAG-AFTRA Health Plan and the AFTRA Retirement Fund.

15. NOTIFICATION

All performers will be notified at the time of audition and engagement that they are being employed under the terms and conditions of the Hawaii Code.



2019 Hawaii Regional Commercials Code Rate Sheet

NOTE: Additional usage may be purchased according to corresponding rate for the use period. If 21-months have expired since the initial use, Producer must negotiate with the Performer if they wish to extend.

SESSION & USE

	<u>One Production Only</u>				<u>Term Signatory</u>			
	<u>4 wk.</u>	<u>13 wk.</u>	<u>1 yr.</u>	<u>21 mos.</u>	<u>4 wk.</u>	<u>13 wk.</u>	<u>1 yr.</u>	<u>21 mos.</u>
PRINCIPALS								
On-Camera Principal	\$428	\$570	\$1,140	\$2,280	\$374	\$498	\$996	\$1,992
Off-Camera Principal	\$321	\$428	\$856	\$1,712	\$281	\$375	\$750	\$1,500
On-Camera Group 3-5	\$313	\$417	\$834	\$1,668	\$274	\$365	\$730	\$1,460
Group 6-8	\$277	\$369	\$738	\$1,476	\$242	\$323	\$646	\$1,292
Group 9+	\$229	\$305	\$610	\$1,220	\$200	\$267	\$534	\$1,068
Off-Camera Group 3-5	\$182	\$242	\$484	\$968	\$158	\$211	\$422	\$844
Group 6-8	\$158	\$210	\$420	\$840	\$137	\$183	\$366	\$732
Group 9+	\$128	\$171	\$342	\$684	\$113	\$150	\$300	\$600
On-Camera Tags (2 nd – 25 th)	\$126	\$168	\$336	\$672	\$110	\$147	\$294	\$588
Off-Camera Tags (2 nd – 25 th)	\$95	\$127	\$254	\$508	\$83	\$111	\$222	\$444
EXTRAS (allows unlimited use)								
Hand Models	\$315				\$276			
General Extras	\$180				\$158			
Stand-Ins	\$198				\$174			

Extras: Rates are based on 80%/70% of the 13-week extras rates in the SAG-AFTRA Commercials Contract.

	<u>One Production Only</u>				<u>Term Signatory</u>			
	<u>4 wk.</u>	<u>13 wk.</u>	<u>1 yr.</u>	<u>21 mos.</u>	<u>4 wk.</u>	<u>13 wk.</u>	<u>1 yr.</u>	<u>21 mos.</u>
AUDIO (radio) COMMERCIALS								
Actor/Announcer	\$190	\$253	\$506	\$1,012	\$166	\$221	\$442	\$884
Solo/Duo	\$190	\$253	\$506	\$1,012	\$166	\$221	\$442	\$884
Singer/Speaker								
Group 3-5	\$140	\$186	\$372	\$744	\$122	\$163	\$326	\$652
Group 6-8	\$124	\$165	\$330	\$660	\$108	\$144	\$288	\$576
Group 9+	\$110	\$146	\$292	\$584	\$96	\$128	\$256	\$512
Tags	\$79	\$105	\$210	\$420	\$69	\$92	\$184	\$368

Rates for use other than 13-weeks are based on the following:

- 4-week use: Contractual rates based on 75% of the applicable 13-week session fees outlined above.
- 1-year use: Contractual rates based on two times (2x) the applicable 13-week session fees outlined above.
- 21-month: Contractual rates based on four times (4x) the applicable 13-week session fees outlined on above.

P&H/H&R contribution rate is 19% (18.5% for JPC Authorizers)