



12-C Commission Chart

For work done in Legacy AFTRA’s jurisdiction - Original Employment and Residuals

Please consult with SAG-AFTRA’s Professional Representatives Department with questions on commissions:

agency@sagaftra.org (LA: 323-549-6745) or agencyny@sagaftra.org (NY: 212-863-4230)

** All References to Over Scale in this document means at least SCALE PLUS 10% (or when an agent negotiates in excess of scale)

ORIGINAL EMPLOYMENT	
Radio Commercials, Radio & TV Programs, SVODs (made for internet)¹, Infomercials, Sound Recordings, Interactive	An agent may not commission scale payments.
TV Commercials and Non-Broadcast	Principal: an agent may commission scale. Background actors: an agent may not commission scale.
Promotional Announcements	An agent may not commission scale payments. Exception in NY: An agent may commission scale payments for original employment.
Broadcast: Station and Network Staff Agreements Series Contracts	An agent may commission the term of an over scale employment contract, even if the term of the employment contract goes beyond the term of the agency contract. ²

PENALTIES, ALLOWANCES, & ADJUSTMENTS	
Overtime	Agent may commission overtime if overtime is based on over scale original employment. Otherwise, an agent may not commission overtime that would lower a performer’s compensation below the scale payment listed in the appropriate Collective Bargaining Agreement.
Late Payment, Rest Period Violation (Forced Call), Meal Period Violation, Prop & Wardrobe Allowance, Per Diems & Reimbursements, Relocation Allowance, Mileage	Agent may not commission if the penalty is based on the Union negotiated rate in the CBA.
Premium Pay – nights or holidays, Wet or Smoke Pay Adjustments	Agent may commission as long as original employment is overscale.
Vacation	An agent cannot commission vacation pay if it lowers the performer’s compensation below the scale payment in the applicable Collective Bargaining Agreement. <u>EXCEPTION:</u> An agent may commission vacation pay if it is calculated based on over scale original compensation (<i>i.e.</i> original employment is paid over scale).

¹ If initial compensation is freely negotiable, and is negotiated above applicable State minimum wage rates, it is commissionable.

² Agent may commission



Residuals³ Market

Contract/ Job Origin	<u>Network Primetime</u>	<u>Non-Network (Syndication) and/or Non-Primetime Free TV</u>	<u>Foreign TV</u>	<u>Basic Cable, Pay TV or Home Video</u>	<u>New Media</u>
<p>"Front of the Book" (Network Code) - Non-dramatic programs; non-primetime and/or non-network dramatic programs (e.g. game shows, daytime serials ("soap operas"), 1st run syndication)</p>	<p>Agent may commission 1st and 2nd rerun at scale if original employment is over scale and residuals check is for more than \$100*: Payment is based on applicable minimum</p> <p><i>*Daytime Serials and News programs excepted (not commissionable) unless residual is overscale</i></p>	<p>Agent may commission 1st and 2nd scale rerun if original employment is over scale and residuals check is for more than \$100*: Payment is based on applicable minimum</p> <p><i>*Daytime Serials and News programs excepted (not commissionable) unless residual is overscale</i></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid overscale: <u>commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid overscale: <u>commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid overscale: <u>commissionable</u></p>
<p>Exhibit A to the Network Code - Dramatic primetime programs on network TV (i.e. scripted shows)</p>	<p>Agent may commission all network primetime reruns if original employment is over scale: Payment is based on actual compensation</p>	<p>Agent may commission 1st and 2nd rerun if original employment is over scale and residuals check is for more than \$100: Payment is based on applicable minimum. If residual is paid overscale: <u>commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid overscale: <u>commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid overscale: <u>commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid overscale: <u>commissionable</u></p>

³ These guidelines are based on assumption that agent has not negotiated residuals terms better than CBA terms. Agents may commission (a) any overscale residual payment they have negotiated or (b) any residual payment based on over scale original employment payment. Applies only to reuse of a program as a whole, and not to use of an excerpt of one program in another program.



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Contract/Job Origin	<u>Network Primetime</u>	<u>Non-Network (Syndication) and/or Non-Primetime Free TV</u>	<u>Foreign TV</u>	<u>Basic Cable, Pay TV or Home Video</u>	<u>New Media</u>
<p>CW Supplement - Dramatic primetime programs on the CW</p>	<p><u>Agent may commission 1st and 2nd rerun at scale if original employment is over scale and residuals check is for more than \$100: Payment is based on applicable minimum.</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>Agent may commission 1st and 2nd rerun if original employment is over scale and residuals check is for more than \$100: Payment is based on applicable minimum.</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>
<p>Exhibit E to the Network Code - Programs made for Pay TV (e.g. HBO) or home video (DVD)</p>	<p>Non-Dramatic <u>Not commissionable:</u> Payment is based on applicable minimum (See "Front of the Book") <u>If residual is paid overscale: commissionable</u></p> <p>-----</p> <p>Dramatic <u>Agent may commission all network reruns if original employment is over scale:</u> Payment is based on actual compensation (See "Exhibit A" above)</p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>	<p><u>If residual is paid at scale: not commissionable</u></p> <p><u>If residual is paid overscale: commissionable</u></p>



Residuals Market					
Contract/Job Origin	<u>Network Primetime</u>	<u>Non-Network (Syndication) and/or Non-Primetime Free</u>	<u>Foreign TV</u>	<u>Basic Cable, Pay TV or Home Video</u>	<u>New Media</u>
New Media Sideletters of the Network Code - entertainment programs made for exhibition on the internet or other new media platforms (e.g. SVOD)	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>	<p><u>Commissionable only if residual is for exhibition on domestic and foreign SVOD platforms [or foreign-related and affiliated platforms] if original employment is overscale.</u></p>
Basic Cable Agreements - Programs made for basic cable	<p>Original Employment produced under 'Front of the Book' or CW Supplement If residual is paid at scale: <u>not commissionable</u></p> <p>-----</p> <p>Original employment produced under Exhibit A Terms Agent may <u>commission all network reruns if original employment is overscale:</u> Payment is based on actual compensation</p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p> <p>*NY Dramatic Programs exception: Agent may <u>commission 1st and 2nd basic cable rerun if original employment is over scale and residuals check is for more than \$100: Payment is based on applicable minimum</u></p>	<p>If residual is paid at scale: <u>not commissionable</u></p> <p>If residual is paid <u>overscale: commissionable</u></p>

NOTE: SAG-AFTRA has made every attempt to ensure the accuracy and reliability of the information provided herein. However, the information herein is provided purely for summary purposes and may not constitute a complete and thorough analysis of applicable contract language. Accordingly, SAG-AFTRA strongly recommends all interested parties to contact their Local Union office for a concise and clear interpretation of Rule 12-C or any other Union contract. Please note: no warranties, promises and/or representations of any kind, expressed or implied, are given as to the nature, standard, accuracy or otherwise of the information contained herein, nor to the suitability or otherwise of the information to your particular circumstances.