

On July 21, 2012 the SAG-AFTRA National Board unanimously approved a new agreement covering music videos. This is the first agreement of its kind with the major record labels to cover dancers and other performers on music videos.

The three-year agreement, between SAG-AFTRA and Universal Music Group, Sony Music Entertainment, Warner Music Group, EMI Music and The Walt Disney Co., was the first of its kind in the industry. It ensures that those who work on music videos have basic health and safety guarantees, minimum daily rates and contributions to their retirement plans.

Here is what you need to know about who the agreement impacts, and what effect it will have:

WHAT IS A MUSIC VIDEO?

- Under the agreement, a music video is defined as an audiovisual product that contains as its underlying audio track, a sound recording produced under the AFTRA Sound Recordings Code and a visual element of the type of genre traditionally produced for exhibition on cable television or made available for digital distribution via Internet streaming and/or download.

WHO'S COVERED?

- All performers engaged in a music video are covered by the agreement, including actors, announcers, dancers, models, narrators, singers and stunt performers.
- Choreographers and assistant choreographers are covered for purposes of health and retirement contributions only.
- This agreement does not include background actors or instrumental musicians.

UNION SECURITY/MEMBERSHIP/PREFERENCE

- All performers employed under the agreement must be members of SAG-AFTRA in good standing.
- A 30-day "Taft-Hartley" period allows nonmembers to be employed under the agreement.
- Companies shall give preference in hiring to qualified professional performers.

RELEASES

- If a performer is asked to sign any release forms, they must be provided advance notice (upon notification of audition, or engagement if no audition), and the release shall not modify or be inconsistent with anything contained in the SAG-AFTRA Music Video Agreement.

AUDITIONS

- Companies need to notify performers of specific audition times.
- The maximum time for the initial audition is four hours, starting at individual's call time.
- Suitable shelter must be provided to protect from rain, hot sun, cold, etc.
- If the audition is captured on video and used in the music video, the performer must be paid scale payment.

SCOPE

- If a record company is a signatory to the AFTRA National Code of Fair Practice for Sound Recordings (Sound Recordings Code), then all music videos produced by or on behalf of the label within the United States are covered by this agreement.
- If a company is not a signatory to the Sound Recordings Code, the company must be a signatory to the SAG-AFTRA Music Video Agreement to engage SAG-AFTRA members on a music video.

WORKING CONDITIONS

The following must be provided:

- An adequate supply of bottled or other drinking water;
- An adequate number of suitable chairs;
- The opportunity for men and women to change separately;
- Space to store personal belongings; and
- Shelter to protect against weather.

MEAL PERIODS

- Meal periods are not counted as work time.
- Breaks must be not less than 30 minutes in length.
- Meals provided must be the same type of meal as that received by other members of the cast and crew.
- The first meal period must occur within six hours of start, and subsequent meal periods within six hours of the preceding meal period.
- Fees of \$10 for first half hour and \$7.50 for each additional half hour will be levied for meal period violations.

PRODUCTION BUDGET

- The budget includes all costs of making the music video.
- The company must notify the performer prior to production if the expected budget is above or below \$200,000.
- SAG-AFTRA has right to audit the reported production budget to verify compliance.

RATES/COMPENSATION

- For videos with budgets of \$200,000 or less, compensation is subject to negotiation for all covered performers.
- For videos with budgets greater than \$200,000, minimum dancer rates apply, and compensation is subject to negotiation for all other covered performers.

MINIMUM DANCER DAILY RATES

(over \$200,000 budgets)

	JUNE 1, 2012	JUNE 1, 2013	JUNE 1, 2014
10 hours	\$500	\$510	\$520
12 hours	\$602	\$614	\$626
<i>(time-and-a-half after 12 hours)</i>			
Rehearsal day (8-hour minimum guarantee)	\$275 / 8 hours (\$40/hr overtime)	\$280 / 8 hours (\$41/hr overtime)	\$285 / 8 hours (\$42/hr overtime)

AFTRA HEALTH AND RETIREMENT CONTRIBUTIONS

- A contribution of 12.5 percent of each performer's gross compensation is payable to the AFTRA Health and Retirement Funds.
- Please contact the SAG-AFTRA office for special rules regarding choreographers and assistant choreographers.

WARDROBE

- Performers are to be paid a single maintenance fee of \$40 if they are asked to bring any specific personal items as wardrobe.

WHAT ARE EXTRAORDINARY RISK CIRCUMSTANCES?

- In agreement, extraordinary risk circumstances are considered ones that involve complex aerial acrobatics, wire-flying, elevated platforms, staircases, support of more than one other person, sight or breathing impairment (such as using masks, fog, smoke or fire) or "continuous acrobatic movements that incorporate weight-bearing pressures on the hands and arms."
- When extraordinary risk circumstances are present, performers will be paid \$80 per day on productions with budgets greater than \$200,000, and \$40 per day for productions with budgets less than \$200,000.
- If significant "knee work" or work on concrete surfaces is required, dancers or their agents must be notified so that they may negotiate additional payment prior to engagement.
- Dancers may wear knee pads for knee work in rehearsals, and

during a shoot if it does not interfere with the look or esthetic of the project.

TURNAROUND TIME

- Performers are guaranteed a minimum 12-hour turnaround time.
- A \$50 per hour fee will be due to each performer for each hour of violation.

TIME OF PAYMENT

- Payment must be made within 30 calendar days of engagement.
- There will be an additional payment of \$4 per day for each day payment is late, without limitation on the number of days.

PRODUCTION REPORT

- The company is responsible for furnishing a completed production report to SAG-AFTRA containing full and specific production and performer information.

ADMISSION TO PREMISES

- SAG-AFTRA representatives will have access to auditions, rehearsals and production of all music videos.

USE OF MATERIAL

- In addition to a performer's compensation for their work day, a Use Fee (including applicable Health and Retirement contributions) is required to be paid to each performer at the time of engagement to cover the reuse of material. This Use Fee must be paid regardless of whether the material is actually reused or not. The Fee covers all future reuse of material, with the exception of television commercials.
- For productions with budgets greater than \$200,000, a minimum \$500 fee per performer is due at time of engagement for reuse of the material.
- For productions with budgets less than \$200,000, a minimum \$175 fee per performer is due at time of engagement for reuse of the material.
- Performers additionally receive applicable SAG-AFTRA Commercial rates if any portion of the music video is licensed for use in a broadcast or cable television commercial.

MUSIC VIDEOS CONTACT INFORMATION

Los Angeles:

Sidney White, (323) 634-8143 sidney.white@sagaftra.org

Nashville:

Josh Reese, (615) 327-2944, josh.reese@sagaftra.org

Stay Connected

If you are a member of SAG-AFTRA, please contact the Membership Department at (323) 634-8166 to make sure that we have your current direct contact information. You may also email us at membershipservices2@sagaftra.org. In addition to communicating with your manager, agent or other representative, SAG-AFTRA can directly contact you to send updates on what your union is doing on your behalf and for calls to action.