

TV/THEATRICAL/STREAMING

## Agency Commission Limitations: Texas Members

**Are you unsure what commission/fees your franchised agent is entitled to – whether you’re union or non-union? Not sure what’s really commissionable?**

**For more information, click here:** [Agency Commission Chart 16G](#)

SAG-AFTRA has recently heard from its members that there is some marketplace confusion about how agents’ commissions are calculated and if they can, for example, take a commission from both the performer and the employer. In short, for Theatrical, Television and Streaming work, it is common business practice for any agent in your market to negotiate above scale (generally, that means scale +10) in order to commission your session work. *In such instances, the +10 serves as a cap—it is the agent’s entire compensation.*

**Caveat:** If you are a member who is paid significantly above scale, it is still common for an agent to negotiate +10 on top of that salary– but for members who are significantly above scale, it is also common for the agent to instead commission 10% of your gross. Franchised agents cannot collect any other miscellaneous fees or additional commissions from you or from employers.

However, fully franchised agents also enjoy a more liberal commission structure in some SAG-AFTRA markets where they are franchised. Please see the attached chart for a handy commissionability reference that applies to your area. Your market falls under the “all other areas” category of this chart: [Agency Commission Chart 16G](#)

With respect to commercials, it is not uncommon for a franchised agent to also negotiate +10 for the initial run of a commercial as well, but an agent in your market may commission a commercial at scale, in the worst case scenario. However, an agent must negotiate above scale (again, generally scale +10) in order to continue to commission that existing commercial at the point of renegotiation.

And finally, remember, **not all residuals are commissionable**. Please see the chart above for more details.

This notice will differ from market to market. This notice applies solely to Texas.