

**2005-2008 AFTRA National Code of Fair Practice for
Non-Broadcast/Industrial/Educational Recorded Material
MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement is entered into between the **American Federation of Television and Radio Artists** (hereinafter referred to as "AFTRA or "the Union") and _____ (hereinafter referred to as "the Producer").

The language in this Memorandum of Agreement does not represent final contract language.

The provisions of this Memorandum of Agreement represent modifications to the multi-employer industry-wide Agreement with the Union, *i.e.* the **2002-2005 National Code of Fair Practice for Non-Broadcast/Industrial/Educational Recorded Material**. Except as specifically modified herein, the terms of such Agreement shall otherwise remain the same, subject to conforming language.

The provisions shall be effective as of the dates hereinafter set forth.

TERM OF AGREEMENT

The term of the 2005-2008 Agreement shall commence on May 1, 2005 and be effective through April 30, 2008. In the event either party has not served appropriate timely notice of termination for the expiration date above, the Agreement shall be extended on a day-to-day basis until sixty (60) days after either party serves written notice of termination on the other.

**1. SECTION 5 MINIMUM RATES
Minimum Compensation, Fees Per Program**

Four Percent (4%) increase effective November 1, 2006. This percentage increase shall apply to all compensation, ceilings, and adjustments. Allowances, liquidated damages and expense reimbursements, are not subject to such increase.

2. SECTION 2 BACKGROUND ACTORS

Retain the sunset provision wherein the rates for Background Actors shall apply to the first ten (10) Background Actors employed per day for each industrial program produced. This provision shall end automatically with the termination of the 2005-2008 Agreement ("sunset clause").

3. SECTION 6 CONTRIBUTIONS TO AFTRA HEALTH AND RETIREMENT FUNDS

Increase the contribution to the AFTRA Health and Retirement Funds by one percent (1%) for a total contribution of fourteen and thirty one-hundredths percent (14.30%). Retain the current allocation of fifteen one-hundredths percent (.15%) fully dedicated to the AFTRA Health Fund.

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4. SECTION 97.A.3 INTERACTIVE VOICE RECORDING/IVR

Retain the sunset provision. This provision shall end automatically with the termination of the 2005-2008 Agreement ("sunset clause").

5. SECTION 97.A.4 PHONECASTING

Retain the sunset provision. This provision shall end automatically with the termination of the 2005-2008 Agreement ("sunset clause").

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<u>MINIMUM COMPENSATION, FEES PER PROGRAM</u>	<u>5/1/05-10/31/06</u>		<u>11/1/06-4/30/08</u>	
<u>PRINCIPAL PERFORMERS</u>	<u>Category I</u>	<u>Category II</u>	<u>Category I</u>	<u>Category II</u>
On-Camera				
Day Performer (Actor or Stunt)	\$440.00	\$547.00	\$457.50	\$569.00
Half Day Performer (4 hours only; many restrictions apply)	286.00	355.50	297.50	369.50
3-Day Performer	1,106.50	1,364.50	1,151.00	1,419.00
Weekly Performer (5-day week)	1,544.50	1,912.50	1,606.50	1,989.00
(Overnight location only, 6-day week)	1,699.50	2,104.00	1,767.50	2,188.00
Choreographed Dancer, Swimmer, Skater, etc.				
Per Day: Solo/Duo	393.00	490.00	408.50	509.50
Group	328.50	412.00	341.50	428.50
3-Day: Solo/Duo	941.00	1,177.50	978.50	1,224.50
Group	790.50	987.00	822.00	1,026.50
Weekly: Solo/Duo	1,569.50	1,961.50	1,632.50	2,040.00
Group	1,316.50	1,645.50	1,369.00	1,711.50
Singer, per day				
Solo/Duo	440.00	547.00	457.50	569.00
Group	265.00	327.50	275.50	340.50
Step Out	332.00	410.00	345.50	426.50
Contractor – 50% additional				

	<u>5/1/05-10/31/06</u>		<u>11/1/06-4/30/08</u>	
<u>ON-CAMERA NARRATOR/SPOKESPERSON</u>	<u>Category I</u>	<u>Category II</u>	<u>Category I</u>	<u>Category II</u>
First Day	\$800.00	\$947.50	\$832.00	\$985.50
Each Additional Day	440.00	547.00	457.50	569.00

	<u>5/1/05-10/31/06</u>		<u>11/1/06-4/30/08</u>	
<u>OFF-CAMERA</u>	<u>Category I</u>	<u>Category II</u>	<u>Category I</u>	<u>Category II</u>
Day Performer (Voice Over)				
First Hour	\$360.00	\$400.50	\$374.50	\$416.50
Each additional half-hour	105.00	105.00	109.00	109.00
Singer, per hour				
Solo/Duo	236.00	265.00	245.50	275.50
Group	157.00	178.00	163.50	185.00
Step Out	196.50	222.50	204.50	231.50
Contractor – 50% additional				

<u>BACKGROUND ACTORS – Daily Rates</u>	<u>5/1/05-10/31/06</u>	<u>11/1/06-4/30/08</u>
	<u>Category I or II</u>	<u>Category I or II</u>
General Background Actor	\$114.50	\$119.00
Special Ability Background Actor (Including Stand-in, Photo Double)	126.00	131.00
Silent Bit Background Actor	214.00	222.50

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AUDIO PROGRAMS

<u>CATEGORY I (AUDIO ONLY)</u>	<u>5/1/05-10/31/06</u>	<u>11/1/06-4/30/08</u>
Principal Performer – First Hour	\$360.00	\$374.50
Each additional half-hour or segment thereof	105.00	109.00
Retakes: Principal Performer (½-hr. session)	195.50	203.50
3 Minutes: Principal Performer (½-hr. session)	215.50	224.00
<i>If the session exceeds 30 minutes, the fee shall revert to the session fee provided above for Principal Performers. This 3-minute fee is available to Principal Performers only.</i>		
Non-Principal Performer – First Hour	\$162.00	\$168.50
Each additional half-hour or segment thereof	63.50	66.00
<i>At least one Principal Performer per program must be employed to use the Non-Principal rate.</i>		
Singers – Per Hour		
Solo	\$236.00	\$245.50
Solo and Group (less than 16 bars)	196.50	204.50
Groups of 3 or more	157.00	163.50
Contractor – additional 50% of contract scale		
<i>If out of any group a Soloist or Duo steps out and sings less than eight (8) cumulative bars or speaks up to ten (10) words, then each of the singers so stepping out or speaking words shall be paid \$24.50 (\$25.50 effective 11/1/06) in addition to the group fee for the group called.</i>		
<u>CATEGORY II (AUDIO ONLY)</u>		
Principal Performer – First Hour	\$400.50	\$416.50
Each additional half-hour or segment thereof	105.00	109.00
Retakes: Principal Performer (½-hr. session)	195.50	203.50
3 Minutes: Principal Performer (½-hr. session)	237.00	246.50
<i>If the session exceeds 30 minutes, the fee shall revert to the session fee provided above for Principal Performers. This 3-minute fee is available to Principal Performers only.</i>		
Non-Principal Performer – First Hour	\$180.00	\$187.00
Each additional half-hour or segment thereof	70.50	73.50
<i>At least one Principal Performer per program must be employed to use the Non-Principal rate.</i>		
Singers – Per Hour		
Solo	\$265.00	\$275.50
Solo and Group (less than 16 bars)	222.50	231.50
Groups of 3 or more	178.00	185.00
Contractor – additional 50% of contract scale		
<i>If out of any group a Soloist or Duo steps out and sings less than eight (8) cumulative bars or speaks up to ten (10) words, then each of the singers so stepping out or speaking words shall be paid \$24.50 (\$25.50 effective 11/1/06) in addition to the group fee for the group called.</i>		
Interactive Voice Recording (IVR)/Phone Prompt Systems <i>and</i> Phonecasting		
First Hour, per client	\$200.00	\$208.00
Each additional half-hour or segment thereof	100.00	104.00
<i>These rates permit an unlimited period of use.</i>		
<u>STORECASTING</u>	<u>5/1/05-10/31/06</u>	<u>11/1/06-4/30/08</u>
3 months use	\$360.00	\$374.50
6 months use	720.50	749.50

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<u>MISCELLANEOUS RATES</u>	<u>5/1/05-10/31/06</u>	<u>11/1/06-4/30/08</u>
Section 32. Overtime		
• Section 32.A.2. Day Performers	\$869.00	\$904.00
• Section 32.4 Overtime Ceilings		
• Day Performers		
• Maximum Base	869.00	904.00
• Time and one-half	163.00	169.50
• 3-Day Performers		
• Maximum Base	2,607.00	2,711.50
• Time and one-half	163.00	169.50
• Double Time	217.50	226.00
• Weekly Performers		
• Maximum Base	2,896.50	3,012.50
• Time and one-half	108.50	113.00
• Double Time	144.50	150.50
Section 33.C Rest Period	\$869.00	\$904.00
Section 34 - Premium Rates		
Day Performer	\$869.00	\$904.00
Weekly Performer	2,896.50	3,012.50
Section 45. Body Makeup, Skull Cap, etc.	\$20.50	\$21.50
Section 56. Travel		
• Mileage Allowance (IRS maximum allowable, currently 40½ ¢ per mile)	\$.405/mile	
Section 63.N - Wet, Snow and Smoke Work	\$15.50	\$16.00
Section 64.B.8 - Hazardous Activity		
• Per Day	72.50	75.50
• Minimum	111.50	116.00

Health & Contribution Rate: 14.3%