

AMERICAN FEDERATION OF MUSICIANS

SUMMARY OF SCALES AND CONDITIONS

TELEVISION VIDEOTAPE AGREEMENT

(Network and Syndicated)

January 27, 2013 – February 2, 2016 (Extended)

THE PROPER CURRENT AFM AGREEMENT MUST BE SIGNED BY THE RESPONSIBLE EMPLOYER/ PRODUCER BEFORE ANY SERVICES CAN BE PERFORMED/RENDERED BY MEMBERS OF THE FEDERATION. ALL ENGAGEMENTS MUST BE REPORTED TO THE LOCAL IN WHOSE JURISDICTION THE WORK WILL BE PERFORMED BEFORE CALLING MUSICIANS FOR A SESSION.

THIS IS ONLY A GENERAL SUMMARY OF THE SCALES AND CONDITIONS OF EMPLOYMENT.

WEEKLY VARIETY PROGRAMS, VARIETY SPECIALS

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
½ HOUR SHOW AIR RATE:	104.30	106.35	108.50
(Including 2 hrs. rehearsal, same day):	255.35	260.45	265.65
1 HOUR SHOW AIR RATE:	130.70	133.30	135.95
(Including 4 hrs. rehearsal, same day):	432.80	441.45	450.30
1½ HOUR SHOW AIR RATE:	195.00	198.90	202.90
(Including 6 hrs. rehearsal w/ min. 4 hrs. last day):	648.20	661.15	674.40
Additional air rate per 15 minutes: (Add 1 hr. rehearsal to each 15 min. air rate)	32.55	33.20	33.90
ADDITIONAL REHEARSAL HOURS:	75.55	77.05	78.60
Each 15 minutes or fraction, rehearsal:	18.90	19.25	19.65

OTHER PROGRAMS, INCLUDING STRIP VARIETY SHOWS BROADCASTING 5, 4, & 3 DAYS PER WEEK

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
<u>REHEARSAL:</u> Per hour	75.55	77.05	78.60
15 minute segments after 1 hr. min. call	18.90	19.25	19.65

Adjust the two hour guaranteed rehearsal to one and one-half (1 ½) hours if fifteen or more musicians are in the Orchestra.

DOUBLES: First double – 25%
Each additional double – 10% based on:
½ HOUR SHOW – air rate plus actual rehearsal up to 4 hours.
1 HOUR SHOW – air rate plus actual rehearsal up to 8 hours.
1½ HOUR SHOW – air rate plus actual rehearsal up to 12 hours.

5 DAYS PER WEEK:

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
½ HOUR SHOW AIR RATE:	132.90	135.60	138.30
(Including 1 hr. rehearsal within 3 hr. span):	208.45	212.60	216.85
1 HOUR SHOW AIR RATE:	158.95	162.15	165.40
(Including 2 hrs. rehearsal within 4 hr. span):	310.05	316.25	322.60
1½ HOUR SHOW AIR RATE:	238.45	243.25	248.10
(Including 2 hrs. rehearsal within 5 hr. span):	389.55	397.30	405.25
Additional air rate per 15 min:	39.70	40.50	41.35

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4 DAYS PER WEEK:

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
½ HOUR SHOW AIR RATE:	146.25	149.15	152.15
(Including 1 hr. rehearsal within 3 hr. span):	221.75	226.20	230.70
1 HOUR SHOW AIR RATE:	175.65	179.20	182.75
(Including 2 hrs. rehearsal within 4 hr. span):	326.70	333.25	339.95
1½ HOUR SHOW AIR RATE:	263.25	268.50	273.85
(Including 2 hrs. rehearsal within 5 hr. span):	414.30	422.60	431.05
Additional air rate per 15 min:	45.15	46.05	46.95

3 DAYS PER WEEK:

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
½ HOUR SHOW AIR RATE:	163.90	167.15	170.50
(Including 1 hr. rehearsal within 3 hr. span):	239.40	244.20	249.10
1 HOUR SHOW AIR RATE:	196.15	200.05	204.05
(Including 2 hrs. rehearsal within 4 hr. span):	347.20	354.15	361.25
1½ HOUR SHOW AIR RATE:	292.40	298.25	304.20
(Including 2 hrs. rehearsal within 5 hr. span):	443.45	452.35	461.40
Additional air rate per 15 min:	51.20	52.20	53.25

GENERAL INFORMATION ON ALL PROGRAMS

FRINGE BENEFITS: AFM – EP FUND (Pension):12.1% - Effective 8/1/2018
 H & W FUND – 1/27/13: \$22.00 1/26/14: \$24.00 1/25/15: \$25.00
 Per service, per day, per episode

MAKE-UP & COSTUMING: \$20.00

PRODUCTION MUSICIANS: 1/27/13 - \$75.55 1/26/14 - \$77.05 1/27/15 – \$78.60
 Hourly rehearsal rate with 2 hour minimum call, pro rate per ½ hour overtime after minimum call.

MUSIC SOUND CONSULTANT: 1/27/13 - \$75.55 1/26/14 - \$77.05 1/25/15 – \$78.60

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
<u>RADIO</u>			
½ hour program:	29.15	29.15	29.15
<u>SIMULCASTS:</u>			
1 hour program:	38.50	38.50	38.50
Longer programs: (each additional half hour)	9.35	9.35	9.35

HOLIDAYS: Premium pay of 200% (New Years, Thanksgiving, Memorial Day, Christmas, Labor Day & President's Day)

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CONTRACTORS: 1 – 6 musicians (incl. the Leader) - no contractor required
 7 – 14 musicians (incl. the Leader) - playing 200%
 7-14 musicians (incl. the Leader) - non-playing 150%
 15 musicians & up (incl. the Leader) -non-playing 200%

PREMIUM TIME SPAN:

a) For all work performed beyond an eight (8) hour time spread in any day, between the hours of 8:00 AM and 12 midnight, payment shall be at the rate of time and one-half (150%) computed in 15 minute segments.

b) For all work between 12 midnight and 8:00 AM payment shall be at the rate of time and one-half (150%) computed in 15 minute segments.

c) For all work beyond an eight (8) hour time spread on any day between the hours of 12 midnight and 8:00 AM payment shall be the rate of double time (200%) computed in 15 minute segments.

<u>CARTAGE:</u>	<u>11/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
Harp, Electric Piano:	30.00	30.00	30.00
Timpani and other Instruments	6.00	6.00	6.00

Whenever Producer requests a musician to bring a heavy instrument to a recording session, Producer shall specify method of transportation either by public carrier or private transportation. Public transportation shall be used if it is the only practicable manner of transportation. Producer shall have the option of designating the public carrier qualified to transport musical instruments. Producer shall pay the cartage bill of the designated carrier. If the musician chooses to use a carrier other than that designated by Producer, the Producer shall not be liable for a cartage bill greater than the rate charged by the designated carrier.

LATE PAYMENT PENALTIES: Payment is due within 15 business days. The following late penalty schedule shall apply when payment is received:

5%.....on 1st – 5th business day after due date
 7 ½%.....on 6th – 10th business day after due date
 10%.....on 11th– 15th business day after due date
 15%.....on 16th– 30th business day after due date
 25%.....on 31st– 50th business day after due date
 55%.....After 50th business day, with notice and 10% accruing penalties each 30 days thereafter.

BANK ACTS: Under the Agreement we will be notified of all Bank Act sessions; they will be made only for a particular series; there must be a live orchestra on every show where Bank Acts are exhibited (unless waived by the Federation); musicians not working on a show on which Bank Acts are exhibited guaranteed air rate plus minimum rehearsal time and reuse percentage computed on air rate plus minimum rehearsal time. (On one-hour shows this would mean air rate plus 4 hour rehearsal.)

RUN OF SHOW GUARANTEE: Musicians performing on a weekly variety show series guaranteed at least 13-week cycle if he/she performs on more than two (2) consecutive shows unless he/she fails to appear for a session.

Run of Show Guarantee will now apply to musicians working strip variety shows. The requirement for such protection will be one week of shows and the protection will be for 13 weeks. When such shows travel out to town those who may augment will not be covered and those at home who may not travel are protected when the show returns home.

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THEMES:

- a) Restricted to program openings and closings (no bridges or cues). Limitation of 3 minutes of finished product.
- b) Basic scale for side musicians, 1/27/13 1/26/14 1/25/15
per 3 hour session: 244.60 249.50 254.50
Overtime per quarter hour: 20.40 20.80 21.20
- c) Themes will not be recorded for prime time series unless musicians are employed for each episode of the series.
- d) Theme music may be utilized for 26 weeks on a program series engaging live musicians for each episode and, except for primetime programs, 13 weeks when no live musicians are engaged; provided that on a program series in the category of news, commentary, public affairs, and religious shows such theme music may be utilized for 26 weeks, and on sports show series such theme music may be utilized for the particular sports season.
- e) Theme music utilized beyond the cycles outlines in paragraph (d) above will require a 100% repayment to each musician, arranger, orchestrator and copyist involved in the original production. Theme music produced after November 1, 1989 and utilized beyond the cycles outlined above will require a seventy-five percent (75%) repayment to each musician, arranger, orchestrator and copyist involved in the original production. Optional formula for 26 week cycle themes – 150% up front payment = 52 week cycle and 135% of scale for subsequent 52 week cycle.
- d) Production of generic and umbrella themes are permitted with re-use payable every 13 weeks if no live musicians are employed and every 26 weeks if live musicians are employed for each program. In no case can these themes be utilized for promotional programs without appropriate payments to the musicians. Also, if used for any other purpose, including as a theme for a program series, it shall be paid for in accordance with the terms of the agreement.

CALLS:

- a) The contractor or leader shall be furnished with a rehearsal schedule at least 24 hours before first rehearsal.
- b) Musicians will be notified prior to first day of rehearsal the starting and finishing time of each day's call.
- c) For specials (i.e. all shows other than strips or weekly series shows) - The starting time of a call for a day of air (live) or the last day of taping may not be changed (i.e., delayed or advanced) after 12 noon of the prior day, if the change is for more than two hours. On all other rehearsal days, no such change of more than two hours may be made prior to 12 noon of the second day.
- d) For all strips and weekly series shows – The starting time of a call for a day of air (live) or the last day of taping may not be changed (i.e. delayed or advanced) after 6:00 PM of the prior day, if the change is for more than two hours. On all other rehearsal days, no such change of more than two hours may be made prior to 6:00 PM of the second prior day.
- e) If more than one hour (excluding a meal period of not more than 1 hour) elapses between the end of any session and the beginning of all following sessions on the same day a minimum of 2 hours will be guaranteed and paid for such latter sessions.

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**MEAL PERIOD
PENALTY:**

ONE HOUR MEAL BREAK to be given by the conclusion of the sixth (6th) hour.
Penalty at the application rehearsal rate as follows:
6 – 6 ½ hours with no meal break = 2 hours at applicable rehearsal rate plus ½ hour at straight time for each add'l. ½ hour delay.

USE OF INCOMPLETE RECORD TRACKS:

- a) Where self-contained groups appear on a program, phonograph recordings and incomplete tracks of such recording of them may be used by them without restriction or additional payment.
- b) Where incomplete tracks are used in situations not involving self-contained groups, the following payments will be required:
 - (i.) The recording and music prep. musicians who made the original recording, the air rate plus min. guar. rehearsal.
 - (ii.) The “in-studio” orchestra, an add'l. 2 hours' rehearsal pay for the 1st track used and one add'l. hour for each add'l. track; provided, however, that the add'l. rehearsal pay obligation shall not apply if the unique musical sounds produced by a group cannot effectively be reproduced by the “in-studio” orchestra.
- c) Where a self-contained group uses a track which contains musicians other than the group itself, payments in accordance with (b), above, shall be made except that the group itself shall be treated under (a), above.

**ELECTRONIC
MULTI-
TRACKING:**

- | | | | |
|---------------------------------|----------------|----------------|----------------|
| a) Three hour minimum call: | <u>1/27/13</u> | <u>1/26/14</u> | <u>1/25/15</u> |
| Single musician per hour: | 302.30 | 308.35 | 314.50 |
| Two or more musicians per hour: | 264.50 | 269.80 | 275.20 |
- b) The foregoing rates include all electronic and acoustical doubles and all overdubs.
 - c) Variety Programs, Strip Variety Programs and Awards Shows, including themes for these types of programs, are exempted from this provision.
 - d) For theme music under this provision the foregoing rates will apply with all other terms and conditions applicable under the theme provisions.
 - e) For music scored for daytime serials under this provision there will be a limit of one (1) minute of finished music for each hour of the session subject to the foregoing rates with all other terms and conditions remaining the same.

**USE OF
PRE-RECORDING
ON LOCATION:**

Whenever pre-recordings are used on location, members of the orchestra making the pre-recordings will be paid four (4) hours rehearsal pay for each day of such use. The companies are to furnish contractors with the on-location production schedule.

**NON-PRIME TIME
CHILDREN'S
VARIETY SHOWS:**

These programs will be restricted to airing on Saturdays and Sundays prior to 1:00 PM and if musicians are paid up-front, 225% of scale, this will permit four exhibitions of the programs before additional normal re-uses are payable.

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AUDITION PROGRAMS:

The rates for audition programs shall be sixty percent (60%) of the scale pay set forth in exhibits I, II and III.

Under no circumstances shall the producer exhibit such audition programs publicly on television, in theatres, or in any other manner except privately to prospective clients and advertisers for the purpose of selling a show of which the audition program is a sample.

OPTIONAL NEEDLE DROP PACKAGE:

For weekly variety shows and variety specials (but not for bank acts), Producer may take advantage of the following rates and conditions, provided the local is notified in advance of the call:

- a) Basic pre-recording session scale: \$226.85 effective 1/27/13, \$231.40 effective 1/26/14, and \$236.00 effective 1/25/15 per hour, three hour minimum. All existing premium pay provisions will apply.
- b) Producer will have unlimited use of these pre-recordings for the program for which they are made.
- c) If an orchestra is used live or being videotaped (in studio work), it must be the same orchestra that did the pre-recording and will be paid for this work at the regular program rates.
- d) If no in-studio work is performed there will be a minimum number of hours of pre-recordings as follows:
 - ½ hour program – 3 hours
 - 1 hour program – 6 hours
 - 1½ hour program – 9 hours
- e) Doubling: \$208.45 effective 1/27/13, \$213.65 effective 1/26/14, and \$220.05 effective 1/25/15 for first double; \$83.40 effective 1/27/13, \$85.45 effective 1/26/14, and \$88.00 effective 1/25/15 for each double thereafter.

USE OF MUSIC IN NEWS AND MAGAZINE PROGRAMS:

- a) Can only be used with the picture with which originally scored.
- b) Total music in any one segment not to exceed 2 minutes. If more than 2 minutes used, the half-hour other program air rate shall be paid to the musicians.
- c) In the event the music is not directly related to the story being covered or is part of the general background, payment will not be required.
- d) When the music is part of an event such as a parade, sport presentation of other public spectacle, payment will also not be required.
- e) The companies must give the Federation prior notice of any recordings scheduled to take place for magazine shows and may not tape complete performances.

USE OF EXCEPTS (“CLIPS”):

- a) Use of excerpts containing music taken from television programs or motion picture films will require a payment, per excerpt, to all rendering a musical service on the original production equal to fifty percent (50%) of the applicable air rate of the program in which the excerpt (clip) is being utilized. There will be a maximum payment equal to the two (2) hour variety show air rate. When a clip features a musician who also renders services on a program there is no payment due for first clip but payment is due for each additional clip.
- b) When the excerpts (clips) are utilized in a Strip Variety Program “Anniversary Show” the payment will be equal to the one and one-half hour Strip Variety Program air rate.

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- c) When the excerpts (clip) consists of a complete production number, the payment shall be that of the minimum guarantee for the program in which the clip is utilized (air rate plus guaranteed rehearsal hours), with a maximum payment equal to a two (2) hour program.
- d) Under the promotional trailer provision, excerpts from prior related programs may be used to promote the new live programs.
- e) If excerpts are used on a local program, then the company will make payment of fifty percent (50%) of the excerpt rates provided for in the National Television Videotape Agreement.
- f) Compilation programs require a separate agreement with the Federation.

**SUMMER
 REPLACEMENT
 PROGRAMS:**

- a) Summer replacement shows played over a network, if produced between April 5th and July 15th of each year and exhibited during June, July and August, the wage rates would be eighty percent (80%) of the regular variety show program rates.
- b) If summer replacement programs are rerun at any other time the rerun percentages will be based on the full listed rates of the variety program section of the agreement.

**NON-MUSICAL
 GAME SHOWS:**

	<u>1/27/13</u>	<u>1/26/14</u>	<u>1/25/15</u>
Basic 3 hr. session	275.15	280.65	286.30

Limit 15 minutes recorded music for each session. No additional music recorded during overtime. Original session payment = First 13 weeks use. Additional one hundred percent (100%) for each additional 13 weeks use.

RE-USE FORMULAS:

<u>RUN</u>	<u>PERCENTAGE</u>
2 nd	75
3 rd	75
4 th – 6 th	50 each
7 th	10
8 th + each subsequent run	5 each

See Agreement for further specific information.

For programs re-aired
 between 2AM-6AM:

<u>RUN</u>	<u>PERCENTAGE</u>
2 nd	37.5
3 rd	37.5
4 th – 6 th	25
7 th	10
8 th + each subsequent run	5

**SPLITTING OF
 THE ORCHESTRA:**

Company will not be permitted to split an orchestra except for use of:

- a) Self-contained groups
- b) Guest conductor and featured instrumentalist accompanying guest artist
- c) Orchestras from a city other than that from where the program is being produced when called upon to perform for a single segment production number
- d) Instrumentalists called to augment the basic orchestra as required by program featured artists
- e) Production drummers as defined in Exhibit II, Paragraph B.