



SAG-AFTRA®

# ON STRIKE

## GUIDANCE ON INTERIM AGREEMENTS

### Why are we entering into Interim Agreements with independent producers?

We want you to work under strong, fair contracts. Because of this, we are offering independent productions the ability to sign an agreement that consists of the terms of our last offer to the AMPTP before we went on strike.

These agreements serve three critical purposes: **FIRST AND FOREMOST**, this strike is against the production companies signed to the TV/Theatrical Contracts. Members may continue to work non-struck contracts (Commercials, Network Code, and others), and also for truly independent productions that sign an Interim Agreement and directly adhere to the terms of our last, pre-strike offer to the AMPTP.

**SECOND**, we prove that the proposed terms are reasonable, fair and fit the needs of the industry. When independent productions are able to agree and abide by our terms, it proves that the billionaire studios who refused to bargain with us can also flourish under those terms.

**THIRD**, we believe the leverage created by increasing competitive pressure on the AMPTP and denying them what they want most will force them back to the table and help bring this strike to an end. Until final terms are bargained with the AMPTP, our terms govern these independents, and our terms attach if and when they are licensed during the strike for

distribution to various types of media, including television networks and streaming services.

### What is an Interim Agreement?

An Interim Agreement is a strategic tool that includes all terms and conditions for producers looking to employ our members on their specific independent productions. Interim agreements offer rigorously vetted independent productions the ability to sign an agreement that consists of the terms of our last offer to the AMPTP before we went on strike.

### Is the Interim Agreement a “waiver”?

No, the Interim Agreement is NOT a waiver. SAG-AFTRA is not offering or granting waivers of our collective bargaining agreement terms or of our strike rules to any performers or any producers.

### Who can apply for an Interim Agreement?

Independent productions that would normally be covered by the strike order but who agree to operate under the terms of our last offer to the AMPTP can apply for an Interim Agreement. Interim Agreements are not available to United States-based projects struck by the WGA. SAG-AFTRA must verify and approve each production prior to that production signing an Interim Agreement and some productions filming outside of the United States may qualify for unique, production-specific exceptions as a result of foreign labor laws.

The list of approved Interim Agreements can be found [HERE](#).

The list of struck contracts can be found [HERE](#).

Keep in mind that producers will need to obtain an Interim Agreement not only to have performers engage in principal photography services, but also if they want to engage in casting/auditioning and other preproduction services, post-production services such as ADR and looping, and even if they want performers to be able to promote a previously completed project.

The list of non-struck work can be found [HERE](#). Producers who are signed to one of these contracts do not need an Interim Agreement and performers may continue to work under these contracts, even if an Interim Agreement is not in place for the specific production.

## What are the terms of the Interim Agreement?

The Interim Agreement contains terms that reflect the union's last proposals to the AMPTP, including:

- Rate increases that keep up with inflation, including an 11% general wage increase in year 1 (section 1.a.).
- Protections around the use of artificial intelligence (Exhibit B).
- Protections for virtual casting and self-tapes (section 3.a - b. and Exhibit A).
- A single Schedule X for background actors (section 3.e.i.).
- Increased schedule and money breaks (section 1.b.- f, 3.h.v. - v.i.).
- Increased relocation fees (section 3.h.ii.).
- Application of major role minimum to half-hour and one-hour primetime series that are “high budget” SVOD or the first season of pay TV (section 3.h.iv.).
- Improved late payment liquidated damages (section 4.).
- More of your earnings — wages and residuals — that are subject to Health and Pension/Retirement contributions (section 2.a.).
- When the formula is a “pooled” residual inclusive of Plan contributions, prohibits employers from retaining any amounts because of the contribution caps, and use the home video percentage (13.5%) to put more residuals in your pocket. (section 2.b.).
- Minimum rates, rest, protections for minors and

residuals for all new media productions, regardless of budget (Exhibit C).

- Full terms and better residuals for “high budget” productions with initial release to AVOD (free streaming) services (Exhibit C).
- Improved terms and better residuals for “high budget” productions with initial release to SVOD (subscription streaming) services (Exhibit C).
- Increased thresholds, additional limits and full transparency to any wage invasion due to advance payment of residuals (section 3.r.iii.).
- Addition of Martin Luther King, Jr. day and Juneteenth as contractual holidays (Section 3.j.i.).
- Additional provisions regarding use of intimacy coordinators and harassment prevention policies (Section 3.o.).
- Improved options provisions that apply to more series regulars, including a timeline for setting the start date (Section 3.h.vi).

An example Interim Agreement is available [HERE](#).

## Which terms of the Interim Agreement might change when a deal is reached with the AMPTP?

When the union ratifies a new TV/Theatrical agreement with the AMPTP, the terms of the Interim Agreement will merge with the new TV/Theatrical Agreement, and the terms of the new TV/Theatrical Agreement will become applicable to your employment on the production, even if the producer signed an Interim Agreement.

This process will not affect compensation that you earn and receive, or any contributions made on your behalf to the SAG-AFTRA Health and Pension/Retirement plans, while you are employed under an Interim Agreement before a new TV/Theatrical agreement is ratified. Any compensation, terms or provisions of the Interim Agreement that have not been earned or utilized by the time the new TV/Theatrical agreement is ratified, such as residuals applicable to future distribution, will change to the terms of the new TV/Theatrical agreement.

## How does a production qualify for an Interim Agreement?

The union conducts thorough research on each Interim Agreement application. If the union is able to determine through its due diligence that the production is truly independently produced, it will offer an Interim Agreement.

A variety of factors play into both the analysis and the decision concerning whether to grant an Interim Agreement to a specific production, including if there are foreign unions or local labor laws involved.

## If an independently produced project finished shooting prior to the strike, does it need an Interim Agreement in place before members are able to participate in promotional activities (such as screenings, premieres, film festivals, media interviews and social media)?

Yes, the strike rules apply to all phases of production, including promotional activities that occur after a project finishes shooting. Therefore, an Interim Agreement must be secured in order for SAG-AFTRA members to remain in compliance with strike rules while promoting the project that would ordinarily be within the scope of the strike order. This does not apply to productions signed to an agreement listed in the Notice of Non-Struck Work.

## Which productions do not need an Interim Agreement?

Productions under non-struck agreements, including the Short Project Agreement, do not need to apply for an interim agreement. See notice of non-struck work [HERE](#).

Additionally, productions under the TV/Theatrical contracts that do not need any other services from performers need not apply for an Interim Agreement unless they intend to ask performers to promote the project. For a full list of the services prohibited during the strike, and for which an Interim Agreement would be required, please see the Strike Notice [HERE](#).

## Is your production already signed on to the Interim Agreement?

Projects that have signed the Interim Agreement are listed [HERE](#). This list includes productions that are within the scope of the strike order, but have signed Interim Agreements, allowing them to resume.

This list is updated daily, Monday-Friday. If you don't see a particular production, please contact [sagaftrastrike@sagaftra.org](mailto:sagaftrastrike@sagaftra.org) to inquire about the status.

You will note on the list some productions are listed in **blue**. These projects have signed the interim agreement, but have not yet completed the signatory process. Performers are able to audition for or engage in negotiations with these productions, but you should make sure they receive final signatory clearance before you commence working, including travel, rehearsal, or any other performance services.

## Applying for an Interim Agreement

If you would like to apply for an Interim Agreement, please contact your assigned business representative. If you do not yet have a business representative assigned, please first complete the Signatory Application [HERE](#) and you will receive further directions regarding applying for an Interim Agreement. If you have questions about the Interim Agreement, please email [sagaftrastrike@sagaftra.org](mailto:sagaftrastrike@sagaftra.org)

SAG-AFTRA has already received more than 750 applications for Interim Agreements and more are submitted daily. Every project is different and requires rigorous review. As a result, we are not able to guarantee a particular turnaround time.

Interim Agreements are not required for productions signed to one of the SAG-AFTRA agreements listed in the **Notice of Non-Struck Work**, such as our Commercials, Interactive Media and Audiobooks agreements, and many of our members can and should keep working under those contracts without an Interim Agreement in place.

## HAVE FURTHER QUESTIONS?

Additional answers for common question about independent productions can be found on our website at [sagaftrastrike.org/indie-producer-faqs](http://sagaftrastrike.org/indie-producer-faqs).

For more information, visit **SAGAFTRASTRIKE.ORG**