

NOTICE OF TRUST AGREEMENT AMENDMENT

- TO: All Employers That Have an Obligation to Contribute to the SAG-Producers Pension Plan (“Plan”) and to All Employee Organizations Representing Employees Covered by the Plan**
- RE: Notice of Amendment to Withdrawal Liability Rules for Employers Primarily Contributing Under the SAG-AFTRA Commercials Contract**

In accordance with the provisions of the Screen Actors Guild-Producers Pension Plan Trust Agreement, on November 8, 2019, the Board of Trustees (“Trustees”) amended the governing Trust Agreement (“Amendment”), modifying the Plan’s withdrawal liability rules, to exclude advertisers and advertising agencies primarily contributing to the Plan in connection with work covered by the SAG-AFTRA Commercials Contract from application of the provisions of ERISA § 4203(c). Section 4203(c) provides special rules for employers that have an obligation to contribute under a plan for work performed in the entertainment industry primarily on a project by project basis, when such plan primarily covers employees in the entertainment industry. Before the Amendment shall be effective, the Pension Plan must submit the Amendment to the Pension Benefit Guaranty Corporation (“PBGC”) for approval, and PBGC rules require that we send you this notice.

Pursuant to the Amendment, the following Section 15 is added to Article VIII of the Screen Actors Guild-Producers Pension Plan Trust Agreement:

Section 15: The Entertainment Industry Exception, set forth under ERISA § 4203(c), shall not apply to employers in the advertising industry primarily contributing to the Plan under the Commercials Contract, including advertisers and advertising agencies. This Section 15 shall not apply to employers in the motion picture industry primarily contributing to the Plan in connection with the employment of performers on theatrical motion pictures, television motion pictures (including those made for free television, basic cable or pay television), motion pictures made for new media exhibition, or motion pictures made for any other medium covered under the SAG-AFTRA Codified Basic Agreement, the SAG-AFTRA Television Agreement, the SAG-AFTRA Television and Basic Cable Animation Agreements, the SAG-AFTRA Network Code of Fair Practice, the SAG-AFTRA Theatrical Low Budget Agreement or any other collective bargaining agreement covering the employment of performers in the same media as are covered under the above-referenced agreements (the “Motion Picture and Television Producers”) when, or if, such employers contribute to the Plan as signatories to the Commercial Contract.

If you have any comments or questions regarding the foregoing Amendment, please call the employer line at (818) 973-4472.