As SAG-AFTRA Responds to Studio Offer, AI Protections for High-Earning Members Remain Sticking Point

According to multiple sources familiar with the state of the negotiations, SAG-AFTRA is seeking to attach a compensation to for the reuse of AI scans.

When SAG-AFTRA responded to the studios' latest contract offer on Monday, artificial intelligence protections for high-earning members remained a key sticking point.

Multiple sources familiar with the state of the negotiations tell *The Hollywood Reporter* that SAG-AFTRA has pushed back on an AI clause that is included in the studios' latest offer. The Alliance of Motion Picture and Television Producers is seeking to secure AI scans for Schedule F performers — guild members who earn more than the minimum for series regulars ($32,000 per TV episode) and feature films ($60,000). The companies' suggested clause would require studios and streamers to pay to scan the likeness of Schedule F performers. SAG-AFTRA is seeking to attach compensation for the reuse of AI scans, as AMPTP member companies would also need to secure consent from the performer. The language in the AMPTP's offer would see the studios and streamers secure the right to use scans of deceased performers without the consent of their estate or SAG-AFTRA, according to a union-side source.

A studio-side source reached Tuesday morning who has access to the current language of the counterproposal disputed that characterization, saying producers will have to secure consent from a deceased performer's "authorized representative" who owns that person's exclusive rights before a scan is reused. Additionally, any time a studio wants to reuse a scan of a

performer in general, it will have to gain consent from that person and negotiate compensation.

THR has not been able to view the actual language in the proposal. *THR* has reached out to the AMPTP and SAG-AFTRA for comment.

"This is one of the biggest reasons SAG did not accept the 'last, best and final' offer from the AMPTP. We could not allow that language to stand," says one union-side source of the disputed proposal. "This is massive. Every A-, B-, C-, D- and E-lister — all the higher-paid performers — who think this is a minimum wage strike, they must know they are in this fight. They have to realize that this is about protecting *them.* This is their strike now when they realize what's on the line. The people who launched the campaign to take a deal — they'd be f—ked if we took this deal with that in there."

SAG-AFTRA worked through the weekend on a counteroffer that has been taken to the AMPTP. A meeting between SAG-AFTRA's chief negotiator, Duncan Crabtree-Ireland, and his AMPTP counterpart, Carol Lombardini, was scheduled for Monday. Sources say that the performers union planned to counter to remove the Schedule F AI language, as well as some other no-money items.

"We think it's not just reasonable but is absolutely vital to the sustainability of the performance industry," the union-side source says. "They can't have that loophole to exploit performers. … [The Schedule F AI language in the AMPTP's proposal] behooves them to have you dead in that they need consent when you're alive but not when you're dead."

On Monday afternoon the SAG-AFTRA negotiating committee told union members that it had responded to the AMPTP's latest offer. "Please know every member of our TV/Theatrical Negotiating Committee is determined to secure the right deal and thereby bring this strike to an end responsibly," the group stated. "There are several essential items on which we still do not have an agreement, including AI. We will keep you informed as events

unfold."

Nov. 7, 12:09 p.m. Updated with comments from studio-side source with access to current counterproposal language.