

Update on the Commercials Monitoring Pilot Program

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Background:

“Commercials Monitoring” refers to the practice of electronically detecting individual commercial occurrences on broadcast and cable television signals. The Commercials Research Department of the Screen Actors Guild currently uses such a system (TNS Media Intelligence’s Strategy System) to monitor television commercials for purposes of contract enforcement.

In the negotiation of 2000, the Screen Actors Guild and the JPC (the Joint Policy Committee of the ANA/AAAA) agreed to investigate “identification factors for commercials and the subsequent use of said factors.” In 2001, the Screen Actors Guild and the JPC began exploring ways to develop an accurate, comprehensive, and automated way to monitor commercial occurrences and convert the detection data into payment information. As a result of this exploration, the Screen Actors Guild and the JPC created a joint venture, called the “Commercials Monitoring Project,” which is funded by a grant from the SAG-Producers Industry Advancement & Cooperative Fund. The mission of the Project is to research methods of monitoring the actual use of commercials on broadcast and cable television media, initially for the purpose of verifying that residuals owed to performers in commercials are paid correctly and on a timely basis, and secondarily to study the feasibility of developing an industry-wide authority for commercial performance verification.

After careful research and evaluation, SAG and the JPC selected two firms to conduct a pilot program to test the viability of an ongoing monitoring program: Nielsen Media Research and Talent Partners. Nielsen Media Research was selected to digitally encode commercials provided by the JPC, and to monitor and report on the occurrence of the commercials on television. Talent Partners was selected to convert the occurrence data into contract terms, create hypothetical talent payments, and then reconcile these hypothetical talent payments against what was actually paid.

In August of 2006, as part of the extension to the Commercials Contract, the JPC and the unions agreed to rapidly complete the pilot program regarding monitoring and to assess, in good faith, the on-going steps to be taken as a result of the pilot program. At that time, the JPC had agreed to make at least 20 commercials available to be used in the pilot program.

Update:

By August of 2006, the JPC had recruited two major advertisers to volunteer a total of 20 commercials to be included in the test. Since the signing of the service agreement in January 2007, Nielsen has overseen the encoding of 35 commercials by the two national advertisers (additional commercials may be added as the pilot proceeds). The commercials began airing on television in March, 2007, and their occurrences are currently being actively detected by Nielsen.

Once the 13 week cycle of use is completed, the comprehensive occurrence data will be made available to the Guild by Nielsen, and can be evaluated and reconciled against actual payment information. Complete analysis should be available later this year.