Policy for Required Documentation

This policy outlines the documentation performers are required to supply to the AFTRA Retirement Fund in order for us to investigate and resolve potential earnings discrepancies. Performers should report potential earnings discrepancies if they believe that an employer may have failed to report or may have underreported AFTRA-covered earnings to the Retirement Fund.

Earnings Statements
Each year you receive an Earnings Statement from the AFTRA Retirement Fund if you performed AFTRA-covered employment in the prior calendar year, and therefore have covered earnings in that year which were reported to the Retirement Fund on your behalf.

AFTRA-covered earnings are gross compensation paid to you by a contributing employer for AFTRA-covered employment as required under a collective bargaining agreement between the employer and SAG-AFTRA — employment which also requires the employer to make contributions to the AFTRA Retirement Fund on your behalf. Only SAG-AFTRA signatory employers can make contributions to the Retirement Fund on your behalf.

Reporting Discrepancies
Review your Earnings Statement carefully as soon as you receive it to confirm that it reflects all of the AFTRA-covered employment you performed in the prior year and the earnings you received for that work. If you believe that any information is inaccurate such that all of your AFTRA-covered employment was not properly credited to the AFTRA Retirement Fund, or if you do not receive an Earnings Statement but you think you had covered employment within the corresponding calendar year, please complete an Earnings Discrepancy Form, which can be downloaded at www.aftraretirement.org ("Forms"). Return the completed form and required documentation to the Retirement Fund as indicated below:

AFTRA RETIREMENT FUND
ATTN: OPERATIONS DEPARTMENT
261 MADISON AVENUE, 7TH FLOOR
NEW YORK, NY 10016
Fax: (212) 499-4973
Email: earnings@aftraretirement.org

You can also receive a copy of this form free of charge by calling the AFTRA Retirement Fund Operations Department at (800) 562-4690 or by sending a request to the fax number or email address mentioned above.

Along with the Earnings Discrepancy Form, for each discrepancy you must submit at least one Record of Payment item from the list below. Please stubs or royalty statements are the preferred documentation of your Record of Payment. If your Record of Payment items do not include work date(s), work type, the advertising/production company name, and if applicable, the name of the commercial, program, or other project, you must provide this information or submit one or more Record of Work item(s) that include(s) this information. Acceptable Record of Payment and Record of Work item types are listed below.

Record of Payment:
- Pay stubs
- Royalty statements (if you are a royalty artist under the Sound Recording Code)
- W-2 Form/1099 Form

Record of Work:
- Session or work report
- Proof of participation in AFTRA-covered work
- Evidence documenting the type of work performed (e.g. personal services contract or agreement)
- W-2 Form/1099 Form

It is recommended that you include a copy of your personal services contract even if other records submitted with your inquiry satisfy the AFTRA Retirement Fund’s documentation and information requirements.
To Facilitate the Process
To the extent that you are able, it will be beneficial if you provide the AFTRA Retirement Fund with specific details of the dollar amounts of the earnings that you believe have been reported inaccurately or are missing.

If you have a personal services corporation, a company known as a “Loan Out Company” or a “For Services Of” (FSO), provide the name and tax identification number for your corporation or company.

The more records and information you provide, the better the Retirement Fund will be able to validate your earnings and expedite a response to your claim.

Other Considerations
If you are or were a station staff employee or a network newscaster and your SAG-AFTRA collective bargaining agreement provided that you were covered under your employer’s pension plan (and your employer was not required to make contributions to the AFTRA Retirement Fund on your behalf), your earnings will not be considered “covered earnings” and, therefore, will not apply to any benefit accruals. Similarly, if the collective bargaining agreement under which you work or worked, caps or limits the amount of AFTRA-covered earnings for which your employer is or was required to make contributions to the Retirement Fund, your earnings above that cap or limit will not be considered covered earnings and will not apply to any benefit accruals. If you have questions about your SAG-AFTRA collective bargaining agreement, please contact your SAG-AFTRA local union office or the union’s News & Broadcast department at (800) 638-6796.

Documentation Must Show Actual Earnings
If your documentation clearly shows that you worked in AFTRA-covered employment but does not clearly show the amount of wages paid, the AFTRA Retirement Fund can only credit the minimum scale wages specified in the collective bargaining agreement or participation agreement.

Possible Help from SAG-AFTRA Local Office
Your SAG-AFTRA local union office may be able to help you obtain some documents you do not have, but it is your responsibility to contact that local office to make such a request. Your SAG-AFTRA local union office is not able to acquire W-2s on your behalf.

Insufficient Information
Please remember that you know more about your earnings than anyone else, and so your documentation must demonstrate each of the following:
- that the work in question was performed by you for a contributing employer;
- that the work in question was AFTRA-covered employment for which the employer was required to make contributions; and
- the amount of the AFTRA-covered earnings.

If the documentation you submit is sufficient for the AFTRA Retirement Fund to proceed with the review of your request, we will send you an acknowledgement letter confirming that our review is underway. If the documentation submitted is incomplete, you will be sent a letter stating that your inquiry cannot be processed because necessary information is missing. This letter will also inform you of the specific information you need to provide. You are required to submit this information within 30 days from the date you receive the letter. However, if you need to request additional time to respond, please call the Operations Department at (800) 562-4690 or use one of the alternate contact methods previously mentioned in this policy to request more time. If we do not receive the missing documentation, or if you have not requested more time within the 30-day period, the Retirement Fund will send you a letter stating that we cannot review your request at this time. However, you may re-initiate the review of your initial inquiry by submitting the appropriate documentation at a later date.

5-Year Limit for Inquiries
Effective Jan. 1, 2014, the AFTRA Retirement Fund implemented a policy that limits the time period during which a performer can request a covered earnings inquiry. Performers now have a maximum period of five years from the end of the calendar year in which earnings were or should have been credited to request a covered earnings inquiry and submit documentation to the Retirement Fund for consideration.1 The table below shows examples of covered earnings by calendar years and their corresponding review period end dates.

Effect of Policy

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1. If you were a Class Member in the Moore v. American Federation of Television and Radio Artists et al. lawsuit, your claim for earnings credit under the procedures of the stipulation of settlement in that case is not affected by this change. If you have questions about the settlement of this lawsuit, please call the Retirement Fund at (800) 562-4690.