

## Managers and Agents - Who does What?

### What is the difference between an Agent and a Manager?

Although both agents and managers function similarly at times, a simple distinction between the two can be made by observing that **agents negotiate and service employment contracts**, while managers engage in career direction (i.e. advising clients on the presentation of artistic talents, introducing clients to agents and casting directors, etc.) and the overall management of the artist's career and business.

Unlike agents, **AFTRA does not franchise managers**. Therefore, AFTRA cannot regulate the fees they charge. Although your Local office may be able to answer general questions, AFTRA cannot arbitrate or resolve disputes involving managers.

In some states, performer representatives who secure employment must be licensed as talent agents by the city or state in which they are doing business. Sometimes there are exceptions for attorneys, and certain fields of work are granted exemptions under various state laws (Sound Recordings in California, for example).



Please visit AFTRA's website at [www.aftra.com](http://www.aftra.com) for a list of agents franchised by AFTRA.



American Federation of Television and Radio Artists



AFTRA  
[www.aftra.com](http://www.aftra.com)

## YOUR AGENT AND YOU

AFTRA's **National Agency Department** is here to help answer any questions you may have regarding your relationship with your agent. Please contact the National Agency Department by calling 212-532-0800 or contact your local AFTRA office with questions.

***When you become a member of AFTRA and want to work with an agent, that agent must be franchised by AFTRA.***



### What is a “Franchised Agent?”

A “franchised agent” is a person, firm or corporation that has entered into an agreement with AFTRA under which they agree to abide by certain rules and conditions when dealing with performers who work within AFTRA’s jurisdiction. In order to receive and maintain a franchise from **AFTRA**, the agency must demonstrate that it is a legitimate business, licensed by the state or city when required, and, among other things, maintain proper office space, surety bonds and client trust accounts.

### What is AFTRA’s Regulations Governing Agents (commonly known as “Rule 12-C”)?

Rule 12-C is the contract between AFTRA and talent agents that agents agree to when they become franchised by AFTRA. Agents who have agreed to abide by Rule 12-C are called “Franchised Agents”.

### When and how much should I pay my agent?

No franchised agent may charge a higher rate of commission than 10%. In some cases, an agent must negotiate your fee above the minimum scale, or in other words, “scale plus 10%” in order to collect commission on a job. This rule may vary according to the local area in which you work, or the collective bargaining agreement you are working under. Always check with your local AFTRA office for specific rules.

An agent may only receive a commission when and if you receive compensation for your employment. **Agents may not charge up-front fees of any kind.** They may not require you to attend a specific school or use a specific photographer as a condition of representation.

### What if my Agent wants me to sign a contract?

Franchised agents are required to use only the standard form contract or a union approved contract when signing clients. Copies of these contracts can be found on AFTRA’s website at [www.aftra.com](http://www.aftra.com).

***An exclusive Agency contract generally means that all work you obtain during the term of the Agency contract is subject to commission by that agent, regardless of who actually obtains the employment for you.***

If you sign an Agency contract with an agent prior to joining the Union, please notify the National Agency Department (or local AFTRA office) on the day you join AFTRA.