LOCAL 1000 North American Traveling Musicians Union

NEW DEAL

WINTER 2009

As 401Ks Falter, Musicians Union Pension Still Stands Strong

By John McCutcheon

Editor's note: *This article contains information that pertains only to the AFM pension fund in the U.S. (AFM-EPF.) The rules of Canada's pension fund (AFM-EPW)for Canadian members are different. Canadian members should consult with Ken Whiteley, Local 1000 Canadian Vice-President or the AFM-EPW office at 888-462-6666.*

I was raking leaves in the front yard last week when a neighborhood pal came by walking his dog. He stopped, as the dog was fond of a particular tree of mine and my neighbor knew I harbored a cold one for him in the fridge. "You know," he said on the porch, "I thought I was going to be able to retire at 65. But after these past couple of months, I'm going to have to die on the job."

"I haven't yet had the guts to look at my old IRA," I responded, "but the bulk of my retirement is in my musician's union pension and I'm still going to get exactly what I expected."

"Huh?" he asked incredulously.

"It's a defined-benefit plan, the kind of retirement plan every worker in America wishes they still had. Biggest scam ever perpetrated on American workers was when employers took away workers' pension plans and replaced them with 401k's. My future contributions may be paid out at a lower rate, but as of now what I get at retirement has not changed."

"I gotta learn how to play the guitar!" he muttered as his dog dragged him toward trees down the block.

The American Federation of Musicians/ Employers Pension Fund (AFM/EPF) is one of the very best retirement options any professional musician can hope for. A financial advisor I've been using recently remarked, "It is rare to find pension plans that are still in place that are as rich as this one is. For anyone in the industry, contributions to this pension plan should be a core part of their retirement planning!" Still, most musicians don't know enough about it to jump on board. Some Local 1000 members have already retired and are collecting their pensions. Dozens more will start collecting in the next few years. It is making a profound difference in their lives and in their plans for the future.

Go to **www.afm-epf.org** to learn more about the Pension Fund, but here is some basic information:

How does money get into the Pension Fund?
Money goes into the plan through employer contributions under the terms of collective bargaining agreements (CBAs) or specifically approved single engagement contracts. Some of these agreements cover lots of musicians playing one venue, such as the Clearwater Festival, the National Women's Music Festival, or A Prairie Home Companion. The musician provides a social security number and the employer does the rest. Our Fair Folk campaign was created to increase these venues.

The single engagement contracts are known as LS-1s and they can be found on our website. They're easy to use and they can be used to get you started building a pension.

Also, If you have an LLC or a corporation, your company can negotiate a CBA with Local 1000 covering all your work as a musician and those who play with you on your gigs.

To learn more about these above options, call Amy in the office at 212-843-8726.

What kind of pension will I collect?
Your pension income is based on the total contributions connected to your Social Security Number in the Fund. To calculate what your benefits will be you will have to estimate what your total contributions will be.

Imagine how much you will average per year in contributions. (No more than 15% of your income.) Let's say you have $30,000 in contracted earnings and 10% of that is your contributions.

Continued on page 3

The General Membership Meeting will take place at the Memphis Convention Center on Saturday, February 21 at 6 pm. See page 2 sidebar for additional membership information.

LOCAL 1000

At the last Local 1000 membership meeting, the Local paid tribute to Deborah Van Kleef, who after several terms as Midwestern Executive Board Member, declined to run for reelection to take a long overdue rest. Deborah has been a tireless contributor to the Local, most notably as the chair of the Communications Committee which, among other things, oversees the Local 1000 website. We wish Deborah well in her future endeavors.

Newly elected as the Midwestern Executive Board Member is Sandy Andina. Sandy is singer-songwriter and humorist based in the Chicago area.

The Local 1000 Executive Board will meet on February 20 and 21 at the Memphis Marriot Hotel Downtown. The General Membership meeting will take place at the Memphis Convention Center on Saturday, February 21 at 6PM. Bylaw amendments will be presented for a vote of the membership. See page 4.

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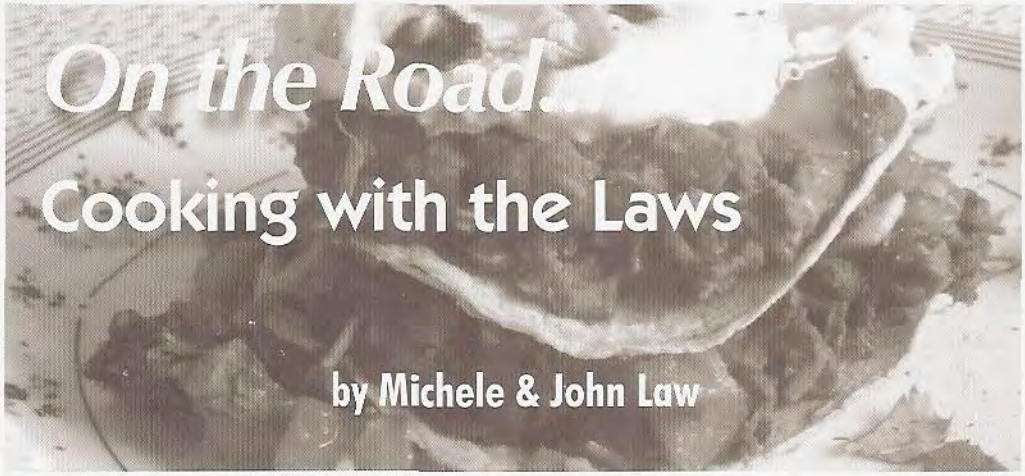

On the Road...

Cooking with the Laws

by Michele & John Law

As a husband and wife duo, we get all of the touring income and worry about all the traveling expenses. We started out seven years ago touring non-stop without a home base and realized that we needed a way to eat without spending all of our money in restaurants (not to mention the health and weight concerns of too many take-out meals)! Our solution: we picked up a one-burner butane burner stove, suitable for indoor cooking, and we take it with us on the road.

Michele & John Law, on tour at the festival of the islands.

When we arrive in a new town, we try to book into a motel room that has a door opening to a yard so we can set up a little table to do our cooking there. We have been known to turn on the bathroom fan and cook-out in the room too!

Then we go shopping for dinner and breakfast. We look for local ingredients, and we find that organic food is always available these days. On the day of the next long drive, we cook up a GREAT breakfast so we don't have to stop along the way.

Every traveling musician knows how one can become quickly homesick on tour, so we pack a large plastic tub with some comforts of home: linen napkins, real plates, silverware, good knives, non-stick pan, small pot with lid, olive oil and balsamic vinegar in plastic squeeze bottles, and salt and pepper grinders and a jar of a mixture of dried herbs from our garden.

Not only has this kept us happy and healthy, it has led to us developing our own cookbook and incorporating cooking demonstrations into our bookings!

Visit The Laws' website at **www.thelaws.ca/** and email them at **info@thelaws.ca**.

Local 1000 Grammy Nominees

Four out of the five nominees for this year's Grammy's Traditional Folk Album category are Local 1000 members. The four honorees are charter member Tom Paxton's *Comedians and Angels*, Peggy Seeger's *Bring Me Home*, her legendary brother Pete's *At 89* and former Local 1000 Executive Board member Rosalie Sorrel's *Strangers In Another Country*, an album of songs written by her long time friend, the late Utah Phillips. If anyone sees Kathy Mattea, whose album *Coal*, makes up the fifth album in the group, please sign her up.

Under Obama, is Help for Unions on the Way?

By John O'Connor

Now that Barack Obama is in the White House, many in the abor movement are hoping for passage of what is known as the Employee Free Choice Act (EFCA) to end employer abuses against workers who are trying to organize unions. This bill would allow workers to form a union through "majority sign up" by requiring employers to recognize its employees' union when a majority has signed union authorization cards.

Currently when a majority signs cards, employers can legally ignore the workers' desire to have a union, forcing the workers to call for the only egal method of making an employer recognize their union, a National Labor Relations Board (NLRB) election. Because of the weakness of labor law, employers can tie up the NLRB for weeks and months with appeals while they launch intimidation and fear campaigns resulting in a defeated union. Employers, for instance, hold captive audience meetings with their workers and lie about what unions are and what they do. Meanwhile, unions are cut off from communication with workers. Often union-active workers are fired or disciplined in the process.

EFCA would also increase penalties against employers who illegally fire or retaliate against pro-union workers during an organizing campaign or an effort to obtain a first contract. These and other aspects of the bill would assumedly make it easier for workers to form unions and would help labor regain some of the membership it has lost in the past 30 years. Many argue that it is necessary for labor to become strengthened again if we are to get out of the financial free-fall we find ourselves in because workers need more purchasing power to revitalize the economy.

But does EFCA have a chance under Obama and the new majority in congress? The EFCA was passed in the House in 2007 but didn't have a chance against a filibuster in the Senate or an assured presidential veto under Bush. Looking further back to a time when the senate had 61 Democrats and we had a Democratic president named Jimmy Carter, labor law reform, as labor commentator Steve Early puts it, "got filibustered to death...after tepid White House lobbying on its behalf."

Democrats claim they are in a stronger position this time around and Obama seems to be paying more than lip service to the issue, but United Electrical Workers' political director Chris Townsend warns "against political phonies who want us to think they are in support of EFCA but who will get cold feet when big business lobbyists (and campaign contributors) lean on them hard when the bill comes before Congress again."

Employers and their lobbyists are already gearing up to defeat EFCA with millions of dollars in ads and lobbying efforts. They're calling the reform campaign a "campaign to steal the secret ballot from workers," as if the business establishment cared about worker democracy. Key Democrats want to make the EFCA one of the first issues to tackle in 2009. Passage again in the House seems assured, as does signing by the president. What it will come down to is the Senate and whether a filibuster can be broken.

In December I spoke to an official at American Rights at Work, the main organizational impetus behind EFCA, and she was cautiously optimistic that the bill will pass and said they have a lot of resources to push behind the bill. Labor activist and columnist, Jonathon Tasini told Brian Lehrer of WNYC Radio that he expects the bill will pass, but not in its current form. Compromises will be necessary to get the bill passed, Tasini opined. If that's true we may end up with an ineffective bill.

Musicians Union Pension Still Stands Strong *,continued from page 1*

Now, multiply that by the number of years until you turn 65. This figure s your estimated "total contributions." (If you have 25 years until 65 with the above income, your total contributions are $75,000.)

The current formula works like this: Divide the total contributions by 100. Then multiply that number by $3.15. That's the amount you'd receive every month for the rest of your life. In the above example, hat's $2,362.50 per month.

s the money safe? I hear about pension funds going under these days!
Many of the pension funds going down these days are single-employer funds. Think the airlines, etc. The AFM/EPF is a multi-employer plan, meaning that hundreds of different employers (from NPR to Clearwater to the NY Philharmonic to Sony Records) are contributing to the Fund. t's not dependent on any one employer.

But I have a 401k/IRA/SEP that I've been using. What happens to that?
t stays where it is. In fact, you may be able to continue contributing to that fund in addition to the AFM/EPF. The person who could best tell you is your tax accountant. The AFM/EPF had an extensive article on this subject that can be found on the Local 1000 website at: **www.local1000.org/benefits/pension**

What happens if the market tanks? Will I lose everything?
Plans like AFM/EPF are governed by the Employee Retirement Income Security Act (ERISA) and the Pension Protection Act of 2006 (PPA). It requires on-going monitoring and adjustment of funding levels for any Pension Plan. The AFM/EPF has, traditionally, been on the upper end of funding requirements and on-going monitoring is constant.

Who can be my beneficiary?
If you are married, your spouse is your default beneficiary. If you are single, divorced or in a domestic partnership, you can designate anyone to be your beneficiary. If you are in a same-sex marriage, federal law does not yet recognize such unions and your spouse must be specifically designated.

When I retire do I have to quit working?
You must retire if you are working for an employer who is paying pension benefits, such as a symphonic orchestra or a corporation or LLC you have set up for yourself. However, you may, with certain restrictions, continue to file LS-1 contracts and continue to receive pension benefits. Your benefits will be re-calculated, based on additional contributions, each year.

For most of our history performers in our field never had the chance to think about a Union Pension. Local 1000 has changed all that. You can, as Local 1000's first retiree, Charlie King, says, "work because I want to, not because I have to."

PROPOSED BYLAW AMENDMENTS

The Local 1000 Executive Board at its November meetings voted to recommend the following amendments to the Local 1000 Bylaws. Under the current Bylaws, amendments must be presented at the first membership meeting of the year. A two-thirds majority vote of those present is required to pass an amendment to the Bylaws. Below are the proposed amendments. ~~Strike-throughs~~ indicate proposed deletion of language, while underlines indicate proposed addition of language.

V. FEES, DUTIES, AND ASSESSMENTS

Section 3. Effective ~~January 1, 2007~~ April 1, 2009 all members shall pay membership dues of $150 ~~128 (U.S. funds) per year. Effective April 1, 2008 all members shall pay membership dues of $130 (U.S. funds)~~ per year. Dues may be paid quarterly at the rate of $40 per quarter. ~~following rates: For quarters in the year 2007, $34.50; for quarters beginning April, 2008, $35~~. Twenty dollars of each member's dues will be credited to the member's work dues bill each year. For those paying quarterly, $5 of each member's dues will be credited to the member's work dues bill each quarter, but only for the quarter in which the dues are paid. ~~Effective 2009,~~ Any changes or establishment of membership dues, local initiation fees, reinstatement fees, assessments and dues based on earnings (work dues) ~~will~~ may be presented at ~~the first~~ any membership meeting ~~of each year~~ by a committee appointed by the President and voted upon by members present at such meeting, provided the proposed changes appear in New Deal at least a month previous to such meeting.

XII. AMENDMENTS AND RESOLUTIONS

Section 1. All proposals to amend or repeal any part of the Bylaws or to offer a resolution must be presented in writing bearing the signature of the proponent(s) and submitted to the Secretary-Treasurer not later than ~~the first day of January~~ 60 days previous to the membership meeting at which the amendment will be considered. The Secretary-Treasurer shall acknowledge receipt of all proposals or resolutions. Amendments may be presented as recommendations from the Executive Board.

Section 2. Amendments to the Bylaws may be considered ~~only at the first quarter membership meeting~~ at any membership meeting, provided that the amendment(s) appear in New Deal at least a month previous to such meeting.

The following amendment is being proposed by President McCutcheon and Secretary-Treasurer O'Connor:

Section 1. The officers of this Union shall consist of a President, a Secretary-Treasurer, Vice-President from Canada and an Executive Committee of six officers, three of whom shall be residents of and represent the following regions: Western U.S., Midwestern U.S., and Eastern U.S. Three Executive Committee Members shall serve at-large. Collectively, these officers shall constitute the Executive Board.

Not withstanding the above, beginning January 1, 2010 the officers of this Union shall consist of a President, a Secretary-Treasurer, Vice-President from Canada and an Executive Committee of five officers, three of whom shall be residents of and represent the following regions: Western U.S., Midwestern U.S., and Eastern U.S. Two Executive Committee Members shall serve at-large. Collectively, these officers shall constitute the Executive Board.

Beginning January 1, 2011, the officers of this Union shall consist of a President, a Vice-President a Secretary-Treasurer, Vice-President from Canada and an Executive Committee of three officers, who shall be residents of and represent the following regions: Western U.S., Midwestern U.S., and Eastern U.S. No Executive Committee Members shall serve at-large. Collectively, these officers shall constitute the Executive Board.

North America

The Story of the Dues

In the musicians union, when they raise the dues, we sing the blues. Over the past several years, Local 1000 dues have increased slightly each year due to increases in our per capita obligation to the Federation of which we are part. As Local 1000 has grown, the Federation has lost members and has had to continually deal with lost revenues. But Local 1000's portion of the income from annual dues has remained the same since its beginning. We get the same dollar amount each year from each member as we have since we got our charter in 1993. You see, our philosophy has always been, let's keep our annual dues low and base our revenue on work dues, that is, the amount of dues our members pay when they file contracts and receive the benefits that those contracts provide.

Here's the problem. About 70% of our members don't file contracts and don't pay work dues. As much as we have tried to educate members of the value of our benefits, especially the AFM pension, we still need more members to file and pay work dues for the above philosophy to work. So the bad news is that the Local 1000 Executive Board is recommending for the first time an annual dues increase from which our Local will benefit. If the recommendation passes, annual dues will increase by $20 and quarterly dues will increase $5. The good news is that another recommendation by the Executive Board is that each member will receive an annual credit of $20 toward their work dues. If you file contracts, in effect, the annual dues increase will not affect you.

Local 1000 needs to raise more revenue to meet its expenses and its organizing goals. That's a challenge even in times when we're not in the middle of a (what are they calling it these days?) recession. The Executive Board is looking at a number of ways to improve the Local's financial picture. The annual dues increase is part of the solution. If you have an idea for other ways to raise revenue, you're welcome to make suggestions. We're brothers and sisters in the same boat and as always, we'll figure it out together.

MEMBER NEWS

Do you want to announce New Releases, Projects, Events, Births, Deaths, Marriages etc.? Please send information to Joe Jencks via joejencks@hotmail.com. Please specify in the title that the message pertains to: Local 1000 Member News. Thanks.

New Releases...

ol y Canto. (Rosi & Brian Amador), CD *Cada Día Un Regalo* (Each Day a Gift) n MusicAmador Productions. This CD ombines original compositions in a wide *ariety of Latin rhythms from Mexican* on jarocho and huapango to Argentine hamame, Venezuelan merengue, flamenco nd Brazilian samba by New Mexican omposer/guitarist Brian Amador about ocial justice and love with several hand-elected classics from Chile, Puerto Rico, Mexico and Cuba. The CD features Puerto ican/Argentine singer Rosi Amador and the madors' seasoned sextet, including bass, ercussion, piano and saxophone/flute - musicians hailing from Peru, Argentina, anama and Uruguay. The CD features nostly originals that Brian Amador has een writing over the last few years. Themes f life, death, and living fully in the present re woven through an eclectic musical ollection that is quirky, lyrical, satirical and eartfelt. Rosi & Brian Amador's are the ounders of Latin band Sol y Canto and are harter members of Local 1000. For more nformation go to **www.solycanto.com**.

Nominations & Awards...

en Whiteley was inducted into the lariposa Hall of Fame in November in a eremony at Hugh's Room in Toronto, for is life-long contributions to the Mariposa estival and organization. The honors elebration featured stories and live erformances by special guests Grit Laskin, lose Scarlett, Al Simmons, Eve Goldberg, valyn Parry, David Wall, Ben Whiteley and an Whiteley and others. Ken Whiteley has *een associated with Mariposa since the* ixties as a performer, a member of the oard of Directors and as an Artistic Director. He's a musician's musician," explained lariposa's Executive Director Chris Mockler. 've heard him also described as a 'playing ncyclopedia' because of his knowledge nd range of musical styles. It's true. Ken as done remarkable work over the years on behalf of Mariposa." For more information go to **www.mariposafolk.com** or **www.kenwhiteley.com**.

Trout Fishing in America. (Keith Grimwood and Ezra Idlet) announced that their latest family release, *Big Round World*, has been nominated for a Grammy in the Best Musical Album for Children category. This caps off a great year for TFIA. Recently, Big Round World was selected to top NPR's "The Year in Music for Kids" List for 2008. In June, *Performing Songwriter* named Trout Fishing in America as one of their '100 Most Influential Independent Artists of the Past 15 Years'. Keith and Ezra produced this CD in their 'Trout House' studio. Idlet and Grimwood stretched out musically on this CD as well, playing even more instruments than on their past releases. Guitarist Idlet added percussion, mandolin and ukulele to his bag of tricks while Grimwood sat down at the keyboard to add that soulful B3 sound. ***www.troutmusic.com***

Charlie Bernhardt celebrated his 25th Anniversary as Cantor at the Oseh Shalom Synagogue in Laurel, Maryland. A celebratory concert in September at the Synagogue included special guests Joe Jencks, the DC Labor Chorus, and many others. Charlie has been singing at Oseh Shalom since 1983. He draws on many aspects of Jewish musical tradition, modern American folk music, and original compositions, to create an atmosphere that is both comforting and exciting. "I cannot remember a time when I was not singing," Cantor Charlie said. "For thousands of years, Jews have used music in their worship of God and to express the broad range of emotional reactions to the gift of life. We have been blessed with such a variety of Jewish music, and I try to use as much of it as I can in our services." Charlie is also a professional union representative, and has advocated on behalf of working men and women for over 25 years. For more information, write to Charlie at **cantorcharlie@earthlink.com** or **bernhouse@earthlink.net**.

New Endeavors...

Joe Uehlein has founded the CultureWorks Collective. The Organization is dedicated to integrating art and activism in ways that help unite and inspire people to achieve *progressive change. CultureWorks seeks* to help progressive organizations better understand the integral role art can play in helping organizations reach their goals. And they work with artists to help them connect with the causes they believe in. CultureWorks highly values both the role of the arts in organizing as well as that of the artists who tirelessly work at their trade. From their website there are links to many of the artists represented on the organizing committee. Joe Uehlein is a member of the Local 1000 Executive Board, and spent nearly three decades working for the AFL-CIO as an organizer, before retiring to spend more time on his own music and on developing the CultureWorks Collective. For more information go to **www.cultureworkscollective.com**.

Joe Uehlein

LOCAL 1000

welcomes these NEW MEMBERS

Winter 2009

Alan Munde
Kevin Anthony
David Eisner
Christine Havrilla
Dan Kozar
Jim Cosgrove
Treasa Levasseur
Randall Williams
Gary Paul Hermus
Scott Kusano
Jason Fowler

REINSTATED
Rebecca Hall
Ken Anderson
Kirk Kelly
Matt Taylor

Important Notice for Canadian Members

Local 1000 received notice in December that all bands performing a showcase with South By Southwest are required to hold a P2 Visa. B1 Visas are no longer sufficient. SCIS/P2 Regular Unit processing times are currently at 95 plus days for files to be approved. The date of South By Southwest at the time *New Deal* goes to press is approximately 60 days away. The Canadian AFM office expressed some hope that South by Southwest would be able to assist with getting Congress involved for late P2 applicants, but this is undetermined at this time. The only other alternative is a premium processing (30 days to process). For further details please contact Susan Whitfield via email at **swhitfield@afm.org** or by phone at 416-391-5161 Ext. 223.

(In the case of Folk Alliance, if the band is showcasing on a small stage in a trade show area of the conference—a B1/ showcase support letter will suffice.)

It is now mandatory when applying for a P2 Visa, that a photocopy of your passport/ permanent residency/citizenship card be sent in your application package.

AFM administration fees increased on January 1:

P2–Musicians only $35
P2–Musician(s) and Technician(s) $70
P2– Replacement letters - $40
B1 Visa/Showcase – AFM letter of support - $40
LMO Concurrence letters - $35 per letter (covering the entire entertainment unit)

USA/CANADA CROSS BORDER TRAVEL

Passports wil be mandatory as of June 2009 for all ports (land, sea and airports.) The Canadian AFM office strongly recommends that musician(s)/technician(s) obtain a passport prior to the end of January 2009 to prevent delays later on. For those with passports, ensure the passport is valid for at least (6) months past your intended stay in the USA.

LOCAL 1000

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