

Filing Union Recording Contracts through Local 1000 AFM

by John McCutcheon

[Editor's Note: This article refers to the scales for American recordings. We will post related information for Canadian recordings as soon as we have them.]

This year's AFM Convention brought about many important changes. We have a progressive new leadership team and a more unified sense of purpose. But we also made an important new stride for our own Local. For the first time, we are able to accept and process recording contracts. This is good news for every member, as it'll now be easier to file Union, getting the protection and the benefits provided by doing so.

Why File Union?

Like every Union contract, recording contracts provide for a minimum basic scale wage, guarantee a pension contribution for all participants, and offer the assurance of Union intervention should there be a dispute regarding the terms of the agreement. Now, most Local 1000 members are producing their own recordings, so the issue of grievance vs. a record company is probably not an issue. But providing a guideline for payment and the ability to pump up one's pension are both helpful and profitable. Filing Union also means receiving a "royalty" from the Special Payments Fund every August. This is based on the total figure of all recording contracts filed industry-wide and is a nice little bonus you can expect when the summer financial doldrums are the deepest. This year, for instance, I received what amounted to about 30% of what I was already paid for recording in the previous year...a 30% raise!

Filing Union also means that your recording is protected by the New Use clause, meaning that if a song on your recording is picked up for use in another medium (film, television, commercials, etc.) the user is obligated to pay a new scale wage to everyone involved in that recorded piece. Again, another raise.

OK, What'll It Cost?

Local 1000 helped establish a realistic scale for recording artists in our field. If your entire recording budget is less than \$100,000 (read on when you stop laughing...) you qualify for the Low Budget Recording scale. If your entire recording budget is less than \$40,000 you qualify for Tier 2 of the Low Budget scale. This scale is \$153/musician for a 3-hour session, roughly \$50/hour. Every session has to have a "leader," who would get double scale. Remember, like all Union scales, this is a *minimum* wage. Nothing prevents you from paying or receiving more.

NOTE: Everyone on the recording does not have to be in the AFM, but the leader (usually you!) does need to be a Local 1000 member.

Add 11% of scale for Pension and that's it.

Musicians on the contract are assessed work dues of 3-1/2% of their scale wages.

How to File Union

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NOTE: all the forms and documents described below are available for download at: <http://local1000.com/members/recording>

Simple steps:

- 1) ***Become a signatory to the Recording Agreement.*** Download the agreement at the www site, fill it out and send it into the office. If you have questions, contact (patrickv@afm.org 212-869-1330 x 1234).
- 2) ***Prepare and send in the Low Budget Estimate Form.*** This establishes that your project qualifies for the Low Budget scale. Download, fill out, mail in.
- 3) ***File the contract.*** Download, fill out, mail in. You'll have to include a check, payable to "AFM/EPF" for the total Pension contributions for the session. Musicians are paid directly. The contract should be filed within 30 days of the session.

I know that the first time people do all this it's confusing and even intimidating. The first time I filed (back in 1987!) former AFM President Tom Lee held my hand the entire process. Now, I can do it in my sleep. And here's my offer to you: *I will be happy to personally walk you through the process of filing the Low Budget Estimate and the contract your first Union recording.* Just be sure you've already become a signatory and you have your plans well-developed. Send me an email at: president@local1000.com with your phone number and I'll call you and show you how easy it can be.

Recording Union is easy, affordable, and the right thing to do. It makes everyone stronger and helps grow the Local. And that is sweet music to everyone's ears.