



# Film and Television Negotiations a Success!

*by Phil Ayling, RMA President*

The American Federation of Musicians (AFM) has concluded negotiations with the Alliance of Motion Picture and Television Producers (AMPTP), on a successor Agreement covering Motion Pictures and TV Film. AFM members from across the US and Canada gathered in Los Angeles June 4th and 5th for our internal union caucus to discuss contract proposals. Negotiations with the major Hollywood studios began immediately afterwards on June 6th continuing through June 10th.

As is typical at most AFM media negotiations, the negotiating sub-committee included all of the AFM's titled officers. AFM President Tom Lee, Secretary-Treasurer Florence Nelson, Vice President for Canada Bobby Herriot, and Vice President Harold Bradley were all in attendance (though sadly due to a death in the family, Vice President Bradley had to leave early.) In my role as rank-and-file representative I was an active participant as well. The negotiating team was led by AFM Counsel Jeff Freund and Anne Mayerson.

The Motion Picture and TV Film contract is the most successful AFM media agreement. In addition to providing employment for AFM musicians, this contract is far and away the largest single source of AFM work dues.

In recognition of the importance of this agreement to the AFM, Executive Officers Hal Espinosa, Ed Ward and Ray Hair also participated at this round of bargaining. It is unusual to have so many IEB officers in attendance, but given the stakes for the Federation and its members, we should all be thankful for their concern and leadership.

The full negotiating committee included many rank-and-file players and Local representatives from across the Federation. Local 802 (New York City) President David Lennon and Recording Supervisor Jay Schaffner, were invaluable throughout the negotiations, with Jay playing a critical role during some of the "sidebars" with management. AFM staff also provided great support throughout the process. EMSD Executive Director Carol Sato, Contract Administrator Chris Millner and many other staff members were in attendance.

We began with two days of AFM caucuses. In order to adopt a positive strategy that would balance the diverse demands of all the constituencies within the AFM, we listened, and developed an understanding of each other's concerns. There were many diverging opinions expressed, and everybody's ideas were considered both seriously and respectfully. There was full participation by colleagues and officers from Los Angeles, New York, Nashville, San Francisco, Miami and throughout Canada. As a result of this informed debate, committee members with a wide variety of views and experiences managed to work together to develop a positive AFM negotiating strategy. **Our Goal** – to create new areas of employment and improve current working conditions for members throughout the Federation.

On Monday morning June 6th, we sat down across the bargaining table with representatives of the major Film and TV studios. Our employers first made clear that they value their relationship with us; however, they went on to forcefully explain their problems and issues, in particular – **the economics of television production – administration of new use – healthcare** – and the challenges that face all of us because of **ever changing technology and piracy**.

Over the course of a long and difficult week of negotiations, we worked together and focused on the issues confronting our workplace. We managed to craft a creative, balanced agreement that will help cultivate new employment for our members, maintain existing jobs and address many concerns and issues that were expressed during the process by all participants. Our new Agreement was signed at 12:45 a.m. in the morning on Saturday, June 11!

We are very happy to report that we have a new contract which is geared for success and employment growth. It contains significant changes which improve employment conditions for those musicians who work on recording sessions for Film and TV.

Full explanations of the details of the new contract will be forthcoming with ratification ballots, but in the meantime we want to give you an overview and let you know about our success during this round of the collective bargaining process.

Our competitiveness in the global film market is now enhanced. There are new low budget thresholds for both small indie films and festival-sized films. There is a new initiative to create employment in television, with new tiers of wage rates that will make AFM scoring accessible to more shows. Payments for new use – that is, music from records licensed into films – **have been raised**, a big benefit to musicians who primarily work playing records or who are retired, but attached to hit recordings of the past. This new contract will also bring **substantial additional money** to those AFM members throughout the US and Canada who are attached to films through **sideline work**. It was our goal to broaden benefits from this agreement to musicians throughout the AFM and we were totally successful in that regard!

A new component of this agreement will allow every film to have a soundtrack release. It was our mission to ensure that this agreement could be nicknamed the “no composer left behind” contract!

We faced unprecedented challenges running up to this round of negotiations, and the participation and support of many people was crucial in creating and maintaining an environment where the many voices of the AFM could be heard. We congratulate all of those working musicians who sacrificed their time, sacrificed employment opportunities, offered creative contract ideas, made financial contributions and lifted all of us with their support.



**Jon Clarke, 1950-2005**

**Jon Clarke**, our cherished colleague and friend passed away on June 10th at his home in Kauai, Hawaii. Jon was 54 and died of complications from his long battle with kidney cancer. Our condolences and prayerful thoughts go to his wife Miriam Sosewitz and their two children, Ian and Colin. They can be contacted at P.O. Box 1229 Hanalei, Hawaii 96714

Jon was arguably one of the finest woodwind players ever.

He had extensive classically training on the oboe, but simultaneously had natural instincts for jazz, rock & roll and pop music which he expressed through the saxophone.

As a teenager Jon was playing oboe and clarinet in orchestras around Los Angeles, and won recognition at the Coleman Chamber Music Ensemble Competition – yet at the same time he was already recording and touring as a saxophonist with the Don Ellis Jazz Orchestra.

Jon soon came to the attention of Jim Messina who was producing a young artist named Kenny Loggins. Their collaboration as Loggins & Messina created one of pop music’s most successful acts. Messina recruited Jon as part of their five piece band and Jon toured the world and recorded with them for more than a decade.

Their 1972 album “Loggins & Messina” features Jon on a memorable baritone saxophone solo on “Your Momma Don’t Dance”, one of their biggest hits. All the while, Jon was still continuing to grow as a performer, as he began studying the flute and recorder.

After the group dissolved, Jon continued to record with Kenny Loggins and returned to Los Angeles where he became a mainstay in the record and film studios. He was chosen as a member of the Academy Awards Orchestra for 17 years and worked extensively in the studio and on tour with Barbra Streisand. Jon also played on countless records, commercials, motion pictures and television sessions.

He is prominently featured in the HBO series “Six Feet Under” and the 2002 film “My Big Fat Greek Wedding.” Other credits include “Fried Green Tomatoes,” “Scent of a Woman,” “The Green Mile”, “The Road to Perdition” “Hoffa” and the TV series JAG and St. Elsewhere.

This just tells part of the story of Jon the musician. Jon the artist continues to be available to us through his recordings. The greater story of Jon the man – our friend – our colleague – is the harder part to quantify. That is the unique gift that each of us who knew him – and shared part of our lives with Jon – carry forever in our hearts.

Memorial donations may be sent to the Amicus Foundation, 4217 Waipua St., Kilauea, HI 96754. We will advise about a memorial celebration being planned for Jon, when it is finalized.