

RECORDING MUSICIANS ASSOCIATION

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A PLAYER CONFERENCE OF THE AMERICAN FEDERATION OF MUSICIANS OF THE UNITED STATES AND CANADA

The following is an address given by RMA Secretary Marc Sazer at the annual Regional Orchestra Players Association (ROPA) Conference in Dayton, Ohio this August. - Editor

August 6, 2009

Dear ROPA Delegates, Board, and fellow guests,

I offer warm and collegial greetings on behalf of the Recording Musicians Association. Congratulations on a full, productive and beautifully organized 25th Anniversary Conference. We greatly appreciate the invitation to participate with esteemed fellow musicians.

Many of our members, particularly in Los Angeles and New York, are both employed in the various recording fields and also perform with ROPA orchestras. I see the friendly faces of ROPA Delegates from my home in Los Angeles, representing orchestras that I have played with myself. We share a free-lance life, and that often gives us shared perspectives as we run from job to job, working, teaching and practicing.

The commonalities that bind us together here are based both on our experience together of performing and living a musicians' life, and working as volunteers and activists within our labor union. Everyone in this room is here not because it enriches us financially, but because we share a dedication to the welfare and well-being of our colleagues. I salute each and every Delegate and Player Conference Officer here for your selflessness, and your willingness to take time out of busy and financially stressed lives in order to make a contribution to others.

In the rest of entertainment industry labor movement, the rank-and-file artists who actually work in the field are the policy makers of their union. The Officers are rank-and-file. In SAG, AFTRA, the Writer's Guild, the Director's Guild and Actor's Equity, professional staff answer to elected working actors, singers, writers, and directors. Policy decisions, negotiating priorities, organizing strategies and political interactions are all under the direct oversight of the very artists who will be working under those contracts. Their Presidents, Vice Presidents, boardmembers and other officers are just like you; artists working in the real world, volunteering without salary in order to make a difference for their own communities. And, when it is time to elect new Officers, they have direct democracy; every member gets a vote.

We have a different system in the AFM. As rank-and-file musicians, we depend on Federation Officers to make critical decisions that, to a greater or lesser degree, determine how our union responds to us and our needs. The staffing of our departments, allocation of funding and other resources for services, negotiating priorities and organizing approaches are all in the hands of Officers elected not by you and me as members, but by the Delegates to the AFM Convention.



Peace & Governance Programme
Research and capacity building to
promote peace and good governance

Looking back historically, the AFM wisely developed institutional processes to accommodate the needs of rank-and-file musicians, as well as to access their collective wisdom. ROPA's proud history bears witness to both the need for access by orchestral musicians, and the success that access brings not only to the affected players, but to our union as a whole. Likewise ICSOM, OCSM, TMA and RMA have played invaluable roles not only for our specific communities, but for the American Federation of Musicians.

Yet we find ourselves at a crossroads.

It has to be said out loud. The processes so wisely created to serve and protect working musicians have broken down.

A new person was just hired to direct operations at the Electronic Media Services Division. This is apparently a whole new job description. I say apparently, because no one I know who works under the affected contracts had any idea that any of this was going on. We had no knowledge that an opening existed or had been created, and we played no role in vetting candidates. RMA has now communicated with our new Director to wish her luck and offer our support in the difficult and complex tasks that face her, but she has some real hurdles ahead. Through no fault of her own, the individual hired is someone who none of us knew, and she appears to have no experience in labor, in entertainment union practice, in contract administration, or in music in any way. How can she possibly have a constituency among or relationship with the members she has been hired to serve?

There was no process.

We are now, as we speak, in the middle of our Motion Picture and Television Film negotiations. This is one of our most important contracts, generating over 100 million dollars a year in wages and residuals, providing immense economic resources to the union, and providing not only a decent living wage, but pension and health care contributions for thousands of AFM musicians. As we are in the middle of these negotiations I am naturally not at liberty to discuss individual issues or negotiating positions. However, I can share with you that the IEB has overruled the rank-and-file on key issues, insisting on proposals that we did not want and denying us the right to make proposals that we sought. I have participated in many Federation negotiations over the years. Each time we struggle to elevate the voice of the rank-and-file, but this crucial negotiation has hit a new low in the treatment of the bargaining unit. Orchestral players would have every reason to be up in arms if a Local dictated to the players of an orchestra that they could not ask for something from management, or that a proposal that the musicians did not want was going to be put across the table anyway. Yet that is precisely what we have faced.

Our processes have been broken.

While the International Musician monthly trumpets the great success of the AFM in videogame scoring, the reality is quite different. I was at the ROPA Conference in West Virginia two years ago, and President Lee discussed videogames with you then. Now, it should be said that all of the annual wages generated in videogames all around the AFM don't add up to more than a week or two of record or jingle work. Remember the film and TV annual wages and residuals that I just mentioned of over 100 million dollars? All of the videogames put together amount to less than 1% of that. Nonetheless, the IEB decided to take dramatic risks - over the heads of and behind the backs of the musicians involved. They have put the basic protections for the use of our music in all of our contracts in harm's way, risking deep damage to not only our livelihoods, but AFM finances.

Yet after two years of working feverishly against the stated wishes of the players who actually do this work, the AFM strategy has been a spectacular failure. 2008 saw record videogame company profits, soaring beyond all expectation even by the standards of a gold-rush industry. Yet AFM

employment nosedived by half! While industry skyrocketed, the AFM fell by 50%. Employment continues to sink, even as the voice of rank-and-file musicians is further marginalized.

This bears closer analysis.

The presentation from the Federation is that they are organizing new employment. This is a goal we all share; organizing new employment is what we in the recording community do day in and day out. We leverage knowledge and relationships with players, contractors, composers, agents and others in the sound recording, jingles, tv and film worlds to bring recording projects onto AFM contracts. Our leadership in Nashville, New York, Los Angeles and elsewhere are responsible for millions of dollars of wages brought into the AFM fold.

On an ongoing basis, we organize employment. The AFM is now de-organizing our thin foothold in this industry.

In 2002, we helped the AFM create a videogames agreement that quickly saw a 200% increase over two years...and then the contract administrator for videogames left the AFM. Since the IEB mandated that every contract had to go through the EMSD individually, processing contracts became virtually impossible, and employment fell dramatically. Nonetheless, Electronic Arts, Ubisoft, Microsoft and other huge videogame giants signed AFM contracts, good contracts that provided real musician protections.

Now, it is all falling apart.

The AFM has been playing politics with videogames, not organizing. AFM-sanctioned piracy, that gives our music away for free, has cannibalized employment, and the precipitous drop in wages shows that clearly. Giving our recorded work away for nothing harms all of us; it provides composers and companies with IEB-rubber-stamped high-quality, completely professionally recorded music that will replace live scoring, whether for the next jingle, the next soundtrack, or the next TV show. Worse, it teaches them that the AFM will not protect it's members next time around.

The Videogames adventure is a sinking ship of demonstrably toxic politics, real-life harm, and rapidly diminishing returns.

So, why should ROPA Delegates care about any of this?

Rather than discussing strategies for dealing with recording areas with the players who actually do the work, AFM leaders have insisted on politicizing Federation contracts. From that perspective, this really shouldn't be on your plate at all.

But there are deeper stakes here.

The companies and employers who commercially exploit music for profit are part of a finite world, and their attorneys and executives are interwoven with each other. The same corporations that distribute and produce electronic media control the radio stations that classical music shows depend upon, distribute live opera broadcasts in theaters, own theaters on Broadway and around the country, own record labels, share legal departments with advertisers, and control the news coverage that determines access to the public for arts organizations. We delude ourselves if we think that we can firewall one contract from another, and not establish damaging precedents that affect all of us. Neither can we firewall one community of working musicians off from another. The tides that buffet orchestras affect recording musicians, and theater musicians, and casual musicians.

We are interconnected, both in the outside real world, and within our AFM.

As the Federation approach of weakening our contracts works its way through, all of you will

suffer economically along with recording musicians. After all, as work dues from recording contracts shrink as a result of the anti-player strategy the AFM is embarked upon, where do you think future AFM Conventions will look for financial support? As relationships with recording musicians are further damaged, where will the AFM look for the next “financial package”?

There has been no process, only bad politics.

So what is to be done? How can we ensure the access and input of rank-and-file musicians to the inner workings and decision-making of their own union? How do we achieve the basic competence that can only flow from the knowledge and experience of the musicians who know their own workplace?

We have all heard about some of the personality conflicts that have bedevilled the relationship between AFM leadership and rank-and-file players over the recent years. Yet good process is precisely the solution to personalities; after all, we have all had the experience of playing in orchestras with people we disliked, whether on the podium, or around us - sometimes even as stand partners! Every professional musician comes to understand instinctively that playing appropriate roles, and abiding by appropriate process is our best, and most productive protection in the face of whatever personality issues may arise.

Personality conflicts are a natural result of undermined process. Frustration, conflict and lack of unity are inevitable if stakeholders feel excluded, and decisions are reached without the consensus of the actual players.

There are processes available to our union. I'm not talking about yet one more between-convention committee that will end up on the cutting room floor. No, we have mechanisms that can work right now. Hiring staff for our Divisions should be done in concert with the Electronic Media Services Oversight Committee, or an equivalent Symphonic Services Oversight Committee. The Roehl Report, which was voted on by the IEB and adopted as AFM Policy, mandates these committees, and they can and should be implemented now. Players who work in an orchestra, a theater pit, a recording studio or a bandstand should be the first phone call when issues arise. not the last. And the Player Conferences, of which ROPA is a strong and proud leader, with a long history of working assiduously and selflessly on behalf of musicians, should be front and center in every discussion that affects their members.

Thank you for the time that you give on behalf of your colleagues. Thank you for your commitment and dedication to the welfare of musicians. And, on behalf of the Recording Musicians Association, I thank you for the time you have generously given me here today. Good luck with the rest of your Conference, and with all of your activities over the next year.

Marc Sazer
Secretary, Recording Musicians Association

