

Secretary-Treasurer's Report

Club Date or Recording Session? – A Call To Organize!

By Jarred Antonacci, Secretary-Treasurer



I hope this winter edition of Arpeggio finds you safe and well. Happy New Year! As we look ahead in 2022 and survey the ever-changing pandemic landscape, I want to return to a topic that is more important now than it has ever been: organizing.

As you know, our city is home to some of the greatest and most influential musicians the world has ever known. Philadelphia has a rich musical history in both the classical and jazz genres. In addition to landmark classical performance venues, there is a vibrant history of jazz and commercial performance venues, many of which have been shuttered over the years. Home to jazz legends like John Coltrane, Billie Holiday, and Jimmy Heath, Philadelphia is a bastion of jazz history. And

Philly jazz club owners have been honing their digital marketing chops since at least the first lockdown.

Many of our musical engagements have looked different since March of 2020. We have all had to deal with social distancing, plexiglass, masking, bell covers, filters, aerosols, and the list goes on. We all quickly learned about air filtration systems, N95 masking and MERV values—something I can honestly say I never thought I'd need to know. If

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you are a working freelance jazz or commercial musician who has played a club date since March of 2020, you have likely seen changes at the venue that have nothing to do with health and safety and everything to do with capturing your intellectual property.

Many clubs have outfitted their stages with multi-camera 4K high-definition cameras and audio recording equipment. At the peak of the shutdown, many clubs were having

musicians perform for a streamed audience. In some instances, the clubs solicited online donations from viewers in support of the musicians. This system had worked for individual musicians on social media, who saw the addition of the cameras and audio equipment as a positive initiative. Who doesn't want a high-quality video copy of their gig? But chances are, if your performance is streamed at any club you likely won't be able to get a copy of your performance. Venues typically own the recording, and don't

release it to artists whose performances have been captured for the club's own promotional use. In addition, language on one release form includes the following:

“If the performance is subsequently subsidized by a corporate sponsor...or is distributed via networks or streaming channels...I may be entitled to other compensation, although NO SUCH COMPENSATION IS PROMISED HEREIN. For the full and complete consideration stated above and of the consideration of the Producers of (band name) and (club name), its owners and partners and subsidiaries, including me as a performer participant in this production and/or TV Programs, I hereby grant to you permission to utilize my appearance

and any video and/or sound recordings of same in any related programs in any and all manner and media in perpetuity.”

The short of it is this: if you sign up to play a club date, you aren't just signing up for a creative music gig that may or may not pay well, you're signing up for a recording and video session. Your stream will likely be archived on a hard drive, and may be used in any way the club sees fit in the future. In January of 2022, one venue released a new streaming service where patrons can pay to watch any of the performances that had been captured at the club since the installation of their streaming concerts. The money received from the subscription service is not, to the knowledge of anyone Local 77 has consulted thus far, being shared with the musicians whose content is available for one-time, on-demand viewing or unlimited monthly or annual subscription streaming.

You might ask, can artists at least view their own performances for free? The answer is simple. No. This new system has assured that any club can continue to grow a library of content on the backs of freelance musicians without any recourse or policing of the content or its subsequent future use.

So what do we do? We organize.

Power comes from within, and organizing workers around issues that are widely and deeply felt are what ignites the flame needed to fuel that power. We are having discussions with the jazz and freelance community around these issues. This is uncharted territory

for musicians, clubs and the bureaucracy that governs the way we do business day to day.

Our intellectual property is all we have, and is something that we should cherish and protect. Once we are recorded and streamed, our performance is out there for the world to see and capture however they'd like. It's only a matter of time before venues begin cutting record deals around their archived recordings, continuing to profit off of the freelance musicians who perform on their stages. This is our new reality.

If we do nothing, nothing will change. If we accept what's thrown at us and don't collectively push back and demand fair treatment, nothing will change. What will “the union” do to help? *Only you can answer that question.* **Members run the Union.** What kind of change do you want to see? What can we do collectively

to effect the change we want? When we stand together, we move together. Collective action is what unionizing is all about.

Let's be the change we want to see.

Local 77 Member Orientation

Date: Tuesday, February 1, 2022

Time: 7pm

Location: Zoom

We invite all new and existing members to attend member orientation at the end of January. We will be discussing filing local single engagement contracts, navigating the AFM and Local 77 websites and conversations around building power in the workplace. We hope you can attend!