



Are You 802...

The Who, What, Where,
Why and How of
New York City's
Professional Musicians' Union,
Local 802 AFM



Mission Statement

We are the Associated Musicians of Greater New York, American Federation of Musicians Local 802, one of the largest local unions of professional musicians in the world. We unite to fight for the common interests of all musicians by advancing industry standards that dignify our labor and honor and enrich our art. We seek to organize a community of all musicians and aspiring musicians, and we reach out to all who share our interests and our passion. We are committed to upholding the integrity of live musical performance and to advancing the vital role of music in education, and in the economic, cultural and social life of our community and beyond. We advocate for economic and social justice for musicians and for society as a whole.

Adopted by the Local 802 Executive Board, April 12, 2005

This handbook was developed by Local 802 AFM, Associated Musicians of Greater New York. This publication is not for sale. It is to be used for education and organization of new union members and potential union members.

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Front Cover: Anna Demovidova, “Jazz at a Market in Baltimore”, oil on canvas, 40x48”, 2002; www.AnnaDemovidova.com

Page 3 (Rosie the Saxophone Player): from the Women Jazz Artists of the San Francisco Bay Area webpage based on J. Howard Miller original design of “Rosie the Riveter”

Page 20: “En Route,” Etching by Mike Donovan

Inside Back Cover: Erin Hill, photograph by Elana Levin

Back Cover: Marsha Hammel, “Bass.”

They teach you there's a boundary line to music. But man, there's no boundary line to art.

– Charlie Parker

Music expresses that which cannot be said and on which it is impossible to be silent.

– Victor Hugo

As musicians, we simply want to make music – no boundaries, no rules, just notes to break the silence, merely melodies to express the inexpressible. As human beings, the rules of life and boundaries of society often impede our natural impulses. As musicians, how do we continue to create our art and ply our trade when real life issues – like job security and having health care – keep rearing their massive heads? While there may be no one solution, membership in Local 802 is a step in the right direction. The decision to become a union member brings both prestige and power, and with those always come responsibility. If you're ready to learn how you can benefit from becoming a part of Local 802 and how your input and experience can benefit Local 802, then turn the page...

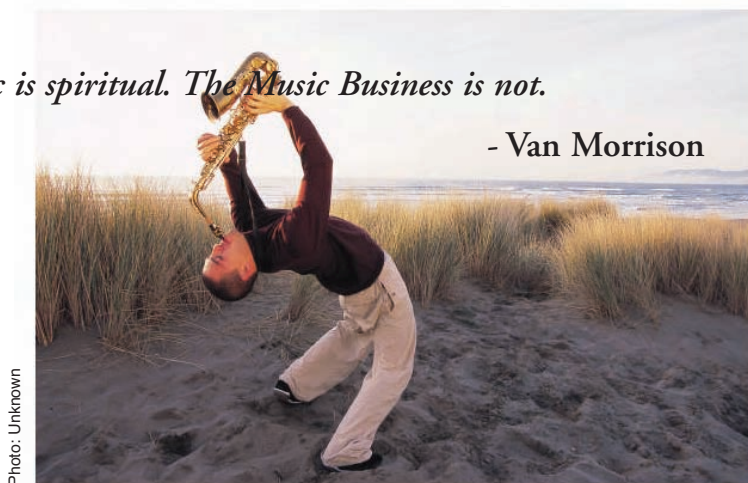
Together we can continue to make Local 802 the voice of New York's professional musicians.

WHY DO MUSICIANS NEED A UNION?

When we work as musicians, we call upon all the skills that we have acquired through years of study, practice and effort. All of us wish to work at our craft and get paid for it. Unfortunately, the truth is that we often give our work away or sell our talent for less than it's worth. We as musicians must remember that we are not simply workers or hired hands, we are also the product. Selling ourselves as musicians can prove to be difficult and often we tend to sell ourselves short. As is the case for all artists the practical realities of a musical career call for balancing our art with the business of being an artist. Negotiating and enforcing contracts are skills not taught in music schools, and we would rather spend our time developing our musical abilities. Even when working for the most well-intentioned employer, it's much better to be a part of a professional organization that represents our interests. Local 802 is that organization.

Music is spiritual. The Music Business is not.

- Van Morrison



That's why we need a union.

For nearly 100 years Local 802 has represented musicians, including some of the world's most famous musicians, by negotiating wages, benefits, better working conditions, administering contracts, enforcing the provisions of various agreements and raising the standards for a safe and healthy work environment.

WHAT IS A UNION?

Freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed...

Unions in the United States are as old as the nation itself. Shortly after the nation declared its independence from Britain, workers joined together to help raise their wages and living standards. Confronted by rich and powerful employers, the workers found that in solidarity there is strength. That is what a union is — an organization of workers who unite together using their collective strength to:



cious in their attitude and treatment of employees. Without a union to protect the workers, the employer can fire them for almost any reason, can unilaterally cut wages, can require unreasonable working hours and intolerable conditions.

1) **Command** **respect.**

Unions fight to help workers organize, negotiate good contracts establish area standards for wages and benefits and demand better working conditions. Unions battle on workers' behalf for fair and equal opportunities on the job and against discrimination. Without a union contract, employers can be completely arbitrary and capricious in their attitude and treatment of employees.

Unions use their collective strength to:

- 2) Gain legal rights in the workplace. By bringing legal action on behalf of workers, unions have been able to stop employers from engaging in tactics that are detrimental to the rights of workers. Among these rights is the Weingarten Right – the right of an employee to request union representation during investigatory interviews and the rights of union representatives to assist and counsel employees during such interviews.



Photo: Joy Portugal



Photo: Anita and Steve Shevett

Unions use their collective strength to:

- 3) **Protect workers in the workplace by making sure the contract is honored at all times.** It is hard for an individual to monitor an entire industry, such as the music industry, and make sure that the standards

set by the contract are maintained consistently. Unions provide a professional staff who watch over all aspects of their industry and work to assure that employers abide by the contracts that were negotiated...

Every advance in this half-century – Social Security, civil rights, Medicare, aid to education, one after another – came with the support and leadership of American Labor.

– Jimmy Carter

Unions use their collective strength to:

- 4) **Lobby on the national, state and local levels on behalf of workers.** Unions have been able to get legislation passed that benefits workers in every industry. Among the rights gained by workers through union activity in the legislative arena have been laws such as the Occupational Safety and Health Act (OSHA) and the Civil Rights Act, as well as minimum wage laws, child labor laws, Social Security benefits, unemployment, worker's compensation and disability, and many more...



Photo: Charles C. Ebbels

The musician with no contract has no protection

According to the U.S. Department of Labor, non-union workers made an average of 27 percent less weekly in 2004, compared to unionized workers. Less than half of non-union workers received health insurance, while three-quarters of union workers did. And fewer than 15 percent of non-union workers were guaranteed a pension compared to almost 70 percent of union workers. That's proof that the voice of workers united continues to ring loud and strong!

WHO IS LOCAL 802, AFM?

IN THE PAST...

In the mid-1800's musicians in the United States began exploring ways to improve their professional lives. They formed mutual aid societies to provide members with loans, financial assistance during illness or extended unemployment and death benefits. This loose-knit group of organizations around the country was eventually chartered by the American Federation of Labor in 1896 as the American Federation of Musicians. The AFM represents musicians throughout the United States and Canada. Local unions such as Local 802 represent musicians within a certain geographical area. Musicians working in the five boroughs of New York City and Long Island in fields such as Broadway, Lincoln Center, recording, freelance orchestras, music schools, hotels, and clubs who wish to belong to a union will be members of Local 802.



Allegro Archives, 1937



Photo: Gloguen

Local 802 was chartered in 1921. Since that time the local has been fighting for the interests and well-being of the musicians employed in New York's music and entertainment industries through grassroots organizing, collective bargaining, and legislative and political action.

Jazz is a big part of our being a free country. It brought blacks and whites together at a time when nothing else did.

– Bill Clinton



Photo: Dan Haskins

Representing approximately 10,000 professional musicians in New York City and Long Island,

Local 802 is a member-driven, self-governing and self-supporting labor association, funded by members' dues and initiation fees. In other words – we are by, of and for musicians. Local 802 is the voice of working musicians in New York City.



Photo: Walter Karling

...TODAY

Local 802 is one of the largest locals in the AFM, which has 100,000 members all over the country. So even if you're traveling and working as a musician on engagements around the country you are never too far away to be afforded the protection of the union. The AFM is a member of the 13-million-member AFL-CIO, the umbrella organization for unionized American workers.

*...with live musicians,
there is that imperceptible,
that indefinable
crackle of excitement.*

OUR GOALS ARE YOUR GOALS.

Local 802 fights for the rights of musicians and for the preservation of our art form. As musicians, we are dedicated to the promotion of live music and music education. We do our best to support and assist musicians in meeting the challenges of our profession in these difficult times. We believe that musicians, like any other skilled workers, deserve to earn a fair wage and have decent benefits and healthy workplaces.

Securing and protecting the rights of members in their business relations with employers, fostering and encouraging the use of live music, educating the public and governing members democratically are the objectives of our local.

As working musicians, the type of work we do and the product we turn out differentiates us from other workers, but we believe that we have common interests as well. Like every other union worker, our goal is to win better wages, hours and working conditions – whether it be in Carnegie Hall or at General Motors. We firmly believe that “an injury to one is an injury to all.”

We hope that you not only agree with our goals, but will also join in helping make New York City the best venue for working musicians in the world!



Photo: Claire Houston

*Power concedes nothing without a demand.
It never did and it never will.*
– Frederick Douglass

SHOULD I JOIN THE MUSICIANS' UNION?

She played sax, and I mean she played it.

– Lillian Carter Wilson referring to Josephine Boyd

When you're considering membership in Local 802, you might first ask yourself the following questions:

- Do you think of yourself as an aspiring or professional musician?
- Do you live and do most of your musical work in New York?
- Are you earning your living, or a significant portion of your income, as a musician?

If the answer to any of these questions is yes, and if you believe that:

- the arts play a vital role in society
- the arts deserve adequate funding
- advocacy for live music is a priority

then you are ready to help build a stronger voice for musicians by joining Local 802, the professional organization for union musicians in New York City and Long Island.

WE ARE STRONGER TOGETHER.



Photo: Walter Karling



BENEFITS OF MEMBERSHIP

The music business is a cruel and shallow trench, a long plastic hallway where thieves and pimps run free, and good men lie like dogs. There is also the negative side.

– Hunter S. Thompson

Job security and representation. Local 802 enforces contracts that guarantee that no one will be penalized or fired without just cause. The union



allows employees to speak out about problems on the job without fear of retaliation. It is the union's job to make sure that you receive the wages and benefits due under the terms of the union contracts. It is the union's job to address health and safety issues with the employer.

The union has legal recourse if there is any deviation from the terms of contractual agreements. Among these options are grievances which, if necessary, will be heard by an impartial arbitrator. Among the agencies 802 files complaints with are: the National Labor Relations Board, which investigates and adjudicates matters pertaining to national labor law; the Equal Employment Opportunity Commission, which oversees fairness with regard to race, creed, religion, gender and age discrimination; and the Occupational Safety and Health Administration, which oversees the maintaining of a safe and healthy workplace.

Dignity on the job. Local 802 represents you on the job. Having a union balances the power in the workplace. An employer is legally bound by the contract and by all laws



Photo Courtesy of the Public Theatre

protecting unionized employees. Our union demands that you, as a professional musician, be treated with the respect and dignity that you deserve. Local 802 contracts establish clear policies that help keep workplaces free of capricious and arbitrary decisions on the part of the employer.



Photo: Mikael Esila

Higher pay and regular raises. It is the union's job to negotiate with the employer to set your pay scale under a contract that includes regular raises. Representation in collective bargaining may include an elected group of your peers, Local 802 officers and attorneys. Union contracts, across the board, provide you with better wages than non-union workers.

Pension and health benefits. Local 802 will also negotiate benefits such as health insurance, pension, vacation

and sick leave – which are guaranteed under the contract and legally binding on employers. Local 802 union contracts provide a health benefit plan for its members. Pension is a benefit administered by the AFM. If you are working jobs in this city or jobs in other cities under a union agreement the contributions go into a single fund, no matter where your salary is earned.



Photo: Mikael Esila

Injustice anywhere is a threat to justice everywhere...

RESPONSIBILITIES OF MEMBERSHIP

Photo: Mikael Elisia



Be an active member. Remember — the musicians are the union. That means you! Make sure you know what your union is doing. Participate in the governance of the union; vote on issues and in elections. Attend membership meetings; be an active participant on committees. Join demonstrations on behalf of musicians and other workers.

Membership and work dues. Without dues the union could not exist. Dues are the union's only source of funding. The dues formula was set by the membership in a union-wide vote. Your dues pay for organizing campaigns — the union must organize other musicians and their work in order to improve the standards for all workers — negotiation costs, legal services, public relations, staff salaries, office space, supplies, phones, etc. When hired, if you are not yet a member you are expected to join the union and pay dues and a one-time initiation fee. Income from dues makes it possible for the union to protect the wages, benefits and working conditions for all musicians.



Photo: Alain Cotte

Bylaws and constitution. The members of Local 802 have written and voted on a set of regulations by which they govern themselves. These regulations provide for the fair representation of the membership, the rights and responsibilities of the officers, and the rights and responsibilities of the members. As a member you are eligible to propose and vote on changes to these rules at scheduled meetings of the membership called for such a purpose.

But the most important responsibility of being a member is...

Making Your Job a Union Job...

Photo: Aaron Ryan



We cannot ignore the need to organize non-union work. This could mean forming a committee of musicians that you work with who may be both union and non-union musicians, whose goal is to turn your gig into a union gig. The Organizing Department, staff, officers of Local 802 and legal counsel are here to work with you in making this happen. Together, in a spirit of trust and solidarity between you, your fellow musicians, and the people who represent you at the union, we can bring more employers

under union contracts that extend benefits like health insurance and pension. We need to win union contracts from all employers of musicians in every area of the music business. This helps all of us by creating a level playing field in which one employer cannot undercut another. Each situation is different but the common thread is: standing together in solidarity makes us stronger than standing alone.

Member participation is crucial.

Increased member participation has proven to be decisive in bargaining for better contracts, settling grievances faster, more effectively organizing non-union venues and employers, as well as recruiting non-union musicians and lobbying successfully. Membership involvement reaffirms that the musicians are the union.



Photo: Mikael Elisia

*Put yourself in a state of mind where you say to yourself,
 "Here is an opportunity for me to celebrate like never before, my own power,
 my own ability to get myself to do whatever is necessary."*

CAN THE UNION HELP ME GET A JOB?

It is not our principal function to find musicians work, jobs, agents or recommend musicians to employers. It is our job to fight for the rights of musicians and the preservation of live music. As a union we represent musicians under collective bargaining agreements, negotiate new agreements and try to organize musicians and the workplace.

(Under the "Union Benefits/ Services/Information" section within this pamphlet, you will find listed services whereby the staff assist members in searching for potential employment opportunities.)



Photo: Robert Doisneau

If there is no struggle, there is no power.

– Frederick Douglass

HOW TO JOIN

You may join the local at any time that you feel is the right time for you. If you get a job that is under a union contract, the time for joining the union is by your thirtieth day of employment. Contact the Membership Department for current information and rates.

• SOLIDARITY FOREVER •

Words by Ralph Chaplin

Tune: "John Brown's Body"

Photo Courtesy of Mikael Elsjö

When the un - ion's in - spi - ra - tion through the
 work - ers' blood shall run, There can be no pow - er great - er an - y -
 where be - neath the sun, Yet what force on earth is weak - er than the
 fee - ble strength of one? But the un - ion makes us strong.

CHORUS

Sol - i - dar - i - ty for - ev - er! Sol - i - dar - i - ty for -
 ev - er! Sol - i - dar - i - ty for -
 ev - er, For the un - ion makes us strong!

2. They have taken untold millions that they
 never toiled to earn,
 But without our brain and muscle not a
 single wheel could turn.
 We can break their haughty power, gain our
 freedom when we learn
 That the union makes us strong.

3. In our hands is placed a power greater than
 their hoarded gold,
 Greater than the might of armies magnified a
 thousandfold.
 We can bring to birth a new world from the
 ashes of the old,
 For the union makes us strong.

UNION BENEFITS/SERVICES/INFORMATION

DEPARTMENTS

Allegro	Music Preparation
Club Dates	Organizing
Concerts	Public Relations
(Classical)	Recording
Health Benefits	Single & Steady
Jazz	Engagements
Membership	Theatre
Music Education	Long Island

American Federation of Musicians (AFM). The international musicians' union is located in midtown Manhattan at 1501 Broadway, Suite 600. The main phone number is (212) 869-1330. The website is www.afm.org.

Club Room The Club Room is available to members for a small fee for rehearsals. Local 802 also holds regular membership meetings in the Club Room. The meeting notices are printed in *Allegro*. The Club Room is open on Wednesdays from 5 p.m. - 8 p.m. to all members.



Organize, agitate, educate, must be our war cry.
— Susan B. Anthony

Emergency Relief Fund Provides assistance to members in dire need. Financial assistance is provided in the form of a directed grant to the musician's creditors. To seek assistance, members must contact the Fund Administrator and fill out an application, which requires proof of need.

Actor's Federal Credit Union Located at the union offices on the fourth floor. The AFCU has a large and expanding network of free ATMs across New York City, and beyond. The main phone number is (212) 869-8926.

Allegro The official publication of Local 802. The offices are located at 802 headquarters.

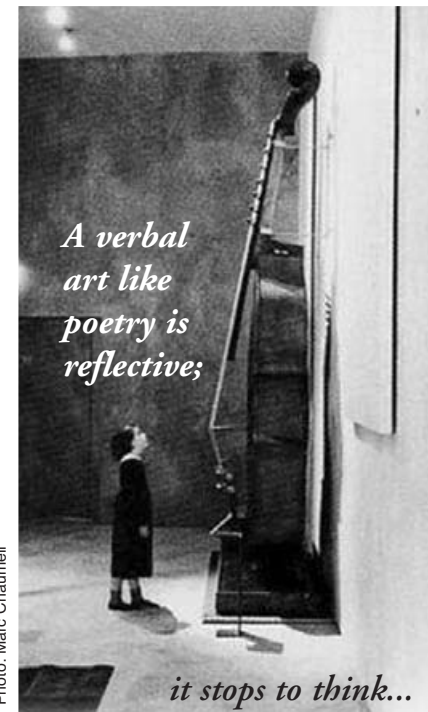


Photo: Marc Chaumel

Musicians' Assistance Program (MAP) Located at the union offices on the sixth floor. The main phone number is (212) 397-4802.

Pension Fund (AFM-EPF) is located at 1 Penn Plaza in New York City. The main phone number is (212) 284-1200. This is where all pension fund contributions go from your employers. A statement of all your benefits is sent by the fund to you every year.

Referral Service Members are eligible to sign up with the Local 802 Referral Service, which attempts to connect musicians with potential clients who come directly to the union to hire musicians for special events.

Teaching Registry If you are interested in teaching, contact the Referral Service.

Health Benefits Plan office is located on the third floor of the union. The main phone number is (212) 245-4802. The HBP staff administers the health benefits contributed by your employers.

The International Musician The official international publication of all AFM members. The offices are located at the AFM headquarters.

Membership Directory is a bi-annual publication listing members and their instruments.

Music Performance Fund (MPF). Funding is available for musical performances meeting certain guidelines set by the Recording Industries Music Performance Trust Fund.



Photo: David Bacon

Among 802's Stars



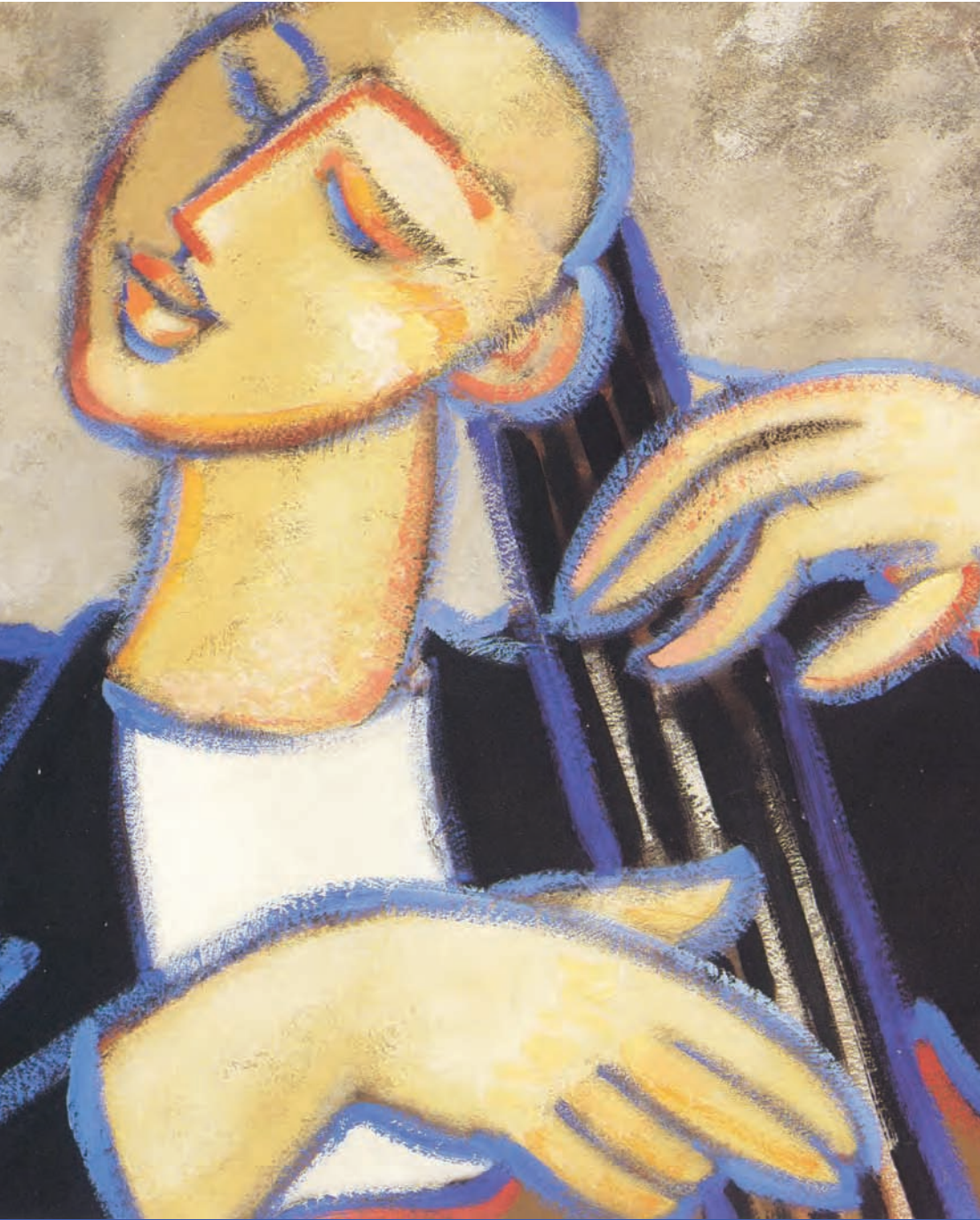
- | | |
|---|---|
| 1 Benny Powell, photograph by Walter Karling | 12 Carline Ray, photograph courtesy of Carline Ray |
| 2 Joe Wilder & Louis Armstrong, photo courtesy of Joe Wilder | 13 Toshiko Akiyoshi, photograph courtesy of Toshiko Akiyoshi |
| 3 John Lennon, photograph by Bob Gruen | 14 Nina Simone, photograph courtesy of the <i>L'hommage: Nina Simone</i> website at www.high-priestess.com |
| 4 Itzhak Perlman and Yo Yo Ma, Photograph by John McCoy /Courtesy of www.WireImage.com | 15 Marian McPartland, photograph by Elizabeth Annas |
| 5 Dizzy Gillespie, photograph "Dizzy warms up" by Leandre Jackson | 16 Tito Puente, photograph by Peter Maiden |
| 6 Miles Davis, photograph "Miles Walking" by Leandre Jackson | 17 Ahmad Jamal, photograph by Jacques Beneich |
| 7 Stanley Banks, photograph by Walter Karling | 18 Paul Simon, courtesy of Lincoln Center |
| 8 Billy Joel, photograph courtesy of Barlow Hartman Public Relations | 19 Suzanne Vega, photograph by Lauren Rieth from the Johns Hopkins University 99.9 Tour/courtesy of the Official Suzanne Vega website Fan Photo Gallery/ www.suzannevega.com |
| 9 Thelonius Monk, photograph by William P. Gottlieb | 20 Slide Hampton & the Village Vanguard Orchestra, photograph by Enid Farber |
| 10 Oscar Hernandez, photograph courtesy of Oscar Hernandez | |
| 11 Skitch Henderson, Cy Coleman & Bobby Short, photograph by Aubrey Reuben | |



÷Don't just sit there...

Join the union!





LOCAL **802** AFM

322 West 48th Street / New York, NY 10036 / 212.245.4802

www.local802afm.org / www.keepthemusiclive.org

