

LOCAL 802 RADIO UPDATE

Thanks to K.C. Boyle, Clint Sharman and Pat Dougherty

It is no secret that much of the recording done today is recorded in home studios, garages or even in hotel rooms. Technology has made it possible to record your band more easily than ever. But often the recording is made without the protections of an AFM contract.

As you know, Local 802 is forming its own internet radio station. (Click [here](#) for the story.) To broadcast your recording on the Local 802 radio station, the following conditions must be fulfilled:

1. At least one musician on the submitted recording must be a member of Local 802.
2. All content must be filed under an AFM union recording contract.

In order to validate your AFM contract, we ask all participating musicians to present the contract or relevant information pertaining to the contract (recording dates; names and addresses of musicians; name and address of location where recording was made; song titles and length of record) upon your submission.

However, what if your track or album wasn't recorded under an AFM recording contract? Don't worry: there is a quick and affordable solution -- the [AFM Joint Venture Agreement \(JVA\)](#). Union reps are available to walk you through the agreement. Send an e-mail to Local802radio@Local802afm.org.

The Joint Venture Agreement is an agreement signed by all members of the recording, which allows for all members to record an album and share in any monies generated from the recording based on agreed up percentages. There are no scale payments made to the band members and no benefits are due (such as health & pension). As a result, the recording is free from any payments or union dues, but all members have the protection of a legal AFM contract. Should a track or an entire album be released for reuse (picked up by a recording company, film company, or for commercial jingle use, for example), the corresponding AFM contract will then be used, which will take the place of the JVA.

Here are the guidelines of the Joint Venture Agreement:

- a. The agreement must be filed with Local 802, and must be signed by all participating musicians, detailing the percentage/share in all royalties from the sale or use of the recordings.
- b. The agreement must contain the name of the group; dates and location of the

recordings; song titles and length of each track.

- c. Except as provided in (d) and (e) below, the recordings covered in the agreement are exempt from SRLA signatory requirements, Local and Federation recording scales, pension, work dues, and reporting bylaws.
- d. In the event that any additional AFM musicians are utilized for this project that were not a part of the agreement for the Internet Radio Broadcast, a signatory to the AFM Single Song Overdub; Limited Pressing; or, the Sound Recording Labor Agreement is required, and the applicable “B” report must be filed with the appropriate session payments must be made.
- e. In the event your master recording is picked up for distribution, the appropriate AFM signatory agreement must be utilized, and, the applicable report form must be filed with the appropriate payments.
- f. Symphonic Orchestras, Original Cast Recordings, “New Use” Soundtrack albums and Underscoring for Motion Pictures, Film, Videotapes or Live Television Productions are excluded from using this agreement.

The Joint Venture Agreement is the easiest and most convenient AFM recording contract to use and will allow your song or album to be eligible for Local 802 radio. We truly hope this will help you get your recording under contract and on to Local 802 radio.

To download the Joint Venture Agreement click [here](#) or send an e-mail to Local802radio@Local802afm.org or call Local 802’s recording rep David Sheldon at (212) 245-4802.