

The AFM Referral & Booking Handbook



The Pursuit of Employment

Every AFM Local is now required to *actively* participate in an employment referral or booking program in accordance with Article 5, Section 42 of the AFM Bylaws.

Setting up and running an effective referral service or booking agency will produce positive long-term results for your Local. Finding and securing employment opportunities is an invaluable asset in recruiting, organizing and retaining members.

It's also something that you already know how to do. After all, your own career was built on your ability to sell your musical services. Running a referral service or booking agency just puts those skills to work for more musicians—and more purchasers.

To help you get your Local's referral service or booking agency organized the AFM designed this handbook to take you through the process step by step. It covers everything from gathering band and artist information to following up with the purchaser after the group plays the gig.

Although every city in North America has its share of booking agents in the yellow pages, AFM Local-sponsored booking agencies or referral services can compete successfully in the entertainment-buying marketplace with the right approach.

Music purchasers, like all consumers, buy more than just the bottom-line product or service (in this case, a band). They buy the total package you have to sell—and AFM Local-sponsored booking agencies or referral ser-

vices have the right combination of tangible and intangible qualities that music purchasers are looking to buy.

In addition to the music you're selling the AFM's:

- Professionalism
("We're the Professionals!")
- Quality ("Our musicians will exceed your standards because they have to meet ours.")
- Competitive Prices ("We have musical talent to meet most budgets.")
- Consumer Protection ("An AFM contract is *your* guarantee.")
- Community Acceptance ("Anytown's music source since 1898.")
- Connections ("The AFM is over 150,000 professional musicians across the U.S. and Canada.")

While the importance of each of these selling points will vary from purchaser to purchaser, together they make a stand-out first impression and an even stronger lasting impression. They give consumers what they want most—confidence in their decision to use your services. Make these points the guiding force behind all your activities and you'll build a solid purchaser base.

The Rules of Referral

Taking first things first, a quick review of the following Do's and Don'ts will tell you whether your Local's operation is, or will be, a referral service or a booking agency (according to the International Executive Board policy adopted June, 1992).

The Do's

1. Issue band lists
2. Issue availability lists
3. Provide audio and/or videotape libraries
4. Conduct showcases
5. Promote work for members

The Don'ts

1. Negotiate contracts
2. Collect deposits
3. Make payroll
4. Charge commissions

If you're *doing* any of the don'ts listed above then you're running a booking agency and you're required to apply for an AFM Booking Agent Agreement and comply with the terms and conditions of that agreement.

In most cases, Locals will be more successful launching a referral service first and then expanding their activities to booking

The Boundaries of Booking

In order to run an approved Local-sponsored booking agency, you must comply with the AFM policy on booking agencies established by the International Executive Board at its June, 1992 meeting. That policy is as follows:

The Must's

1. The operation of the agency will become a separate entity, either profit or non-profit, depending upon the laws of the state, territory or province. The agency must comply with applicable state, territory, or provincial laws.
2. The agency must sign an AFM Booking Agent Agreement and observe its require-

ments (e.g. filing of contracts with Locals, adhering to scales, etc.)

3. All commissions paid must be deposited in a separate account and not construed as Local Union funds. An accurate accounting shall be required and all regulations of the entity must be observed.

4. Expenses relating to the operation of the agency will be paid from agency funds.

5. The agency established by the Local shall be required to furnish any information if a question of conflict of interest or favoritism is raised.

If you haven't launched your referral service or booking agency yet you need to do some careful planning and examine four very important areas before you begin:

1. The strategic plan of what your Local wants to accomplish.
2. The financial investment your Local can make toward running a referral service or booking agency.
3. Your Local's time investment.
4. The actual business plan.

The Strategic Plan

First, you'll need to spend time developing a strategic plan. This is perhaps the most important step in the entire process. You need to develop a clear vision of what you want your referral service or booking agency to accomplish, as well as a plan for how and when you will take various steps in that development. Your plan may include such goals as publishing your first musical directory, doing your first direct mail campaign to convention planners, opening your audio/ video library, etc.

Developing a strategic plan at the outset is how successful businesses not only plan their futures, but create their futures. Included in your plan should be a method for monitoring and evaluating your progress—seeing whether targets are being reached on schedule, and if not, making sure those goals are redefined if they prove to have been unrealistic.

Try getting feedback on your strategic plan from people with planning experience. You may find sources of free help within your own membership ranks, as well as from outside organizations, such as the Retired Businessmen's Association.

The Financial Investment

Basic start-up costs of a referral service:

1. Surveying players (Mailing the survey to all Local members at least once. To improve your response you may want to consider including postage-paid return envelopes.)
2. Printing band lists
3. Ad in the Yellow Pages

Basic start-up costs of a booking agency:

1. Agent (salary and/or commissions)
2. Separate phone line
3. Ad in the Yellow Pages
4. AFM License (\$100.00 annual fee)
5. Incorporation fees
6. State license fees (where applicable)

Beyond the Basics (But Not Necessarily Frills)

1. Tape player/stereo equipment and/or VCR
2. Brochures
3. Direct mail solicitations (stationery and postage costs)
4. Directory ads (i.e. bridal, convention)
5. Bridal fair attendance
6. Computer system (for cross-referencing, billing, creating fliers, etc.)
7. Fax machine
8. Photo copier

The Time Investment

Whether you open a booking agency or a referral service your Local will initially invest time as well as money into running either.

First, you'll need to spend time researching and compiling information about your member bands and artists. Even if you have an excellent rapport with your membership, this step will probably be more time consuming than you think. In fact, keeping track of groups, leaders, personnel shifts, style changes, and new members will become an ongoing process.

Second, no matter how well you know your Local music scene, *actively* pursuing work for musicians will require you to compile extensive information on the many different markets (weddings, private parties, clubs, theme parks, etc.) that exist in your Local, so that you can target your marketing, networking, and negotiating activities efficiently and effectively.

Finally, whether you're running a booking agency or a referral service, you'll have to establish time to be available to prospective purchasers. This can be as little time as your mandatory office hours. But in most instances, you'll need to, and *want to*, make your Local as accessible as possible to purchasers to maximize your chances of putting bands and consumers together. For example, if you start an audio and/or video library you want to make sure it's available when your purchasers are most likely to be free. This may require you to adjust or expand your office hours.

Time, like money, is a finite resource. But unlike money, time is something Locals can find more easily. Divide research projects among members of your Executive Board. Encourage active members to get other members to respond to your surveys. Expand your office hours by rotating phone duty. The more you share these activities with your Board members and the rank-and-file the more they'll feel that the Local's referral service or booking agency is there to serve *everyone's* interests.

Whether it's time or money, you need to make an honest assessment of what you have to commit before you launch a referral service or booking agency. You can successfully start either on a shoestring, but if you don't make a commitment to what it's going to take in terms of both time and money to get you through the first year (or in the case of a booking agency, three to five years) you're

setting yourself up for an expensive failure—not just in terms of dollars, but in terms of your Local's credibility with its members and the general public.

The Business Plan

Although strategic planning is often considered part of business planning, a separate business plan that identifies key goals and contains financial projections is essential to making your referral service or booking agency a viable project. Drawing up the business plan will be particularly important in determining if you can realistically make the financial investment into opening a booking agency.

Your business plan should clearly articulate your goals and indicate how you are testing their feasibility. Your business plan should address such key questions as:

What is going to create revenue?

What does the Local have to do to make referrals or book a job?

What will it cost us to make that referral or sale?

What will it pay us?

What will our ongoing expenses be?

How much will such one-time investments as equipment cost?

The last step in compiling your business plan is to draw up a budget based on the plan. The budget will tie it all together in dollars. Once you've done that you can evaluate the feasibility of the various steps you're considering. If planning reveals, for example, that you can't expect to turn a profit for three years, then you have to decide whether or not to open a booking agency at this time, or to put your resources into a well-developed referral service.

Build in a timetable for progress reports based on the business plan you outline. These reports should address both financial and organizational issues. Regularly evaluate such points as:

Do we have enough groups on board?

Have we underestimated what it takes to compete in our marketplace in terms of time? advertising? equipment? etc. In which markets are we most successful?

Is the agent working well with the musicians? the purchasers?

Where should we consider reinvesting our profits?

Just the Facts—Gathering Member Data

To establish a thriving referral service or booking agency you need to gather two basic types of information: artist/band info and purchaser/venue data. Obviously, in the artist/band area, the bigger roster of talent you have participating in your referral service or booking agency the more successful you're going to be in satisfying the demands of the many different workplaces in your market—and providing jobs for members.

But how do you get member musicians to sign up, particularly if they're not used to cooperating with the Local in terms of their actual employment in the first place? By understanding and then overcoming your members' negative perceptions.

Once you do that you can build trust—and find more work for members—which will become your greatest tool for expanding your referral service or booking agency among both members and non-members who you want to become members.

What do musicians fear most about Local-run programs? That Local officers will limit the referral service or booking agency to their friends or political supporters.

By mailing questionnaires to all members at the same time you'll establish up front that *everyone* has an equal opportunity to respond and participate. After the mailing, Local officers should make as many telephone and personal follow-ups as possible to encourage the widest response. Publicize the service in your Local's newsletter and underscore the fact that every band and individual musician is invited to participate.

Members are also naturally very concerned about how extensively their talents are being promoted. If you set up your directory to encompass a broad range of musical styles you'll be able to assure them that they'll receive the widest possible coverage in the marketplace. After all, many groups cross over into several categories and can satisfy a number of audiences and potential employers. Explaining to members the kind of market research you'll be doing and asking for their input will also allay their fears about how they'll be represented.

Your directory listings may include (but not be limited to):

- Adult Contemporary
- Big Bands
- Chamber Ensembles
- Classical Soloists
- Concert Bands
- Concert Groups
- Country
- Dixieland
- Fifties
- Folk
- Heavy Metal
- Jazz
- Latin
- New Age
- Novelty
- Polka
- R & B
- Reggae
- Rock
- Swing
- Top 40

If your market is large enough these categories can be broken down even further. For example jazz can be divided into traditional, fusion, Latin, etc.

Once your categories are established, place each band under as many listings as they can reasonably satisfy. The more cross references you have for each band, the better their chances of being employed.

In the files you develop to respond to initial inquiries, you should have your bands listed by musical category, by leader or contact person, by band name, and phone number. This way, when discussing purchaser needs you can pinpoint the appropriate bands quickly and easily, no matter how the purchaser identifies or asks about bands.

(A survey you can reproduce and distribute to your members follows.)

Quick Tips

1. Mail all questionnaires at the same time.
2. Use your newsletter to promote enrollment.
3. Follow-up on questionnaire mailing directly with members.
4. Gather as much information (i.e. styles, song lists, instrumentation) as possible.
5. Establish as many music style categories as possible.
6. Cross-reference bands into as many categories as possible to maximize their chances of being hired.

Questionnaire for Groups and Soloists

1. GROUP NAME: _____

2. LEADER'S NAME: _____

3. ADDRESS: _____

4. TELEPHONE: _____

5. DESCRIPTION: NUMBER IN GROUP _____ VOCALS Yes No

SELF-CONTAINED Yes No MC Yes No

INSTRUMENTATION: _____

6. SPECIALTIES: Weddings Bar Mitzvahs Dances

Proms Lounge Concert

Other _____

7. STYLE OF MUSIC: Adult Contemporary Big Band Chamber Ensembles

Classical Soloists Concert Bands Concert Groups

Country Dixieland Fifties

Folk Heavy Metal Jazz

Latin New Age Novelty

Polka R & B Reggae

Rock Swing Top 40

Other _____

8. WHICH AGE GROUP(S) CAN YOU SATISFY?

Under 18 18-25 25-40 40-55 Over 55

9. THIS GROUP IS CURRENTLY PERFORMING AT: _____

10. ENCLOSED: Group Photo Song list Resumé

Audiotape Videotape

11. COMMENTS: _____

“Need a Job”—Referrals for Side Musicians

On any given day there's a leader in your Local looking for a side musician and a side musician looking for a gig. That's why the pursuit of employment opportunities for your members should include maintaining a "Members' Availability List." This service helps those members who aren't part of a self-contained group feel that they're also benefiting from your Local's referral service or booking agency. It also provides a valuable service to leaders in your Local, which may make them more willing to participate in your referral service or booking agency.

To keep track of each member's "At Liberty" status you need to survey your players regarding their instrument(s), their skills (i.e. ability to read, fake, etc.), and their day-to-day

availability. These lists should be updated weekly and you should set a deadline early in the week to make your players eligible for inclusion.

Encourage them to come by the Local's office to drop off their weekly schedule, or put their name on your job board. You also need to make your leaders and self-contained bands aware that your Local is their source for side musicians.

One of the added bonuses of an availability list for side musicians is that it can be a great way to get more musicians into the union hall and talking to each other about the state of the marketplace and what they can do to help make it better.

Individual Member's Musical Profile

1. NAME: _____

2. ADDRESS: _____

3. PHONE(S): _____

4. DATE: _____ CURRENTLY: Active Inactive

5. PRIMARY INSTRUMENT: _____

6. DOUBLES: _____

7. INSTRUMENT IS: Amplified Acoustic

8. READING ABILITY: Excellent Good Fair None

9. PLAY BY EAR/NASHVILLE NUMBER SYSTEM:

Excellent Good Fair None

10. SIGHT READING: Good Limited None

11. M.C.: Good Limited None

12. MUSICAL STYLE(S) PREFERRED:

Adult Contemporary Big Band Chamber Ensembles Classical Soloists

Concert Bands Concert Groups Country Dixieland

Fifties Folk Heavy Metal Jazz

Latin New Age Novelty Polka

R & B Reggae Rock Swing

Top 40 Other _____

13. VOCAL ABILITY: Lead Backup None

14. PREVIOUS EXPERIENCE:

Casual/Club Date Concerts Shows

Symphony Lounge Studio

Other _____

15. JOB AVAILABILITY: Steady Weekends Weekdays Weeknights

16. INTERESTED IN A STEADY GROUP: Yes No

17. WILLING TO REHEARSE: Yes No

18. WILLING TO AUDITION: Yes No

19. HOW FAR WILL YOU TRAVEL _____

20. COMMENTS AND PREVIOUS WORK EXPERIENCE: _____

Marketing 101—An Overview

Marketing is essentially the process of solving the classic business equation: “Who is the target purchaser and how do I reach that person?” On the surface it seems like a simple proposition—and in fact the keys to successful marketing are creativity, persistence, and excellent people skills—all the things musicians have in strong supply. But if you’ve never tried to sell a service like a referral program or booking agency on a large scale it can seem like a monumental task. Fortunately, there are some standard guidelines you can follow to put together an effective marketing strategy.

Get into the Purchaser’s Head

To begin with, it’s essential that you think like the purchasers. As a musician and a trade unionist you’ve spent your career thinking about what’s best for music and musicians. That desire is one of the reasons you’re starting a referral service or booking agency. Keep in mind that most purchasers won’t share your passion for defending the music profession. They want to hire a musical group to perform a specific function, whether it’s to draw a crowd to their bar, or to give their wedding guests the opportunity to dance. That doesn’t mean that you have to throw your union values out the window. In fact, if you do it right, your commitment to professional standards will *help* you put musicians and purchasers together. Thinking like purchasers just means that you understand the purchasers’ concerns and can convince them that hiring your musicians is in their best interests.

The best way to do that is to truly know your marketplaces. No matter where you are, the music business is happening in many venues and for many employers. Unless you can clearly distinguish the needs of the various marketplaces you can’t sell to them successfully. Researching your market is vital. To help you with your research consult the “Scouting Report” section of this handbook.

Start Small

Once you’ve done your market research you may want to initially consider concentrat-

ing your efforts in one area. Although you should always pursue any referral or booking inquiries that come your way, focusing on one segment of the market is a practical, cost-efficient way to get into the business. The reason behind focusing on one market is that the more specifically you can describe who your consumer is, the more effective you’ll be in developing ads, direct mail campaigns, and purchaser pitches.

While you *can* develop marketing materials for every market, the reality is that both your time and financial resources are limited, especially at the outset. Therefore, it’s better not to bite off more than you can chew. Besides, success in one area is likely to snowball into other areas, while failure in many areas will just lead to referral service or booking agency melt-down.

Get the Word Out

In order to market music successfully you need to educate the purchaser about *when* they should hire a band and *why* they should consider your referral service or booking agency as their best source for music. That education process should be a broad-based effort that can encompass stories in the local media, ads, direct mail campaigns, personal networking, and just plain beating the bushes.

Research shows that a message must be repeated to be remembered. Establish a rapport with music critics and entertainment editors in your area so that you can feed them stories on an ongoing basis. Place your advertising in media that you can afford to use repeatedly or that purchasers use repeatedly—that may mean newspapers, the yellow pages, radio, or cable tv. Make sure you budget for repeat ad placements up front. Keep up your contacts with established purchasers. Send them thank you notes when they use your musicians. Visit them at their venues when appropriate. Find as many ways as you can to keep your Local’s name in circulation.

For details on more specific marketing and public relations techniques, see other segments of this handbook.

Scouting Report—Assessing Your Musical Marketplace

The secret to success in the booking or referral business is really no secret at all. If you're able to supply the demand for musical entertainment that exists in your community you'll succeed. But in order to do that first you have to develop an in-depth understanding of the many workplaces that thrive in your area and the economic forces that affect each marketplace. To assess your marketplace you'll need to compile the following information.

Where do musicians work?

Identify all of the following in your jurisdiction:

(Consult your members, the newspapers, the telephone book, local radio and TV advertising, etc., to build the most comprehensive list possible.)

- Outdoor arenas and stadiums
- Coliseums and auditoriums
- City parks
 - Paid admission with stage
 - Paid admission without stage
- City parks
 - Free admission with stage
 - Free admission without stage
- Theaters
- Convention sites
- Hotel ballrooms
- Restaurants
- Bars and nightclubs
- Theme parks with continuing musical production
- Shopping centers and malls
- Colleges and universities
- Public and private schools
- Retirement and senior centers
- Hospices and nursing homes
- Caterers
- Country clubs
- Fraternal organizations
- Public relations firms
- Corporate public information offices
- Military installations
- Wedding consultants
- Booking agents
- Union halls and functions
- Other

Then determine the following points for each venue or potential employer:

- What kinds of jobs are performed there?
- What hours?
- How many nights per week?
- Who buys the talent?
- Who is the contact person?
- What are the wages and working conditions?
- What is the room capacity?
- What size is the stage?
- Lighting?
- Sound system?
- What is the purchaser's attitude toward unions?
- Who's already playing there?
- What audience is the venue/employer attracting?
- What style of music do they prefer?
- What's their age?
- Their income?

What kind of band do they want?

Evaluating audiences is as important to understanding the marketplace as analyzing venues because repeat business for your referral service or booking agency will depend on your ability to help purchasers satisfy the demands of *their* audiences.

If you can demonstrate to each venue's talent buyer that your Local is their best source for the entertainment that pleases their particular crowd you've done more than make a sale—you've forged an ongoing business partnership that should be nurtured and maintained.

(A Venue/Employer Profile sheet you can reproduce and use to maintain data on each workplace follows.)

Venue/Employer Profile

Name of Venue/Employer: _____

Address: _____

Telephone Number: _____

Type of Venue/Employer: _____

Talent Buyer/Contact Person: _____

Style of Music Booked: _____

Audience Profile Age: _____ Average Income: _____

Nights Per Week of Live Music: _____

Other Entertainment Offered (if any): _____

Wage Scale: _____

Working Conditions: _____

Attitude Toward Hiring Union: _____

Advance Booking Time Required: _____

Stage Size: _____

Room Capacity: _____

Lighting: _____

Sound System: _____

Directions from Local office to venue: _____

What the Players Say about the Gig: _____

The Buzz—Breaking into the Media

Media coverage has two important advantages over advertising. First, it increases public awareness of your Local and your musicians at little or no cost. Second, write ups in the local newspapers, or appearances on the evening news raise your credibility with the public.

Media coverage also has one major drawback. You can't control what is being said about you. But with a little persistence, a little imagination, and a little practice you should be able to present your Local and your musicians in a positive light.

Reporters, radio and TV talk show hosts, music critics, entertainment editors, and other media types make their livings by presenting fresh information to the public *every day*. That means they're always hungry for news. Feed them. Do a little research and find out who covers music and entertainment for your various newspapers, radio stations, and TV stations. Invite them to hear your bands at their gigs or MPTF concerts. Meet with them informally to discuss the local music scene.

Then take the next step. Start sending out press releases on specific events or activities you think are newsworthy. Remember, timing is everything. Having a booking agency or referral service isn't news. But it is news when you first open your referral service or booking agency for business and that can become your first formal press release. (A sample press release on an opening follows.) If you have a formal opening, with a live band playing outside your door, you should draw a crowd and perhaps even a media photo opportunity.

Other potential news stories include:

- Concert series your Local and a community group jointly sponsor. (Local 00 and Anytown University Sponsor Concert Series)
- Events tied to holidays (Local 00 Musicians Play for Columbus Day Quincentennial)
- Events tied to observances (Local 00 Steel Drum Band Musicians to Appear at Caribbean Festival)

- General consumer information (How to Hire a Band for Your Wedding)
- The Local's own events (Local 00 Marks 90 Years of Bringing Music to Anytown/Local 00 to Hold Musical Flea Market)

The Art of the Interview

The underlying goal of creating a media buzz is to make your Local (or its referral service or booking agency) and live musical entertainment synonymous in the public's mind, so that when someone needs to hire a band they think of your Local first.

One of the most effective ways you can create that link in people's minds is to personalize your Local. People respond more favorably to individuals than to organizations or business entities, so make yourself available for interviews. You don't have to be nervous about meeting the press. "60 Minutes" aside, most reporters who want information are eager to establish a polite, cooperative rapport with their subjects because they have a duty to represent you fairly and they know that open communication is the most effective way to get a story. To help you get the most from an interview situation consider the following guidelines:

Organize your thoughts and keep *your* important points in mind.

Be polite, positive, professional and to the point.

Keep the audience in mind and speak their language.

If you don't know the answer to a question, tell the reporter you'll try to find out and get back to them.

Observe the reporter's deadlines and work with their schedule. (Respecting their professional concerns will lead them to respect yours).

The Press Release

You don't need to be Howard Rubenstein and Associates (Michael Jackson's press agents) to put out an effective press release. All you need to do is spell out clearly the six points every reporter needs to make a story—"who," "what," "when," "where," "why," and "how."

When telling your story make your sentences short and to the point. The purpose of a press release is to provide the reader with factual information. There's no need for hype. Reporters value accuracy because their professional reputations are built on it.

Your press releases should be no more than two typed, double-spaced pages. Put your releases on your letterhead. And make sure you check your facts (especially days and dates), your grammar, and your spelling, before you send a release out. Nothing will

make you look as unprofessional, or just plain stupid, than bad English.

Whenever possible, include in your press release the fact that photographers and cameras are welcome at the event you're promoting. Live music performances are always great photo ops. If cameras aren't allowed at the event, make photos of the bands or musicians available upon request. Editors are more likely to run a story that comes with pictures than stories that don't. So stack the deck in your favor. (And don't forget to tell your members this is one important reason why you need band photos.)

End every release with the following line: For more information contact Spokesperson Sam Smith at Local 00 (or your agency's name) at 555-1234.

ANYTOWN MUSICIANS ASSOCIATION

123 Main Street • Anytown • North America 00000

September 9, 1999
For immediate release

New Live Music Buyer's Service Opens

Anytown Musicians Association is launching a new service (or booking agency) to help consumers find the right band at the right price for weddings, parties, business affairs and every occasion. "Live music is a party thing, and we have the bands and musicians that will make us the public's one-stop shopping source for buying music," says Anytown Musicians Association Spokesperson Sam Smith.

The Anytown Musicians Association offers free consultations, a directory listing bands and soloists by musical style, an audio/video library for previewing musical acts, the security of signed contracts that guarantee you get the group you want at the price you've agreed to pay, more than 50 musical acts to choose from, and over 90 years of experience in supplying music to Anytown audiences.

Consumers can reach the Anytown Musicians Association by phone Monday-Friday, 10:00 am to 6:00 pm or can visit the offices located at 123 Main Street, Anytown.

For more information contact Spokesperson Sam Smith at Anytown Musicians Association (or your agency's name) at 555-1234.

—End—

Beyond Junk Mail—Direct Marketing

Every day virtually every mailbox in North America plays host to at least one piece of direct marketing material—otherwise known as junk mail. But don't let that designation fool you. There are very good reasons why thousands of trees give their lives each year, and it's not just to keep postal workers employed. Direct mail marketing has a long history of success for large and small businesses alike, and there are several valid reasons why you should consider investing in direct mail marketing.

Direct mail marketing is *direct*. Unlike radio, TV, newspaper, or even yellow pages advertising, you pick your prospect. You don't wait for the prospect to pick you.

Direct mail marketing is *economical*. With direct mail you reach people or organizations you believe will be interested in your services. With any other type of advertising you're paying to reach both those who need your service and those who have no interest in your service.

Direct mail marketing is *convenient*. Since one of your goals is to be as consumer-oriented as possible, letting potential purchasers do their shopping from the comfort of their home or office is a valuable service. Direct mail marketing is also

convenient for you, since it lets you approach dozens of potential purchasers at once, without ever leaving your office. This is particularly valuable if you want to capture business from purchasers who are based outside your jurisdiction, such as convention planners, concert promoters, political parties or organizers.

As with any marketing campaign, direct mail marketing should focus in on the needs of the individual purchaser. Develop different letters and brochures aimed at different markets. However, always address your letters to a specific person. Nothing says junk mail faster than "Dear Whom."

Whenever possible, plan on a two, or three part campaign. That may mean a postcard, a letter and brochure packet, and then another postcard. That may sound expensive, but again, direct mail is cost-effective because it reaches the exact audience you want to try to sell.

To help you develop your mailing lists consider joining such organizations as the convention and visitors authority, bridal associations, meeting planners organizations, etc. These groups track participants, events, and trends in various industries that routinely use music.

(Two sample direct mail letters follow.)

ANYTOWN MUSICIANS ASSOCIATION

123 Main Street • Anytown • North America 00000



Dear Convention Planner:

Congratulations on selecting Anytown as the location of the XZY Corporation's next convention. Local 00 of the American Federation of Musicians is proud of our city's rich cultural life. Anytown is home to theater, ballet, opera companies, and the Anytown Philharmonic. We also have a wealth of rock, country blues, jazz, big band, Dixieland, and classical musicians playing throughout the city. We'd like to encourage you and your delegates to come hear us at our best.

We'd also like to invite you to make live music part of your Convention proceedings. If you haven't already made arrangements for your music needs, or haven't established a relationship here for providing musical services, we want to be sure you know how to contact us. From the opening meeting to the final dinner-dance, our musicians can furnish whatever style of music suits your taste and budget.

Enclosed is a complementary copy of our Directory of Musical groups. You'll note that it contains a wide variety of bands and artists. We're happy to furnish this to you at no charge.

If we may assist you in your music needs please contact us as follows:

Musicians Union of Anytown
Local 00, AFM
Main Street
Anytown, North America
Ph (010) 555-1234
FAX (010) 555-4321

Again, thank you for selecting Anytown for your convention. We look forward to having you as a guest in our city.

Sincerely,

Sam Smith
Spokesperson

ANYTOWN MUSICIANS ASSOCIATION

123 Main Street • Anytown • North America 00000



Dear Catering Director:

Enclosed is your copy of American Federation of Musicians Local 00's Directory of Musical Groups. You now have at your fingertips the names and phone numbers of the *top* professional musicians in the Anytown area. Local 00 is proud to extend this directory to you free of charge, to help you find the right band for every occasion.

The bands and artists are listed according to musical style. All you or your clients need to do is find the type of music desired and contact the various leaders under the appropriate heading. Of course, if you'd like additional information or need help deciding what type of music would work best for any specific event *and* suit your budget, our office will be happy to assist you.

Your event is special, so don't settle for less than the best. Our artists will surpass your standards because they have to meet ours. We're professionals, we're affordable, and we'll make your event memorable.

We look forward to hearing from you. Please feel free to call our office for additional copies and assistance.

Sincerely,

Sam Smith
Spokesperson

Sample 30-Second Spots (Radio) for AFM Locals

SPOT #1 Open on instrumental music which fades under as...

ANNOUNCER

Whether your event is business or pleasure, live music will make it memorable. And, we can take the song and dance out of getting the right music at the right price. We know more about music than anyone in town. We're the professionals, the Anytown Federation of Musicians. Call us at 555-1234 for free details.

SPOT #2 Open on Wedding March. Then, music under as...

ANNOUNCER

If that sound is music to your ears, imagine what live, professional musicians can do for your wedding reception or party. Well, we'll put you in tune for a song. We've got the right sounds at the right price for every taste and budget. We're the professionals and we make it easy. We're the Anytown Federation of Musicians. Call us at 555-1234 for free details.

Talk the Talk—Where, When and How to Network

Union, corporate and government organizations are some of the best sources of single-engagement jobs, particularly parties, in any Local market. And if they like the service they get they're also some of the best sources of repeat business. But when wooing that business the payoff is often a case of "who you know." So how do you get to *know* the union leader, corporate executive, or government official who sits on a potential gold mine of jobs?

One of the most effective ways is to find a common ground where you can build trust, make friends, and eventually establish a rapport that will lead the movers and shakers to think of your Local first when it comes to their music needs. Harvard MBAs call it networking. Record company execs call it schmoozing. Whatever you call it, if you do it right you'll build solid, long-term relationships with the people you want to know.

When networking, remember that subtlety is the watchword. You don't show up at Arts Council meetings wearing a sign that says, "Hire Our Musicians." You flaunt your commitment, your integrity, your professionalism, and your knowledge of the professional musician's role in the community. Of course, you don't want to ever miss an opportunity to let people know the services you have to offer. It's just that in most networking situations the direct sales pitch is less effective than the gradual build up.

For example, when your Central Labor Council is planning a Labor Day picnic you might want to offer to supply a band or two to provide the entertainment. That demonstration of good will, along with a stand-out performance by the musicians you furnish, will make the long-lasting impression you want, and should lead to paying jobs down the road.

Networking activities should begin with groups where AFM Locals share common interests and concerns. Organizations that may offer you valuable contacts include:

- Central Labor Councils
- State Labor Federations
- Tourism Boards
- Community Arts Councils
- Convention Authorities
- City, State or Provincial Committees on the Arts
- PTAs

- Museums
- National Academy of Recording Arts and Sciences or Canadian Academy of Recording Arts and Sciences chapters
- Conservatories and music schools
- Political parties
- United Way

The bottom line is—be a joiner. Get out of the office. Meet people. Make contacts, and when the time is right, let them know you have a valuable service to offer.

Family Business—A Special Note on the Labor Market:

Many AFM Locals don't join their Central Labor Councils or State Labor Federations because they claim "They don't do anything for us." But if you get nothing else from your labor council or federation (and you'll find you get *plenty* once you join) remember that individual labor unions, labor councils and federations can be a great source of work for your members. They have parties, rallies, community outreach efforts. They make radio and TV commercials. They participate in charity event fundraisers. And they want to *hire union*.

Unfortunately, if you isolate yourself from your brothers and sisters in labor, they'll forget that the AFM is their one-stop shopping source for union bands. In several instances that's already happening. Many labor unions have been hiring DJs for their events. So many in fact that AFM President Mark Tully Massagli had to ask AFL-CIO President Lane Kirkland to write to every AFL-CIO affiliate reminding them that they should be hiring union musicians and not non-union DJs. But one letter isn't enough. Remind your fellow labor leaders to hire musicians yourself at the next meeting of your Central Labor Council or State Labor Federation. And don't forget to give something back to your council or federation—that's good will *and* good networking.

Here Comes the Bride—The Wedding Market

The wedding market is one of the easiest and most profitable markets your Local can initially pursue. Even in the worst economic times people still get married. They still hold receptions. And they still want to make their special day special.

The three simplest, most effective ways to break into the wedding market are by advertising in newspaper bridal sections or church bulletins, participating in bridal fairs, and working with wedding consultants.

Once you start making contact with prospective purchasers, the secret to success in the wedding market is to be as service-oriented as possible. Perhaps in no other market will purchasers respond as positively to knowledgeable, helpful service than the wedding market, because by and large the purchasers have little or no experience hiring musical groups and are so occupied with the other arrangements that they will gratefully turn over a part of the planning to someone they feel they can trust. Therefore, your approach to the consumer is everything in the wedding market.

The Bride:

As purchasers, brides want music that will make their wedding unique. Of course there are trends that many will want to follow, but they also want touches that will make their special day memorable. Free consultations and conversation are your best sales tools when dealing with brides. Make them feel that making their day special is as important to you as it is to them.

The Groom:

Of all the wedding elements the groom will probably be most interested in the music. While nine times out of ten the bride will be your first contact, the groom may be the difference between a booking and a job that gets away. Ask for his name, address and phone number. Invite him to visit your tape library. Make him feel like it's his party too.

The Bride's Parents:

Even in the '90s the bride's parents will probably be paying all or part of the wedding tab—which can run into megabucks. As purchasers they're looking for the best value for their dollar. You sell them on the security of a signed contract. Assure them that when they sign a contract with an AFM band they have a guarantee that they'll get the artists they want at the price they agreed to, with no unpleasant surprises.

Wedding Consultants:

Unlike brides, grooms, and parents, wedding consultants are unmoved by emotional pitches. In fact, the more businesslike you are in your approach to them the more favorably they'll respond. Their business is based on their ability to put together hassle-free weddings. If they learn that working with you means they'll have one less loose end they'll have to tie up then you're on your way to establishing a profitable, long-term relationship.

Blazing the Trail—Finding New Markets

The music business runs on trends. If you can spot the trends as they emerge, anticipate them before they really take off, or persuade venues or purchasers to help launch them, you can place your musicians in new and profitable markets before the competition knows what hit 'em. How do you do that? Play Sherlock. Evaluate what's happening in your area *today*. Try the following brainstorming exercise and be as offbeat as you want. You may strike gold.

1. Where are large numbers of people congregating?

Businesses will pay handsomely if you can attract a crowd to their establishment. Some atypical venues to consider, malls, flea markets, exhibits, supermarkets, day care centers.

2. What interests and hobbies are people spending money on?

Where people go to relax and have a good time they also want to be entertained. And if people are spending money already they're likely to *pay* to be entertained. You can start with dance studios, museums, ski lodges, yacht clubs, university alumni clubs.

3. What kinds of large businesses exist locally?

Live music inspires thought, improves creativity, dissolves tension and lifts spirits. Corporations and organizations need live music, they just don't know it yet. Try selling them on a lunch time concert series for their employees, or music appreciation lessons.

4. What, when and where are people celebrating?

Music expresses people's emotions. Ground breakings, ribbon cuttings, whatever the occasion live music will bring it alive.

5. Who else works the party/entertainment market in your area?

You never know who gets asked for recommendations for live music. It can't hurt to give out cards and offer to trade recommendations. Try photographers and video

people, caterers, bartenders, bridal gown and tuxedo shops.

6. What support businesses exist locally?

Anyone who makes a living selling a product or service that supports what you do is a likely sponsor or presenter for a concert. Look for ways to tie in several businesses and create bigger promotions. How about, music stores, record stores, camera shops, dancewear shops, instrument sales and manufacturers.

The point of this exercise is to help you learn to capitalize on the constantly changing ways that people spend their entertainment dollars. Look at everything that happens in your area as a potential marketplace. Be creative.

Catch a Wave?

Wouldn't a club near the bungee jump like to get some of that crowd in the doors? Couldn't a hot band help them snare that overflow business?

Is everybody singing along to a karaoke machine? Maybe there's a band in your Local that can beat the box—by doing it live. Try to find that band and a club owner who's willing to innovate the latest canned innovation.

Are people talking about MTV's "Unplugged"? How about persuading a club to try an acoustic night?

Has the new baby boom hit town? How about day care concerts?

Or maybe the senior population is expanding? What about senior center concerts?

The thing to remember about going after the trend market is that you *must* strike while its hot. Nothing gets old faster than the latest craze. Just ask those urban cowboys. But when a fad is running at fever pitch there's money to be made by those who are quick enough to go with the flow.

We're the Professionals—Making Your Members Marketable

You may be running the most professional referral service or booking agency in North America, but if the bands you're sending out act like amateurs on the job (or worse) you'll never build a client base. The AFM and professionalism should be synonymous. That's why it's vital that you take the time to help your members market and present themselves professionally.

Your experience is one of the greatest benefits that members receive for their dues dollars. You've been there. You know the employers. You know the marketplace. Teach them the lessons you've spent your career learning. Talk to your players. Visit them at

job-sites. Follow up with clients to find out how each band performed. Then tell your musicians what the purchasers had to say about them.

If you work *with* them your members will learn, because they want to succeed in this business.

Throughout this handbook there are tips you can pass on to your members. But what their success really comes down to is how they perform and behave on the job. On the next page you'll find a tip sheet that you can reproduce and distribute to your member bands before they go out on the next gig you get for them.

We're the Professionals!

Music is a tough business—always has been. But AFM members have been succeeding against the odds for almost 100 years, and we know that with your talent and our savvy you can succeed too! That's why we'd like to share the following tips with you. They'll give you the professional edge—the AFM edge.

Remember Who Hired You

Check with the purchaser during the gig to make sure things are going well. Ask if they're happy with the song selection, volume, lighting, tempo, etc. Be punctual. Respect intermission times and be back on the stand before the leader has to chase you down. Don't touch the food or have a drink unless you've been given permission. Above all, be polite and professional in all your dealings with the purchaser.

Respect the Audience

You owe it to your audience to give them your best effort every time out. Be prepared, concentrate and show them that you love what you're doing. Set up before the audience arrives. You don't want to lug your equipment past tables of people trying to have fun. Don't smoke or drink on the stand unless specific permission has been given. When the song ends so should the noise, so no tuning between songs.

Sweat the Details

Know where you're going and get to the gig early. Remind the band in advance of the

time, place, instruments needed, doubles, and dress code. Then double check with them. Send a simple, detailed list of your sound needs to the venue in advance. Bring extra extension cords. Make sure the electrical outlets are working.

Dress the Part

Dress as requested by the purchaser. If it's a wedding or formal occasion go for the tuxedo—and no brown shoes or white socks, please. Don't change into gig clothes where you can be seen by people, especially the audience.

Getting Taped

In a club or concert setting, don't let the job be taped (audio or video) or broadcast without an AFM-approved clause in your contract that will protect your rights to residual payments. Remember, once your performance is recorded in any form it can be reused in an almost infinite number of ways. And you're entitled to residual payments for virtually every new use or re-use of that performance.

Repeat Business

Just because you've done the job doesn't mean you should vanish without a trace. Send purchasers a note thanking them for the job. Also send them your card or your booking agent's card...and your itinerary for the next few months. This way they'll know exactly how to get in touch with you the next time they need a band.

The Promo Package—Honing the Bands' Marketing Tools

Remember, good salesmanship is all in the presentation, so make sure everything about a band's promo kit is professional. If basic pieces of the promo pack look sloppy, cheap, or worse yet, are missing altogether, you're going to have an uphill battle convincing a purchaser to hire the group, no matter how great they are musically.

What goes into a basic promo pack? First, as discussed earlier, every band should have an audio or video tape. The band's music is the heart of what's being sold. Furthermore, today's consumers expect to hear tapes to help them narrow their field of prospects. So tell your musicians that giving you a tape is standard operating procedure.

In addition to the tape, every band promo package should contain items that will help purchasers make informed decisions about the band. Those items include:

1. Song lists. These are a must. Purchasers want and need this information.
2. A press release that describes who's in the band, the instrumentation, and the style of music played.
3. References or a list of places where the band has played *recently*.
4. The band's photo.
5. Excerpts from press clippings and favorable reviews (if available).

The Photo

Make sure your members know that photos are a smart investment for them. One really sharp picture can be used to attract potential purchasers in ads and fliers promoting bookings; as part of a musical directory; with newspaper articles or reviews; and as part of a press release. (Don't forget that black and white glossies suit the greatest number of reproduction needs.)

That's a lot of mileage to get for the cost of just one photo session. So always hire professional photographers. They know how to deliver crisp, sharp photos that capture their subject's image.

You can help your bands get the most from their photo sessions by suggesting they follow these tips:

Talk to the photographer before the shoot to describe the image you want to convey.

Make sure the band wears its stage clothes for the photo session because that's your identity.

Include your instruments in the photo.

Avoid distracting backgrounds.

Avoid dark, moody lighting. It doesn't reproduce well in newspapers.

Relax and exude positive vibes.

Just Browsing—The Value of Audio and/or Video Libraries

Tape libraries, whether audio or video, are great promotional tools. They provide a convenient, central location for purchasers to get their first taste of the diversity of bands your Local has to offer. And they provide *you* with an opportunity to discuss with purchasers such issues as group availability, price, contracts and deposits, and the general consumer protections available to purchasers when they buy union. Just remember, your job is to present *every* band in the best possible light and then let the purchasers make up their own minds on hiring.

If possible set up your library in its own space. Purchasers shouldn't be distracted by ringing phones, typewriters, radios, or other noisemakers. They're there to listen—so make your space as interference-free as possible. When possible, provide purchasers with headsets to really cut out the distractions. If it's an audio library you might want to let them

browse through the referral directory, band photos, and song lists you have on file as they listen. Whether it's an audio or video library, make sure that your playback equipment is of professional quality. Nothing will ruin your reputation—and your members' reputations—faster than hissing audio or jumpy video. Purchase blank tapes in bulk (at much less cost) to duplicate band demos that you can mail to potential purchasers that just can't get to your library. (A sample letter you can mail with those tapes follows.)

Make your library available during the hours that purchasers are mostly likely to be free. That may vary depending on what market you're pursuing. Brides and grooms, for example, may only have evenings and weekends to make their wedding plans. Club owners may prefer afternoons, before their real working hours begin. Remember, being accessible is good customer service.

Hearing Is Believing—The Art of the Audio Tape

Promo sheets, press clippings and song lists enhance any group's professional image, but what sells a band is its *sound*. Building an audio library requires direct member/Local communication. Many members don't realize that today's consumers expect to review tapes (and entire promo packets). If they want to compete successfully, bands have to work *with* purchasers—and that includes providing them with tapes.

Once you've convinced them that in order to get work it's vital that they have a tape to showcase their talents, your members may turn to you for advice on how to put together a tape that will sell their services.

So what makes a successful audio tape?

1. The music is flawless. Use as many takes as needed to produce a professional presentation.

2. The tape captures the band's "live" sound as closely as possible. Studio effects are kept to a minimum. Audience noise doesn't over-

whelm the music. (Recording during actual performances should be done with care.)

3. The songs accurately represent the band's actual song list and style. For example, Top 40 bands should play the current hits, not jazz riffs or folk songs.

4. The mix of tempos and styles demonstrates the band's versatility.

5. Each song selection is one minute or less and features the melody line.

6. The band's star performers are featured via solos and strong performances.

7. The cassette is packaged with a standard jacket that may feature the AFM seal, the Local's name and number, the agency name (if applicable) and the phone number. The band's name appears on the side of the label. (Using a standard jacket for every tape maintains the impartiality of your presentation. Each band is judged by its sound, not its packaging.)

Shooting the Band—The Art of the Videotape

Type of Equipment

Virtually any type of equipment may be used successfully in implementing a video library. Beta, VHS, eight millimeter, all produce the same signal at the output source of the equipment. The quality of your product is limited only by the budget you have available.

Start-Up

Basic equipment must include a camera and playback unit. Some cameras include the playback unit in the camera (camcorder); some don't. Either is acceptable. Additional lighting is necessary to fill shadows that naturally occur in the average room or club. These can be as simple as flood lights mounted on separate clip-on receptacles, or more professional stand alone units with lenses and baffles may be used. Either will do the job effectively.

The microphone that comes mounted on the camera will give you adequate sound in most situations. If additional miking is not used, extra care must be taken to see that the natural, live sound of the unit being videotaped is balanced. The most common mixing problems to overcome are the drums, which must not be too loud, sound reinforcement (microphone) used for the instrumental solos and vocals. If additional microphones and mixer are available, simple experimentation with placement of mikes will give you a professional, balanced sound. In most cases, when additional microphones are used, a small amount of reverb is necessary to avoid an unnatural, cold sound.

During playback, the small speaker on the

TV receiver is automatically used to reproduce sound. Although adequate for start-up purposes, an additional amplifier and speakers will greatly enhance the sound quality of your presentation during playback.

Since most musical units will not edit their performance for the live, video shoot, you must be prepared to edit all recorded material into 30-second promos or commercials for all musical units being represented. This requires the use of two separate playback/recording units. Again, it doesn't matter which format is used by each machine as the signal out the back of the machine is the same in all formats. The second unit may be rented or borrowed for the editing session, as a number of recordings can be edited at one session. The edited version of the performance should be constructed with highlights of the musical units' performance only. No conversation, no extended solos, and limited to eight or sixteen bars of each tune performed. Since the original performance is kept intact on a separate tape, it's available for viewing in its entirety should the viewer wish to see more of the group that is of interest. Keep a record of the tape counter numbers (start and stop) of each recorded performance so that the material can be easily found and the prospective purchaser doesn't have to wait for you to find the performance of interest. Most purchasers make their initial decision during the first 15 seconds of each performance, so keep the edited versions of recorded performance short, upbeat and as professional as possible.

ANYTOWN MUSICIANS ASSOCIATION

123 Main Street • Anytown • North America 00000



Dear Prospective Purchaser:

Thank you for contacting the AFM Agency about your live music needs.

The AFM Agency is proud to represent over X number of professional musical groups and artists who perform every style of music. Whether you want a strolling violinist, a jazz trio, or a hot rock band, we have the musicians who can make your event memorable.

Enclosed, please find an audio tape, along with song lists and pictures of some of our bands who may meet your particular needs. Keep in mind that in addition to the bands on this tape we have more to offer you.

Please review this tape for as long as you wish. If you'd like to hear any of the bands in a live performance, contact the AFM Agency for information on their performance schedules.

Since we're providing this promo packet at no charge, we ask that you return the tape to:

The AFM Agency
00 Main St.
Anytown, North America 00000
(There is a \$5.00 charge for any tape not returned.)

Finally, to assist you, the musical consumer, in getting the most value for your entertainment dollar we're pleased to provide you with the enclosed guide on how to hire a band.

Sincerely,

Bob Booking Agent

Booking Agency

Launching Your Agency

The creation of Local-sponsored booking agencies is a major step in the pursuit of employment for current members, and the recruitment of new members. But be forewarned, running an agency is a complicated, time-consuming undertaking that will involve a strong commitment from your Local. **You are strongly urged not to start a booking agency until you have had an effective referral service in place.** However, if you plan carefully, running a Local sponsored booking agency can be one of the most rewarding efforts your Local ever undertakes.

In order to run an approved Local-sponsored booking agency, you must comply with the AFM policy on booking agencies established by the International Executive Board at its June, 1992 meeting. That policy is as follows:

1. The operation of the agency will become a separate entity, either profit or non-profit, depending upon the laws of the state, territory or province. The agency must comply with applicable state, territory, or provincial laws.
2. The agency must sign an AFM Booking Agent Agreement and observe its requirements (e.g. filing of contracts with Locals, adhering to scales, etc.)
3. All commissions paid must be deposited in a separate account and not construed as Local Union funds. An accurate accounting shall be required and all regulations of the entity must be observed.
4. Expenses relating to the operation of the agency will be paid from agency funds.
5. The agency established by the Local shall be required to furnish any information if a question of conflict of interest or favoritism is raised.

Once you've determined that you can satisfy the IEB policy requirements for running a Local-sponsored booking agency, you still have several questions to ask yourself before your Local makes the commitment to operating a booking agency. Those questions include:

- Do we have the right people, or can we find the right people to run the agency?
- Can we afford the start-up costs involved in opening a booking agency? Note: Several U.S. states require that booking agencies obtain state licenses. To determine if your state licenses agents contact your Secretary of State's office.
- Can we afford to budget for staying power? (According to the Small Business Administration most new businesses fail within the first two years. Therefore, you should anticipate it taking from three to five years for your agency to become entirely self-supporting.)
- What kind of opposition might we face from other booking agents and are we prepared to meet it?
- Do we have enough credibility with our members to reasonably expect them to sign up with our agency?

These questions should be addressed when mapping out how to set up and run your booking agency, which is discussed in more detail in succeeding sections of this handbook.

The Intelligent Hire

Choosing a director or agent for your agency must be done with care. Professional agents will be quick to offer their services, and they will paint rose-colored pictures of success. Don't fall for anybody's line. Investigate. One of the reasons for creating an agency with direct union connections is to try to stem the tide of abuses that some commercial agents have fomented in the name of "business as usual."

If you're considering hiring a professional agent, remember that you have a better chance of checking out someone who has been a signator to the AFM Booking Agent Agreement regarding their treatment of musicians and clients alike.

As an alternative, a musician with a background in sales or an entrepreneurial spirit may be preferable. If you hire a member, you need someone who has a good rapport with other members. Someone who speaks their language. Someone who understands and respects various styles of music. Someone with a reputation for fairness. Someone who will be impartial regarding who is being booked for jobs. Perhaps someone who is no longer active as a player and therefore wouldn't be considered competition for the work. And someone who will be able to take the heat when members who aren't getting jobs start wailing.

Remember, no booking agency can *guarantee* a band work. If a band's music isn't marketable, if their presentation is unprofessional, if their prices are uncompetitive, then any agent would be hard pressed to find them work. Evaluate complaints of this nature very carefully. You have a responsibility to monitor and maintain the integrity of your Local's agency. The demands of the marketplace alone should dictate which bands are being hired. While agents need to have a certain autonomy when negotiating with purchasers on behalf of specific bands, your agents have no more right to promote their friends than Local officers have.

At the same time, as stated above, no agent can book every band. Successful agents, par-

ticularly if they are members of the Local, should have your support against unfounded complaints—particularly because complaints from members who don't understand why they aren't employable will most likely be the loudest and most vicious.

Whoever you hire, you want your booking agent to be ready to jump right in. So ask your prospects the right questions before you hire anyone. Those questions may include:

- Are you a musician?
- If so, what type of engagements do you, or did you, typically play? (i.e. club dates, recording, theater)
- Have you ever worked as an agent?
- Were you or the agency you worked for signatory to the AFM Booking Agent Agreement?
- In addition to music, do you have other work? As a_____.
- Tell me your impression of some of the clubs in the area? Do you know what they usually pay their bands? How many nights a week they feature live music?
- Tell me about some of your favorite local bands.
- Describe a specific instance when you negotiated with a purchaser and the results.

When interviewing prospects look for enthusiasm, politeness, intelligence, and a professional attitude towards business. Don't forget to ask for a written resume and references—then check them.

Pay *particular* attention to the prospective agent's answers regarding the state of the marketplace. The more knowledge they have regarding wages and working conditions, venues, and bands, the more effective they'll be in putting purchasers and musicians together.

Minding the Store—The Day-to-Day Operation

Ideally, at least two people should be employed to run the agency—one to handle the clerical details, the other to act chiefly as the agent/salesperson. The clerical person should be able to set up the filing systems, answer the phones, keep track of the contracts, make the tape library available to potential purchasers, etc. The agent's primary job should be to find gigs. The agent should also spend time on market research, public relations, networking, and working with the musicians to help them market and present themselves more effectively. For details on finding the right people for your agency consult "The Intelligent Hire" section of this handbook.

The office itself should have a separate phone line and an answering machine or service (two phone lines is preferable). Although it's possible to run your office with just a desk and a phone, to really compete in today's market you should consider investing in some additional equipment to enhance your presentation and make your work-life easier. Naturally, these purchases can be phased in as your budget allows.

For starters, you should have a decent stereo system (that can play both tapes and CDs) and better grade speakers for your audio library. Good quality speakers will make even poor quality tapes sound better. The system should also have a dual cassette system that will allow you to record as well as play. This way you can produce customized tapes for specific purchasers, or duplicate tapes inexpensively, which you can mail to prospective purchasers. A VCR and color

television are mandatory if you're also going to have a video library. However, since bands are more likely to furnish you with audio tapes, the sound equipment should come first.

A computer set up with a relational database that includes files for artists, musical styles, customers, contracts, job dates, job types, and venues, will save you time researching bands when purchasers call. A good word processing program will help you with your correspondence and press releases, and a desktop publishing package will help you create professional-looking band fliers, advertisements, press kits, agency brochures and even stationery. There are many good software packages that range from the simple to the sophisticated, so you should be able to find one to fit your budget and your skill level.

A fax machine and a plain paper copier are other helpful pieces of equipment. Given the current economic climate many clients wait until almost the last minute before committing to a high-priced act, and the ability to fax contracts will often be the difference between keeping and losing a gig. An on-site copier will allow you to send materials, song lists and multiple contract copies via fax with a minimum of delay when you're hot on the trail of a booking.

A log of incoming inquiries should be kept to assist you in placing bands. The log may also be used to help you build a mailing list for direct mail marketing campaigns. In addition, the log can be used to help you gather market statistics on such items as types of engagements, wages being offered, bands being booked, etc.

Phone Log

Date received: _____

Contact: _____ Venue/Employer: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone/Day: _____ Evening: _____

Date of job: _____ Hours: _____

Location of job: _____

Type of job/event: _____

Type(s) of music needed: _____

No. of participants: _____

Other: _____

Budget \$: _____ No. of musicians suggested: _____



Groups contacted:			Available	
1. _____	Phone(s) _____	Date _____	Y	N
2. _____	Phone(s) _____	Date _____	Y	N
3. _____	Phone(s) _____	Date _____	Y	N
4. _____	Phone(s) _____	Date _____	Y	N
5. _____	Phone(s) _____	Date _____	Y	N
6. _____	Phone(s) _____	Date _____	Y	N
7. _____	Phone(s) _____	Date _____	Y	N
8. _____	Phone(s) _____	Date _____	Y	N

If your Local decides to sponsor a booking agency make sure you evaluate the potential pitfalls first. Obviously, the greatest danger is the lack of financial planning discussed earlier. But there are also a host of people-related pitfalls you may encounter. However, if you anticipate them in advance you can then work to overcome them with a minimal amount of work and worry.

The Membership

While opening an agency may seem like the perfect answer to that age-old member criticism, “Can’t you get me a job?,” don’t be surprised if members initially react to the Local-sponsored booking agency with resentment or even hostility. What they are really reacting to is a general fear that they will be taken advantage of, which may express itself in several different—and valid—concerns.

“Why should I pay a commission on top of union dues just to get a job?” This complaint can be defused by educating members about the benefits of using a booking agency. Take the time to explain to them personally and through your Local newsletter, that a booking agent is a skilled negotiator who can usually do a better job of selling the band than the individual musician can do. Explain that your agent has in-depth knowledge of the marketplace, knowledge that the musicians would have to spend hours acquiring for themselves—hours that are better spent rehearsing, or better yet, working. Finally, tell the members that all commissions are added to the band’s going rate, not taken out of their contracted wage.

“What about the referral service? We didn’t have to pay for that.” Once again, stress the fact that the commission fees they’re paying are added to their usual rates. The money is coming out of the purchaser’s pockets. Of course, you’ll need to explain that adding the commission fees to the tab will not make the band’s price prohibitively high for purchasers, because it’s simply not that large a sum.

“How do I know you won’t play favorites?”

The best defense against these charges is to continually point to the reputation for impartiality you built while running your Local’s referral agency. Once again, it is *highly recommended* that your Local open a booking agency only after it has been successful with a referral service. Hiring an agent who is not a Local officer will automatically convey to the membership that no one has a vested interest in which bands get booked. And computerizing your booking agency so that it’s the computer that pulls out the names of bands being recommended to purchasers will also give the agency an air of impartiality.

“You only book your own band.” The answer here is to prohibit agents who are active musicians from booking their own bands as the leader. If you hire an active player establish the ground rules up front.

“You’re not getting me any work.” No agent can get *every* band or musician a job. Some bands simply aren’t marketable. The best thing you can do is to work with the band on its marketability. Teach them how to present themselves better; how to promote themselves better; what audiences in your area are looking for from musical acts. But don’t be surprised if they don’t take your advice—and expect to keep hearing from them about their job drought.

“Well you’re just doing it for the money?” The gripe here is that the agent will act solely in his or her financial best interests, resulting either in inappropriate bookings or unacceptably high commission fees. Naturally, agents who are working on commission are motivated by their financial interests. However, you have to assure your members that the agency was founded to stem such abuses and that you are routinely monitoring the booking agent’s actions and record. Also remind them that the AFM has set caps on how much commission can be charged for certain engagements and agents found violating those standards can be brought up on charges.

The Competition

Your chief competition when you go into the booking business will be independent contractors (usually your members) and other booking agencies.

While members who are independent contractors may be willing to accept work from a Local-sponsored agency, they may be secretive about the fees they charge. Some may suggest that you let them book the gig and just accept whatever commission they send you. These contractors, in many cases, have been in the business for many years. They've built reputations that allow them to charge fairly high fees. They may also have reputations for paying their side musicians scale and reaping hefty profits for themselves. Therefore, they don't want other musicians to know how much they're making.

It may seem strange that there are guidelines for agents' commissions, but none for contractors. But that's the way it is and your agency will have to make a choice between allowing contractors to choose their own commissions or not utilizing their services. Your

best course may be to deal with this issue on a case-by-case basis.

Other agents may also present difficulties for your agency by accusing the Local of unfair competition. The best way to keep the peace is to indicate to them that you're more than willing to work with them on a split commission basis (within the AFM Booking Agent Agreement's guidelines, of course). By splitting commissions both you and the other agent will profit—and your members will get more work.

The key to addressing all these potential pitfalls is honesty. All figures should appear on each contract—total fee, band's fee, agent's fee. The AFM commission limits should be strictly observed. If you ask a band to lower its fee to save a gig, then you should drop your commission as well. Also, always be willing to split commissions with other agencies in order to secure jobs. This commitment to fair dealing will give your agency a positive image with the musicians, and a reputation for professionalism among purchasers, and other agencies.

Dollars In

Commissions will be your agency's only source of income. According to the AFM Bylaws (Article 23—Booking Agents), commissions of **no more than** 15% on gross wages (or other consideration) may be charged on engagements of two nights or more. Agents may charge **no more than** 20% commission on single engagements. All commissions are due and payable immediately following the receipt of the full contract price for the engagement. No commissions shall be payable on any engagement if the member is not paid, unless the non-payment was the fault of the member. Note to Canadian Locals: GST must be paid on all commissions.

Whenever you secure a job make sure you get a 50% deposit up front from the purchaser. That money should then be held in escrow until the job is performed. Set a deadline for receipt of the deposit. If the money isn't forthcoming, you want to give yourself enough leeway to re-book the band if you believe that the purchaser intends to cancel the job. The remainder of the contracted fee should be received upon completion of the job.

All checks should be made payable to the agency. This way, you can take the commission and work dues (where applicable) off the top so that both the agency and the Local get paid promptly and completely. Remember, commissions should be added on top of the band's normal rates when negotiating with purchasers, so that the musicians don't end up working for wages that are below their going rate just to pay your commission.

The agency should establish two bank accounts

that are separate from the Local's account. The first is the account that will cover the agency's operation. The second should be an escrow account where all deposits are held until each band plays its gigs. Once again, whenever possible, you should secure 50% of the purchase price as a non-refundable deposit.

Dollars Out

When opening the agency you need to determine your start-up costs from your ongoing expenditures and plan your financing accordingly. As mentioned above, equipment needs can be phased in as your budget allows. However, you must commit a certain number of dollars up front to such ongoing expenses as employee salaries and payroll taxes (unless agent is working for commission only), advertising, postage, phone bills, etc.

Unlike product-oriented businesses, where inventory is the biggest investment, your agency's largest budget item will be salary. When hiring an agent, a salary plus a percentage of gross commissions seems to be the fairest and most attractive way of compensating agents. As the client base develops, you and your agent may decide to restructure the salary/commission ratio, and perhaps pay your agent strictly on a commission basis.

The clerical person, if hired, may be paid a fixed salary if their duties are kept strictly clerical. If they act as agents, backing up the primary agent, you may also want to consider offsetting their salary with a percentage of the gross commission.

The Paper Trail—Getting the Right Fees in the Right Pockets

The goal of any AFM-sponsored booking agency is to make money—for participating members by securing gainful employment; for the agency to sustain and eventually expand its operations; and for the Local through greater contract filing and therefore greater work dues collection.

Making sure everyone concerned gets paid in a timely manner is a matter of preparation and diligent follow-up. To begin with you should have detailed records of the wages that are acceptable to your participating groups for the various types of engagements they perform. When negotiating it's imperative that you know what each group's true bottom line is so that you don't waste time bargaining below a particular band's price range. A wage scale chart that covers a range of live gigs, hours, days of the weeks and holidays appears later in this handbook. It may be reproduced and filled in for each group your agency handles. Update the charts frequently since a group's popularity will affect its wage scales.

Every member participating in your booking agency should also be required to sign an "Authorization for Dues and Fees Check-off

Form" that stipulates that "any dues and fees owed to the Union by its members" are deducted from the performance deposit received for each booking. This way the Local is always paid without delay.

All deposits should be held in an escrow account set up by your agency until after the gig takes place. If for some reason the job falls through, the entire deposit should be paid to the musicians. No union dues or fees should be deducted. Sample text for a dues check-off form follows.

As discussed in "The Color of Money" segment of this handbook, agency commissions are *added to* each band's negotiated fee, not *taken from* those fees. While each booking generates income for the agency, you can increase your potential profits from a single booking by including a rider in the contract that requires the purchaser to re-book the band's services through the agency for a period of six months to a year. The time frame for re-booking is at your discretion based on such issues as the type of engagement, the likelihood of its being re-booked, the band's potential success, etc.

Authorization for Dues and Fees Check-off

Anytown Federation of Musicians

As the leader, contractor and/or agent representing the services of the musical group indicated below, I hereby authorize the Anytown Federation of Musicians to deduct from performance deposit funds paid by purchasers to the Union's agency (escrow) bank account on behalf of this musical group, any dues and fees owed to the Union by its members.

It is understood that the service provided by the Anytown Federation of Musicians is for its members exclusively and, accordingly, all musicians electing or choosing to benefit from this service are to be members of the AFM. I hereby warrant to all parties concerned that in my position herein I have the express authority on behalf of its musicians to (1) contract for the services of the musical group; and (2) direct the Union to deduct from escrowed performance deposit funds any fees and dues owed to the AFM.

Signed By: _____

Representing (Musical Group): _____

Date: _____

Acknowledged By: _____ Date: _____

Booking Sheet

Agent _____ Date of Call _____ Time of Call _____

Gig Type _____ Gig Date(s) _____ Gig Time(s) _____

Purchaser's Name _____

Purchaser's Phone Number/Day _____ Eve. _____

Purchaser's Address _____

Musicians Requested (if any) _____

Venue Name _____

Venue Location _____

Contact's Name _____ Contact's Phone Number _____

Purchaser's Budget _____ Number of Guests _____

Musicians Recommended			Available	
1. _____	Phone(s) _____	Date _____	Y	N
2. _____	Phone(s) _____	Date _____	Y	N
3. _____	Phone(s) _____	Date _____	Y	N
4. _____	Phone(s) _____	Date _____	Y	N
5. _____	Phone(s) _____	Date _____	Y	N
6. _____	Phone(s) _____	Date _____	Y	N
7. _____	Phone(s) _____	Date _____	Y	N
8. _____	Phone(s) _____	Date _____	Y	N

Musicians Booked _____

Gross Fee _____ Musicians' Fee _____ Agency Fee _____

Deposit Amount Received (% and date) _____

Balance Received (% and date) _____

Comments _____

What the Pros Know

Experience is a great teacher—the only problem with it is that experience takes time. So to help launch your agency on the fast-track to success here are some pointers from practicing AFM booking agents.

☐ Pay attention to the purchasers. Listen carefully as they describe their event and let them talk until you get a general sense of what they're planning. Then ask them some specific questions to pin down the size and scope of their party or event. Gathering the facts in an orderly fashion projects professionalism and allows you to take control of the conversation. (For a list of fundamental questions see the first part of the "Taking the Call" segment of this handbook, which follows.) Once you have a sense of what the purchaser is looking for, offer alternatives that fit the purchaser's wants and budget. This may mean offering two different types of groups at different times for the same party, such as a string trio for the cocktail hour and a Top 40 band for the dinner dance.

☐ With developing bands you may want to know such details as the appropriate set up time, the contact's name at the party, the dress code for the band, etc. This way you can brief the band on what's required and work with them on honing their professional presentation. At the same time, you'll be reassuring the purchaser that the band will perform to their satisfaction in every area—not just musically. (More detailed questions regarding the event are contained in the second and third parts of the "Taking the Call" section of the handbook.)

☐ Your tape library can be a great way to help purchasers focus in on what they want. Successful agents have found that their "mu-

sic on hold" or similar telephone system lets purchasers audition bands right over the phone. If you don't have the facilities to play tapes on the phone, your tape library is still a major consumer service that you should offer to undecided purchasers. Many agents use a visit by a purchaser as an opportunity to make a more formal sales pitch that includes showing them all the available promotional materials, and reviewing the terms and conditions of the contract, as well as listening and/or viewing tapes.

☐ When you sell a purchaser on a particular group get the leader to sign the contract first and return it to the agency. Then you should forward the contract to the purchaser with the leader's phone number. Advise the purchaser not to sign the contract until he or she has spoken with the leader to make sure the band understands what the purchaser expects. This policy automatically creates consumer confidence because the purchaser makes the commitment only after being satisfied that everything will be right. Reviewing all the terms and conditions of the contract with the purchaser step by step also creates trust.

☐ Use your booking agency as a recruiting tool. Book non-union bands on a limited basis, giving them a set number of bookings before requiring them to join the Local. When booking non-union bands you may want to sign them to a standard contract that requires the band to pursue collection of its own wages in case of a default. Then, as a comparison, you can show them an AFM contract that provides for collection by the union at no cost to the member, to educate them about the benefits of AFM membership.

Taking the Call—Questions for Purchasers about Their Event

The First Call

What type of event or party is it? _____

What is your name, address and phone number? _____

What is the name, address and phone number of the location of the event? _____

What type of music do you want? _____

What type of music *don't* you want? _____

What is your budget for entertainment? _____

Is any other entertainment scheduled? _____ What? _____ Time? _____

How many hours will the band be required? _____

Is there a possibility of overtime? _____

What time will the band BEGIN? _____ END? _____

Do you want taped music beforehand? _____

Before the Event

Name of person paying band, if check isn't sent in advance? _____

What is the earliest the band may set up? _____

Are there any steps or obstacles to get to the stage area? _____

What time will the guests begin arriving at the party? _____

How many people will be attending your party? _____

What time is dinner? _____ Sit-down? _____ Buffet? _____ Hors D'Oeuvres? _____

What is the name of the contact at your party location? _____

What is the name of the catering service? _____

What is the name and company name of the photographer(s)? _____

How should the band dress?

Tuxedo _____ Suit & Tie _____ Dress pants & casual shirt _____ Anyway is fine _____

What is the color scheme of the party? _____

May the gentlemen in the band take off their ties and/or coats as the evening progresses? _____

May we put our business cards discreetly on display? _____

What is the bar policy for the band?

Soft drinks _____ Alcoholic Drinks _____ Free bar _____ Cash bar _____

The band is in your employ. You do not have to feed the band. Do you want the band to eat? _____

Any birthdays, special announcements, comments, instructions, etc.? _____

For Weddings

What time and where is the wedding ceremony? _____

What time will the bride, groom and bridal party be arriving at the reception? _____

What time do you want the following events to take place? Please indicate if you want the band to choose times.

Toast _____ Cake cutting _____ Bridal Introduction dance _____

Bride & Father dance _____ Groom & Mother dance _____

Bouquet and Garter Throw _____ Money dance _____

The Follow-Up

The successful booking agent's job shouldn't end when the bill is paid in full. After each engagement you should make contact with the purchaser to find out how they rated the musical services they received. This follow-up is important for three reasons. First, it enhances your agency's professional image, increases consumer confidence, and reinforces your agency's commitment to quality and service in the purchaser's mind. Second, it provides you with information on how effectively your bands are performing on the job. This feedback will help you work with

musicians on honing their professional presentation so they become more marketable. Finally, the follow-up also gives you an opportunity to assess your booking agent's performance. Satisfied customers indicate that your agent knows how to put the right bands and purchasers together—dissatisfied customers don't.

While consumer follow-ups may be done on the phone, mailing a survey form (like the one below) will give you a written record that you can discuss with both bands and your agent. It will also help you track your agency's business trends.

Thank you for choosing members of the Musicians Union of Anytown for your special event. The following is a brief survey pertaining to your recent function. Please take a few minutes of your time to fill this out and return it in the envelope provided, so the Musicians Union of Anytown may better serve you and others in the future.

1. Were the musicians on time? _____
2. Were the musicians dressed appropriately? _____
3. Was the music that was played what you wanted? _____
4. Were the musicians courteous and respectful? _____
5. Did the musicians start and stop at the proper times? _____
6. Was the volume too loud? _____
7. Were you treated courteously by the office staff? _____
8. How did you find us?
Phone book _____ Referral _____ Advertisements _____
Newspapers/TV _____ Heard the musicians elsewhere _____ Other _____
9. Is this the first time you've hired live entertainment? _____
10. Would you use the Musicians Union again? _____

Comments or Suggestions: _____

ANYTOWN MUSICIANS ASSOCIATION

123 Main Street, Anytown, North America 00000 • 555-1234

THIS CONTRACT for the personal services of musicians on the engagement described below, made this _____ day of _____, 19____, between the undersigned, as purchasers of music and _____, hereinafter MUSICIANS, by and through their agent, hereinafter LEADER, and ANYTOWN MUSICIANS ASSOCIATION, hereinafter ANYTOWN. The MUSICIANS are engaged severally on the terms and conditions of the face hereof. The leader represents that the MUSICIANS already designated have agreed to be bound by said terms and conditions. Each Musician yet to be chosen, upon acceptance, shall be bound by said terms and conditions. The MUSICIANS severally agree to render services under the undersigned leader.

1. NAME OF BAND/group:

Names of MUSICIANS/Social Security Nos.

Names of Musicians/Social Security Nos.

(LEADER)

2. ENGAGEMENT (Name and address of the engagement):

3. ENGAGEMENT DATE(S)/TIME(S):

4. TYPE OF ENGAGEMENT (The type of engagement at which MUSICIANS appearing, specify whether dance, stage show, banquet etc.)

5. WAGE/TERMS OF COMPENSATION (The wage to be paid, and the terms for the payment of such compensation for the performance of the MUSICIANS, is as follows):

6. COMMISSION (The commission to be paid ANYTOWN) is as follows:

7. RIGHTS OF PURCHASER: PURCHASER shall, at all times, complete supervision, direction and control over the services of MUSICIANS on this engagement. PURCHASER expressly reserves the right to control the manner, means and details of the performance of services by the musicians, including the leader, as well as the ends to be accomplished. If any musicians have not been chosen upon the signing of this Contract, the Leader shall, as agent for the PURCHASER and under his instructions, hire such persons and any replacements as are required.

8. TAX RESPONSIBILITY: MUSICIANS are self-employed, independent contractors who have agreed for the purposes of this engagement to perform as a Joint Enterprise and accept full responsibility to report and pay all appropriate taxes, local, and state and federal as applicable to them as such self-employed, independent contractors.

9. ARBITRATION OF CONTROVERSIES: Any controversies over the terms or conditions of this Agreement will be submitted to the Court and authorities of the State of Anywhere and the Federal District Court of the State of Anywhere. MUSICIANS, PURCHASER and ANYTOWN hereby agree and consent to be subject to the jurisdiction of such courts and any order that may be issued by such Courts in reference to this Engagement Agreement.

10. AGENT PROVISIONS: (a) PURCHASER and MUSICIANS acknowledge ANYTOWN is an agent of the MUSICIANS, LEADER and/or PURCHASER. ANYTOWN shall be held harmless in the event of default by PURCHASER or of default by MUSICIANS or of default or non-performance of LEADER. Commission shall be held in trust by LEADER as fiduciary and forwarded to ANYTOWN within five (5) days of receipt. Delinquent commission shall accrue interest at 11/2% per month, and if litigation is necessary for collection, attorney's fees shall be paid by debtor. (b) if LEADER, or any individual who is one of MUSICIANS is re-booked into this or any establishment represented by the PURCHASER within _____ months from the termination of this Agreement, PURCHASER and LEADER shall be jointly and severally liable for payment to ANYTOWN for commissions at the rate set forth in this Agreement.

11. ENTIRE AGREEMENT: This Agreement contains our entire agreement with respect to its subject matter. No modification, amendment, waiver, termination, or discharge of this Agreement or of any provision thereof shall be binding upon us unless confirmed by a written instrument signed by an authorized officer of PURCHASER, LEADER and ANYTOWN. No waiver of any provision of this Agreement of any default hereunder shall affect the parties, subsequent rights to enforce such provision or to exercise any right or remedy in the event of any other default, whether or not similar.

12. NON-WAIVER: No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

13. MISCELLANEOUS: (a) Headings in this Agreement are for convenience and shall not be used to interpret or construe its provisions. (b) This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. (c) The provisions of this Agreement shall be binding upon and inure to the benefit of each of the parties and their respective successors and assigns. (d) This Agreement shall be deemed to have been made in the State of Anywhere, North America, and its validity, construction and effect shall be governed by the Laws of that State.

ANYTOWN MUSICIANS ASSOCIATION:

MUSICIANS/LEADER:

PURCHASER:

By _____
123 Main Street,
Anytown, North America
555-1234

Address: _____

Telephone: _____

Address: _____

Telephone: _____

Union Music Talent of Anytown, Inc.

SAMPLE BYLAWS

ARTICLE I — General Provisions

Section 1. Name — The name of the corporation shall be Union Music Talent of Anytown, Inc.

Section 2. Location — The principal office of the corporation shall be at 123 Main Street, Anytown, North America 00000. The Directors may establish other offices and places of business in the Commonwealth of Anywhere.

Section 3. Fiscal Year — Except as from time-to-time otherwise determined by the Directors, the fiscal year of the corporation shall end on the 31st day of December of each year.

ARTICLE II — Purposes

The purposes for which Union Music Talent of Anytown, Inc. is formed are:

- 1) to assist the members of the Anytown Musicians' Association in obtaining gainful employment in the musical and entertainment industry without any cost to the members so assisted,
- 2) to increase the employment opportunities of members of the Anytown Musicians' Association in the musical and entertainment industry without any cost to the members whose employment opportunities have been increased,
- 3) to educate the general public about the talent of and availability for employment of the members of the Anytown Musicians' Association without any cost to the members.

ARTICLE III — Membership

The members of the corporation shall all be Members in good standing of the Anytown Musicians' Association, Local 00, American Federation of Musicians', AFL-CIO

ARTICLE IV — Officers and Directors

The Officers of the Corporation shall be a President, Vice President, Secretary-Treasurer-Clerk, and five members of an Executive Committee, said Officers together constituting a Board of Directors. Said Officers shall be those persons duly elected to the same positions in the Anytown Musicians' Association, except that the Secretary Treasurer of the Anytown Musicians' Association shall also serve as Clerk of the Corporation. The officers and directors shall serve as long as but only as long as they serve in the same capacity in and for the Anytowns' Association, Local 00, American Federation of Musicians, AFL-CIO.

ARTICLE V — Powers and Duties of Officers and Directors

1. The President shall preside at all meetings of the membership and Board of Directors, and may call special meetings of the Board of Directors at his/her discretion. The President shall have such other powers and duties as are usually incident to this office and as may be vested in him by these Bylaws or by the Directors. He/she may decide cases of emergency pending approval of the Board of Directors.
2. The Vice President, in the absence of the President, shall have the powers and perform the duties of the President.
3. The Secretary-Treasurer-Clerk shall, subject to the direction and control of the Board of Directors, have general charge of the financial affairs of the corporation and shall keep full and accurate books of account. He/she shall have custody of all funds, securities and valuable documents of the corporation, except as the Directors may otherwise provide, and shall render a statement of the financial af-

fairs of the corporation at each annual meeting of the members and to the Directors and President upon request. He/she shall have such other powers and duties as are usually incident to his/her office and as may be vested in him by these Bylaws or from time-to-time designated by the Directors.

4. The Secretary-Treasurer-Clerk shall give such notices of meetings of members and Directors as are required by these Bylaws and shall keep a record of the meetings and votes of the members and Directors. He/she shall conduct correspondence and keep all books, papers and records of the corporation. We shall have such other powers and duties as are usually incident to his/her office and as may be vested in him/her by these Bylaws or by the Directors. In the absence of the Clerk from any meeting of the members or Directors, a temporary Clerk designated by the person presiding at the meeting shall perform the duties of the Clerk.

Other lawful provisions, if any, for the conduct and regulation of the business and affairs of the corporation, for its voluntary dissolution, or for limiting, defining, or regulating the power of the corporation, or of its directors, officers or members, are as follows.

(a) In addition to the powers granted to the corporation by General Laws, Chapter 180, the corporation shall have and may exercise in furtherance of its corporate purposes each of the powers specified in paragraphs (a) through (1) and (n) through (p), inclusive, of Section 9 of Anywhere General Laws, Chapter 156B.

(b) The corporation bylaws may at any time be amended or repealed, in whole or in part, by vote of a majority of the members present and voting at a duly scheduled meeting, provided that the substance of any proposed change must be stated in the notice of the meeting at which such action is taken.

(c) The corporation may be a partner in any enterprise which it would have power to conduct by itself.

(d) No part of the assets of the corporation and no part of the net earnings of the corporation shall be divided among or inure to the benefit of any officer or director of the corporation or any private individual or be appropriated for any purposes other than the purposes of the corporation as herein set forth except that the corporation shall be authorized and empowered to pay reasonable compensation for services actually rendered and to make payments and distributions in furtherance of its purposes as set forth in Article 2. All earnings, less reasonable expenses including depreciation, maintenance, and taxes, are to be turned over to Anytown Musicians Association, Local 00, American Federation of Musicians, AFL-CIO. It is intended that the corporation qualify for an exemption from federal income tax under Section 502(c)(5) of the Internal Revenue Code ("the Code") as the same may be amended from time to time.

(e) Except as may be otherwise required by law, the corporation may at any time authorize a petition for its dissolution to be filed with the Supreme Judicial Court of the Commonwealth of Anywhere pursuant to Section IIA of Chapter 180 of the State General Laws by the affirmative vote of a majority of the directors of the corporation then in office; provided, however, that in the event of any liquidation, dissolution, termination, or winding up of the corporation (whether voluntary, involuntary, or by operation of law), the property or assets of the corporation remaining after providing for the payment of its debts and obligations shall be conveyed to Anytown Musicians' Association, Local 00, American Federation of Musicians, AFL-CIO.

(f) Subject to the provisions of paragraphs (a) and (c) through (f), inclusive, of this Article 4, no contract or other transaction of this corporation with any other person, corporation, association, or partnership shall be affected or invalidated by the fact that (i) this corporation is a stockholder in such other corporation, association or partnership or (ii) any one or more of the officers or directors of this corporation is an officer, director or partner of such other corporation, association or partnership, or (iii) any officer or director of this corporation, individually or jointly with others, is a party to or is interested in such contract or transaction. Any director of this corporation may be counted in determining the existence of a quorum at any meeting of the board of directors for the purpose of authorizing or ratifying any such contract or transaction, and may vote thereon, with

like force and effect as if he were not so interested or were not an officer, director or partner of such other corporation, association or partnership.

(g) No current or former officer or director of the corporation shall be personally liable to the corporation or its members for monetary damages for or arising out of a breach of fiduciary duty as an officer or director notwithstanding any provision of law imposing such liability; provided, however, that the foregoing shall not eliminate or limit the liability of a current or former officer or director (i) for a breach of the director's duty of loyalty to the corporation or its members, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) for any transaction from which the officer or director derived an improper personal benefit. To the extent permitted by law, no amendment or deletion of the foregoing provisions of this paragraph (g) which restricts or limits the protections provided thereunder to current or former directors shall be effective with respect to actions and omissions of the officers or directors occurring prior to the date said amendment or deletion became effective.

(h) The foregoing clauses shall be construed as both purposes and powers and the enumeration of specific powers therein shall not be held to limit or restrict in any manner the general powers of the corporation.

5. The business and property of the corporation shall be managed by the Board of Directors, who may exercise all the powers of the corporation which are not expressly reserved to the members by law, the Articles of Organization, or these Bylaws.

6. The Board of Directors shall exercise general supervision over all affairs of the corporation and over its property, and may make and execute any and all agreements or contracts necessary to the exercise of that supervision; make annual reports to the members; and cause the accounts of the corporation to be audited annually by a non-member Certified Public Accountant, such audits to be published to the membership.

7. The Board of Directors may lease property for the operation of Union Music Talent of Anytown, Inc. and may purchase or lease all materials, fixtures, office equipment, and furniture necessary for such operation.

8. The Board of Directors shall authorize the expenditure of all funds of Union Music Talent of Anytown, Inc. for running expenses, operations, or for any other purpose. Any funds of Union Music Talent of Anytown, Inc. expended for any purpose shall be in check form and require the signatures of both the President and Secretary-Treasurer-Clerk.

9. The Board of Directors may engage an Executive Director to administer Union Music Talent of Anytown, Inc. The Executive Director, subject to approval by the Board of Directors, shall have the authority to engage additional personnel as needed, and shall meet weekly with the Principal officers of Union Music Talent of Anytown, Inc. to provide any requested information regarding the operations of Union Music Talent of Anytown, Inc.

10. The Board of Directors shall meet on the fourth Wednesday of each month. Two-thirds of the Board of Directors shall constitute a quorum for the transaction of business of Union Music Talent of Anytown, Inc. The Executive Director shall make a report to the Anytown Music Association Board of Directors on the second Wednesday of each month.

11. The Board of Directors is empowered to act in cases of emergency or any matters affecting Union Music Talent of Anytown, Inc. not specifically referred to in these Bylaws.

12. No Article or Section thereof of the Bylaws of Union Music Talent of Anytown, Inc. may be altered, amended, repealed, or added to except by approval by a two-thirds vote of those members of the Union Music Talent of Anytown, Inc. Board of Directors present and voting at a regularly scheduled Union Music Talent of Anytown, Inc. Board of Directors meeting.

13. Dissolution of the Union Music Talent of Anytown, Inc. may be effected only by a two-thirds vote of those members of the Anytown Musicians' Association Board of Directors present and voting at a regularly scheduled Anytown Musicians' Association Board of Directors meeting.

14. The President, Vice President and Secretary-Treasurer-Clerk may not serve as Leader on any engagement booked by the Union Music Talent of Anytown, Inc. The Board of Directors may not exert any influence regarding specifics of choice of acts or groups booked by the Union Music Talent of Anytown, Inc.'s Executive Director or other personnel.

ARTICLE VI — Meetings of Members

1. The annual meetings of the members of the corporation shall be held on the second Sunday in March and October of each year at such time and place as the Directors may determine. The quorum for a regular membership meeting shall be thirty-five (35) members in good standing. Special meetings of the members may be called by the Clerk upon the written request of fifteen (15) or more members. Such a request must state the purpose of the meeting, must be signed by all members making the request, and must be submitted to the President. Notice of the annual meeting and any special meeting setting forth the date, time and place of any such meeting shall be mailed to all members not less than seven (7) days prior to the date thereof, such notice, in the case of any special meeting, to contain a description of the general nature of the business to be transacted.

2. A majority vote of those members present and voting shall be sufficient to pass any measure or take any action except as otherwise specified in these Bylaws.

3. The parliamentary authority for the corporation shall be the current revised edition of "Roberts Rules of Order."

ARTICLE VII — Legislation

These Bylaws may at any time be amended or repealed, in whole or in part, by vote of a majority of the members, present and voting, provided that the substance of any proposed change must be stated in the notice of the meeting at which such action is taken.

ARTICLE VIII — Indemnification of Directors of Directors and Officers

The corporation shall, to the extent permitted by law, indemnify each person who may serve or who has served at any time as a Director or officer of the corporation against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon such person in connection with any proceeding in which he may become involved by reason of his serving or having served in such capacity (other than a proceeding voluntarily initiated by such person unless he is successful on the merits, the proceeding was authorized by a majority of the full board or the proceeding seeks a declaratory judgment regarding his own conduct); provided that no indemnification shall be provided for any such person with respect to any matter as to which he shall have been finally adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his action was in the best interests of the corporation.

Such indemnification may, to the extent authorized by the corporation, include payment by the corporation of expenses incurred in defending a civil or criminal action or proceeding in advance of the final disposition of such action or proceeding, upon receipt of an undertaking by the person indemnified to repay such payment if he shall be adjudicated to be not entitled to indemnification under this article, which undertaking may be accepted without regard to the financial ability of such person to make repayment. The payment of any such indemnification shall be conclusively deemed authorized by the corporation under this article, and each Director of the corporation approving such payment shall be wholly protected, if the payment has been approved or ratified (1) by a majority vote of a quorum of the Directors consisting of persons who are not at that time parties to the proceeding, (2) by a majority vote of a committee of two or more Directors who are not at that time parties to the proceeding and are selected for this purpose by the full board (in which selection Directors who are parties may participate), or (3) by a majority vote of a quorum of the members.

ARTICLE IX — Miscellaneous Provisions

1. Execution of Instruments — All contracts, deeds, leases, bonds, notes, checks and other instruments authorized to be executed by an officer of the corporation in its behalf shall be signed by the President or Treasurer, or by such other persons as may be specifically authorized by the Board of Directors.

2. Corporate Records — The original or attested copies of the Articles of organization, Bylaws and records of all meetings of incorporators and members shall be kept in Anywhere at the principal office of the corporation. They shall be available at all reasonable times for inspection by any member for any purpose in the proper interest of the member relative to the affairs of the corporation.

I have read the aforesaid document and attest to the fact that it is a true and accurate copy of the By-laws of the Union Music Talent of Anytown, Inc., as adopted by the Board of Directors of said corporation on_____.

(Name)
Secretary-Treasurer-Clerk