

Overview and Guidelines for AFM Single Song Overdub Work

This agreement is designed for the growing market of pay-by-the-song Internet Overdubs typically performed by one or more Musicians, in a home studio, for a single Employer, most often for an independent artist or label. This is designed for independent projects as a “stand alone” scale agreement. It can be combined with AFM Limited Pressing projects, but cannot be used for an AFM signatory label, or if the original track has been recorded under any other AFM agreement (i.e. Master Low Budget, Jingle or Demo).

The unit of commerce in this business model is the song, not the hour, and this agreement acknowledges that reality by allowing each musician to negotiate the scale amount according to supply and demand. It is our view that a musician should be able to charge by the song in a straightforward fashion without any deception or misconception about the rate.

The wages are determined by mutual agreement between the musician and employer, and the total “all-in” payment includes Pension and Health and Welfare. Unless the musician is a participant in an AFM Local Health plan, all monies are retained by the musician except for the Pension amount, which can be paid to the AFM-EP Fund through the applicable Local by whoever is marked on the contract - the musician, a payroll service, or the employer.

A Scale Worksheet is included with the Agreement, listing the scale wages, Pension, H&W and Pay Pal fee for payment amounts of \$100, \$150, etc. up to \$500. If video recording is requested, a 25% additional wage amount per song may be added, raising the minimum to \$125 per song. Up to 12 songs for one project in a six-month period are permissible under one Agreement. Multiple musicians can work under one Agreement if all musicians appear on all songs and everyone works at the same rate. The one exception is that the first musician to work under a signed SSOS Agreement may charge a higher rate as the designated session leader.

The typical 5 step procedure is as follows:

- 1. Negotiate the Rate:** The employer contacts the musician and sends a recording of the song via the Internet, CD, or hard drive. The musician responds with an offer of a per-song rate, with a minimum of \$100 per song, or \$125 minimum w/video, at the discretion of the musician.
- 2. Execute the Agreement:** When price is agreed upon, the musician emails the employer a Single Song Agreement to fill out, sign with an “X” and return. The musician then forwards the Agreement to their AFM Local for signatures by the local and the AFM national office.

3. Play the Part – Send a Mix: When overdubs are completed, the musician sends an overall mix with the new parts added to the employer for approval. It is best not to send an isolated track until you have received payment.

4. Get Paid – Send the Isolated Track: Upon approval by the employer, the agreed-upon “all in” payment, which includes scale wages, a Health and Welfare payment, a 14.09% AFM-EP Fund Pension contribution, and an electronic transaction fee is sent to the musician. Once payment is received via check, money order or Internet transaction, the musician sends the individual tracks to the employer in an agreed upon format and method. Whoever is designated on the contract (employer, musician, or payroll service) is responsible for making the Pension contribution through the Local. Musicians participating in their Local’s Health Plan will pay the H&W amount to their Local.

5. File the Contract – Pay the Pension: Once the information is received, the local will create and deliver the B-17 form contract and musician’s pension contribution to the AFM-EP Fund (and the H&W contribution, if applicable, to the musician’s Local Health Plan) no later than 30 days following the completion of each overdub session. If there is more than one pension contribution check for additional overdub sessions under one Agreement, a copy of the Agreement and B form must accompany each check sent to the AFM-EP Fund.

ADDITIONAL SINGLE SONG OVERDUB AGREEMENT PARAMETERS

6. Additional Songs/Multiple Players: A maximum of 12 songs are permitted in a six-month period for one project under one Agreement. Multiple musicians can be included on one agreement, if they are all working for the same per song amount. If the musician and the employer wish to include additional songs *after* the original agreement has already been executed and sent to the local, Musician will file a separate page titled *Addendum to Single Song/Single Player Overdub Agreement – Project Title _____ [insert name of Project Title from top of Agreement]* identifying the additional song(s) and compensation, and send the page to the local.

7. Paperwork Deadlines: Following the completion of each overdub session, the musician will deliver the following to the local:

- Within 72 hours of the completion of each overdub session:
 - a completed “Single Song/Single Player Overdub” information input form (which is available as a downloadable pdf at www.afm.org, or from the local) should be filed with the Local.
- Within 7 days of the completion of each overdub session:

- a completed Single Song/Single Player Overdub Report Form (which is also available at www.afm.org or from the local's website) should be filed with the Local.
- Within 15 days of the completion of each overdub session:
 - the AFM-EP Fund pension contribution (and the H&W contribution if the musician is a member of an AFM with an H&W plan) in the form of a money order, cashier's check, or personal check, on behalf of the employer.

8. Upgrade Threshold/Payment Amounts: If a song reaches an aggregate manufacturing or sales threshold of 10,000 units, including digital downloads, the Musician will be additionally compensated for a Special Master Session (1.5 hrs.) at Master Scale, currently \$286.59 for Sidemen and \$573.18 for Session Leader, plus a 14.09% AFM-EP Fund contribution. This total payment will apply for one or two songs, and no additional H&W payment is required. For more than two songs, or an entire album that has reached the upgrade threshold, the upgrade payment will be one Master Session, currently \$434.21 for Sidemen and \$868.42 for Leader, plus a 14.09% Pension contribution, for each 15 minutes of music. Employer will sign the AFM SRLA Recording Agreement and make the appropriate Sound Recording Special Payments Fund contribution, if required. The current sales threshold for triggering a Special Payments Fund contribution is 34,000 copies. For more information, please visit www.sound-recording.org.

9. Leader Designation: For any additional payments triggered by a single song or an entire project exceeding 10,000 digital and analog pressings as described above, the musician who is listed first on a contract with multiple players and/or whose Agreement with Employer is executed at the earliest date will be designated Session Leader. All other players will receive Single Scale. All song titles recorded under this Agreement must be provided. If the original (pre-overdub) track is used in the final version of the recording, that person may be added to the contract at the time of the upgrade.

10. Assumption Agreement: If the recording is picked up for distribution, licensed, or sold to a record label, the conditions of #7 and 8 above will apply, and an AFM Buyer's Assumption Agreement must be executed.

FOR MORE INFORMATION ON THIS AGREEMENT AND OTHER WAYS
THAT THE AFM CAN HELP YOU, PLEASE CALL US AT 615-244-9514
OR VISIT NASHVILLEMUSICIANS.ORG AND/OR AFM.ORG.
THANKS!