

ORGANIZE!

Jazz Fights for Justice

Since Blue Note New York opened its doors in 1981, New York City's premier jazz venue has provided a stage for some of the best musicians in the world: Dizzy Gillespie, Oscar Peterson, Ray Brown, Chick Corea, John Scofield, Ron Carter, and many more. The Greenwich Village institution also prides itself on treating artists with respect. Not all musicians who play major venues enjoy the security that comes with regular employment, and few are able to put money away for their retirement.

The Blue Note, and other major venues in New York City provide high-end jazz at high-end prices, and ordinarily pay their musicians well. Yet, every year, many less prominent jazz musicians in New York City and beyond are left in poverty at the end of their careers—without pensions, health benefits, or respect for the years they have given to their craft.

New York City's Local 802 sought to address this in 2006 when they approached the New York State Legislature with a proposal to repeal the sales tax on club admissions. The idea, one that was discussed by Local 802 and several of the major NYC clubs, including Blue Note, Birdland, and Jazz Standard was that, once the tax was repealed, the money could go towards pension contributions for the musicians who work those venues. This would help protect the musicians who frequently perform at these clubs by ensuring that they would have at least some retirement security through the union and prevent them from falling into poverty.

The tax was repealed and hopes were high that this pension would help those artists in need. But the clubs never followed through on the agreement, and currently, they refuse to even discuss the issue with Local 802 officials. So Local 802 is campaigning hard to get the clubs to do the right thing. That campaign is known as Justice for Jazz Artists.

"The clubs have gotten an advantage from this law that we lobbied for and reneged on at least an implicit promise to make pension contributions," says Local 802 Recording Vice President John O'Connor. "It's affordable and would not be difficult to do. Intermediaries we have spoken to say that [the clubs] don't believe this should be their responsibility. But the revenue is with the club—that's where the money comes from. That's it."

Justice for Jazz Artists (J4JA) has been fighting to obtain these pension benefits for jazz musicians in New York City by mobilizing supporters for their cause. Nearly 6,000 people have signed the petition online and their Facebook page boasts more than 52,000 fans. However, this still hasn't been enough to persuade clubs to sit down and settle the issue.

"The only way is to organize the community to get the clubs to negotiate," O'Connor says. Though government could repeal the law, they cannot enforce the clubs to give those dollars to an organization. "We don't believe that the night clubs want to be a pariah to the community they're trying to serve. We may have to look at a consumer boycott to hurt their bottom line. If you want to support them all [musicians]—it has to come from the resources at the source, which is the night clubs. These club owners have a responsibility to the musicians, and the community at-large, to fairly compensate these incredible artists who perform this great American art form. The clubs profit handsomely from the work of these musicians, enabling club owners to maintain a certain lifestyle to which we say, 'jazz built this!'"

Jimmy Owens is a New York City jazz trumpeter and has been a member of Local 802 for more than 50 years. He is one of many prominent jazz musicians fighting for the security and well-being of fellow players.

"It's affected me in seeing many of my friends and compatriots suffer," he says. "I'm trying to teach younger musicians that this is important for them, so when they're 55 or 65, they can have the benefit of some type of pension."

Owens notes that he's fortunate to have alternative income from his work in education, including as an adjunct professor at The New School for Jazz and Contemporary Music. However, for many working musicians he knows, playing in clubs is their sole income.

Owens says that people who have been in the music business, dealing with jazz, have historically made large sums of money over the years. "I'm speaking about record companies and the ownership of those companies, publishing companies, and jazz club owners," he explains. "All the musicians union is asking for is a small portion of that money to be paid back for the pension and health plans to help jazz artists in those areas—just like every business out there that's organized to pay into a pension fund and benefits to protect workers. In the case of jazz—all of these owners have reneged on that."

Arranger, bandleader, and musical director Steven Bernstein, who's long-time member



(L to R) AFM Secretary-Treasurer Sam Folio, President Ray Hair, and jazz bassist Colin Dean of Local 802.



Union Organizer Todd Bryant Weeks leads Justice for Jazz Artists (J4JA) musicians in New York's May Day Parade.

of Local 802, has been following the campaign for years. He has also recently endorsed it publicly.

"It's tough sometimes to imagine this thing going through," says Bernstein, whose bands, Sex Mob and the Millennial Territory Orchestra, perform all over the globe. "But it's really needed. Musicians are often reluctant to bite the hand that feeds them, and many jazz artists are skeptical of the union, which hasn't really stood by the jazz community all that much. But I feel that the current leadership, especially the folks behind Justice for Jazz Artists, are really on point with this. And there are musician out here who could really use access to basic benefits."

On December 15, 2009 Congress passed a bill honoring the 50th anniversary of the recording of the legendary Miles Davis album *Kind of Blue* and reaffirming jazz music as a national treasure. Yet, every day many jazz performers continue to suffer within the country that considers them a treasure.

Supporters of the Justice for Jazz Artists campaign range from NEA Jazz Masters (the highest award in the US that can be given to a jazz artist) to unknown side musicians to music fans, but it will take the collective power of all of these forces to inspire change.

"People need to organize and come down on the establishments that are doing this," Owens says. "I would love to see the AFM use our clout to make this situation better, to make the clubs do the right thing."

Others within the AFM are working with Local 802, including Local 47 (Los Angeles, CA). They're working to identify major nightclubs in their area and are very interested in the campaign as well. O'Connor hopes it will result in a national campaign at some point.

To learn more about the Justice for Jazz Artists campaign and to sign an online petition in support of this effort, visit www.justiceforjazzartists.org.



NYC jazz musicians prepare to march down Broadway in this year's May Day Parade. J4JA marches like this one will continue until NYC jazz clubs agree to meet with the AFM.

Photos: Walter Keeling