

## INTRO

(The following is read by Laura Colby over jazz music composed by Manual Cinema)

Hi, I'm Laura Colby and this is the Middle Woman, A Roadmap to Managing the Performing Arts. I'll be sharing personal anecdotes from my 30 years in the field, exploring the nitty gritty and the technicalities of this job. I'll tell you the story of how I got here and what it's taken for me to work in the industry of the performing arts.

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## EPIISODE 15

Hello, this is Laura Colby, founder and president of Elsie Management. In the 14 episodes, we've covered a lot of ground, and I thought it would be good to have a summary of many of the best practices that have revealed themselves in those episodes.

In general, best practices to me is working from a perspective of no surprises.

So, no surprises when your company got to that airport and self drove to that venue because you told them at the point of offer a long, long, long time ago that this was the venue that did not provide pick up or drop off at that airport and they would have to self drive on that gig.

No surprises when your company got to the venue because the tech advance actually happened between the company and the theater's production teams, so the White Marley was provided. And your company knew that this was the theater that had no crossover upstage, and they were fully prepared for that.

No surprises for the artist or the presenter during an engagement. Everybody got the dates and the repertory right. The technical requirements were understood by all parties, and the outreach schedule was executed by the artist. The artist was paid its full fee on time.

No surprise that that specific piece of repertoire was no longer available because your artist told you about that when it made that internal company decision way back when, so you stopped promoting that work.

No surprises that those airfares were so expensive because your company actually purchased them as soon as you had a confirmed engagement when the airfares

were actually still reasonable. No surprises in that your artist told you first about that big career news. So you weren't surprised when a colleague called you to congratulate you that that company you work for or represent or produce was awarded a Guggenheim fellowship.

No surprises that it's actually too late to file a visa for that international company entering the US this June because you are surrounded by calendars full of production schedules with deadlines and warnings and you know that even with a premium visa filing you need at least two months out from the engagement to file. And with a regular visa filing, you need at least six months. So you know what date it is.

No surprises, that grant deadline is at the end of this week, because you made a note in your calendar and requested that the drafted narrative from your artist be delivered four weeks in advance. And yes, you have all the grant deadlines in your calendar with lots of warnings as you approach those dates.

No surprises, that booking conference has an early bird registration or a deadline to submit workshops or an opportunity for you to apply for a pitch because you actually read all the emails they send you.

No surprises because hey, everyone actually did their jobs.

So, paperwork first. You've got to have your paperwork together. Artist representation agreements must be in place before you begin your representation. They provide consent for you to represent them or a specific work and they clarify the terms and they address expectations.

Engagement contracts must be completed. This points to closing the deal. How do you close the deal? As we discussed in the contracts episode, you get a contract signed. And the beginning of getting a contract signed starts with not letting offers sit. When you get an offer, you need to respond within 48 hours and your artists need to respond within 48 hours.

You should have enough information in advance that you are 90 percent certain the offer is solid before you send it off to your artist. You know the dates are good, meaning you know the artist is actually available for those dates. You know the fee is within range because you have their range of fees. You know the venue is or is not providing housing. You know the venue is or is not providing ground transportation. You know the venue has indeed read your tech rider and knows about everything that the artist is requesting. So with that information you can with confidence send that offer off to the artist, get their okay, and then confirm.

This is all part of closing the deal. Of course, the first thing that has to happen with closing the deal is that confirmation of terms, following that up with a deal memo. Maybe the venue gave you an offer, and often those offers from venues have a time limit on them. They often will say, offer good for 14 days. And then there's the issuing of the contract. And again, as I said in the contract episode, if you are within six months of your engagement, you should just get the contract submitted. But here's the thing, you need to find out if the venue is going to give you the contract or if you are going to submit the contract.

Frankly, you have more control when you submit the contract because at least you're responsible for getting it into them. And then yes, you have to chase and chase and chase those signatures as opposed to you waiting and waiting and waiting for them to send you the contract. Because the more of that window you have, the more risk you have, you don't actually have an engagement here. You may think you have an engagement. You may have a confirmation of terms via email, but as we discussed in the contracts episode, what is enforceable? You really, really, really need that duly signed contract. So don't sit on offers, figure out who's issuing the contract and get that paperwork going.

Part of best practices includes the engagement advance. So, you've got your terms, you've got a signed contract. And since all of your marketing assets were in place, you were able to get off all those high resolution photos and videos and language off to the presenter as soon as they asked for them.

If it's a brand new work and you don't have any photographs, is there something you can send them that best represents this work-in-progress piece? Be that a photo you took in the studio that's clean or can be cleaned up or smudged in the background so that all the junk in the studio doesn't show up, or go outside and take a pristine photo outside. Or have an artist draw some kind of graphic design or create a graphic image as this work is a work in progress.

I will say the photographs on brighter or lighter or white backgrounds are deeply appreciated by our venues. Since the majority of photographs are taken on stage, most of them have very dark or black backgrounds. Presenters love a photo with a bright blue sky or a white background because it's more versatile in terms of their graphics and what they can do with it on their websites, on their brochures. It just has more ability to be used in different ways. But if you've got a work-in-progress and you've got to give them an image, what is that going to be when you don't have a show yet? It's really great to have an interim look.

The next best practice step with your presenter is to get your tech advance scheduled between your company's TD and the theater's production manager. You can do this quite simply through email once you've got everyone's email addresses and then just let those people do their jobs. It's wise for you or someone from the management team to be present on the tech calls. You may not be needed at all, but this might be the call where the production manager for the theater says, Oh, we don't have a white marley and we cannot get one. And then you get to do your job to ensure that white marley, which the presenter said they would provide is actually provided.

This same example goes for all the things the presenter might have agreed to that never got communicated to their production team. For all you know, the production team may have never seen the tech writer. This is why it's critical to make sure that these tech advance calls happen and that you're on them to listen and make sure everything is covered.

So what does that mean, everything is covered? During the tech advance, it is so important that every little clause is acknowledged out loud and agreed to be that the wardrobe person who has to come, the clause that states the company will not tolerate any kind of sexual or verbal abuse. That this is also the time to ensure that the venue's technical team is aware of any special needs, be those wheelchair ramps, gender neutral bathrooms. This is the time.

Take the initiative to find out when the venue's program copy deadline is. You don't want to be surprised when you discover the venue pulled language from your out of date website for your program copy. You want your company's program copies to be up to date and accurate, and you can do that by asking for and making the venue's program copy deadline, but you won't know what that deadline is if you don't ask for it.

While your company is out on the road, it is really important for someone in that touring team to have an actual copy of the signed contract and tech rider. It doesn't have to be the paper documents, but if they're not going to travel with the paper documents, they need to be able to get to them without any trouble. So yes, often just printing the damn thing out and having it on them is the easiest way to travel.

Most engagement contracts are going to require that you provide general liability coverage, that your company has general liability insurance coverage. If you are touring in the 50 United States because of how litigious our country is, it is so important that both you, as the manager or producer, and your touring company, have coverage to protect the both of you. The rule is if someone in the audience or

in the theater sues the touring company, you as their representation or management will also be sued. You need to have this coverage to protect both of you.

Other best practices. Your companies should purchase their airfares as soon as they have a confirmation of terms. Hopefully that means they're buying their airfares at least four weeks out from the engagement start date. Even better if it's eight weeks out.

If a presenter comes to you super late with an engagement offer and you can meet that engagement date, you can always structure the fee plus airfares. So, it's the venue that's actually paying directly for those insanely high airfares being bought so late in the game.

When we receive requests for engagement dates for our international companies that fall within six months prior to an actual engagement date, we restructure the fee. As a fee, plus the cost of the premium processing for the U.S. work visa. So the presenter is paying this cost directly. You can do the same with freight. When it's too late in the game to use ground freight or to ocean freight because the date is just too close, you can ask the presenter to pay directly for the air freight or for overnight shipping.

When you buy airfares, you now will see the option to buy refundable fares at a different rate. Maybe if you're purchasing those airfares early enough, the refundable airfare could be within your budget. It's a good idea to buy them for all the reasons we know.

If you are flying overseas, you will see an option to purchase travel insurance. This travel insurance isn't just for your lost bag or canceled flight. It also typically includes health insurance. We know from experience this coverage is fantastic. It works and the cost is very reasonable, all things considered.

Your touring companies can require media or entertainment passes with most airline carriers. If they get one, they will be able to check extra baggage at a much lower rate than the punitive costs we are typically charged. It can be a super confusing process. It's carrier to carrier, but once you get the right person on the phone, it's well worth it. So call your airlines, start with the airline your company typically travels with the most. Secure media or entertainment passes to get the reduced rate on additional checked baggage.

Since the pandemic, our most pressing and leading best practice has been getting first payment for our artists. 99 percent of our roster will not take the risk

of placing their people out on the road without a guaranteed first payment. This decision is always in the artist's hands and we work at the service of the artist. So we're here to ensure if that's part of their company protocol that we make that happen. This requirement has become essential for them in their touring work.

This work of securing a first payment, this falls under our advocacy work for all of our artists and companies. Same with requiring gender neutral bathrooms or being picked up at the airport. It's all advocacy. Basically, if you don't ask for it, whatever it is, you are not going to get it. Don't assume anything. Don't assume they've actually read your tech rider and found that clause that said you couldn't have your show without those three, 20,000 lumens projectors. That's why the tech advance is so important, because then you get to that clause and it's like, oh gosh, the venue is saying, wow, we didn't know we had to get three, 20,000 lumens projectors. It doesn't matter how that got lost. What matters is, okay, great, can you get them? That's what matters.

Best practice is advocating for yourself, stating from the onset what your needs are, and following through with the necessary communication to ensure that when you get to the theater, everything is as it should be. No surprises!

Ultimately, best practices is about being honest with yourself. As a manager, can you really take that company on right now and do for them the work that really needs to be done? Or would it be a disservice to bring them onto your roster right now? Are you staying in communication with each of your companies regularly? It's so easy for three or four months to pass and suddenly realize you haven't actually spoken or emailed.

Best practice would be to address expectations of communication when your work begins with your artist and your company and to make adjustments as needed. Do you have a time each year when you can pause and ask yourself, is this working? How can I do this better? Are you setting aside that kind of time with your companies, at least once a year to have an honest conversation with them, to ask them, is this working? Have your priorities changed? What surprises happened for you or any of your artists in the last year that could have been avoided with some kind of advanced protocol? Is there something either of you can put into place moving into the future so whatever that thing was doesn't happen again?

Reflecting back from a place of doing better, as opposed to from a place of judgment, can be a great way for you and your artist to find better methods to work, to be sustainable, and to tour in this field.

I hope this summary is helpful as you move forward in your work in the performing arts industry. And I hope you'll go out and find a show that you haven't seen before and have an experience with an artist that might be new to you. And let me know about it. I want to hear what your experience was. Until next time.

(Fade out with jazz music by Manual Cinema)