

Wiley Contract Negotiations Update – Nov 8, 2022

Timing

Started discussions in May 2021 with their initial proposal for what they might offer BSA for a 5-year deal. After many months of back-and-forth negotiation, and outside advice from the consultants Clarke & Esposito, we agreed to Wiley's financial terms and their offer of a 5-year contract in February 2022.

Since May 2022, we have been working with legal counsel and working out the specific wording of the contract. We are now getting very close to coming to agreement on final contract language. BSA sent our latest revisions and suggested language to Wiley on Oct. 28 and has requested another call with Wiley by Nov. 15.

Sticking Points

1. Timing of the payments. BSA is pushing to keep the guaranteed minimum to pay out in January, as in past years.
2. Wiley wants us to use their Agreement for the Editors-in-Chief as a template (Exhibit 1 in the contract). We are trying to avoid micromanagement of our editors by Wiley.
3. Several clauses in the contract provide a way for Wiley to open up the contract to renegotiations. Since there was no talk of any possibility of needing to renegotiate or having a renegotiation clause when we came to terms with Wiley in Feb 2022, we are arguing that it is too late for them to introduce such clauses in the contract. We are unlikely to be able to totally remove these clauses but are seeking ways to minimize their impact.