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COLLABORATION PAYS OFF DENVER SETTLES EARLY

The Denver Symphony Orchestra has a long history of labor-management strife. The orchestra was locked out for 2 weeks in 1973 and 1974, 9½ weeks in 1977, and 11½ weeks in 1980. The story in 1983 is dramatically different, however. On June 8, DSO musicians voted 78 to 5 to ratify a new three-year agreement, achieved through remarkable collaboration, nearly three full months before the expiration of the old contract.

The peaceful and unprecedented settlement was the result of major philosophical and structural changes within the Denver Symphony organization, changes brought about by a strong desire of all involved to avoid repeating the past.

Following the disastrous 1980 lockout, it was clear to everyone that new methods of solving problems and conducting negotiations had to be devised. The first step, undertaken by Board President Helen Street and subsequently endorsed by her successor, L. Richard Freese, Jr., was the formation of two important committees which continue to function today.

One committee comprises the highest elected or appointed representatives of each arm of the symphony organization: five members from the executive committee of the board of trustees (including the president and the chairman of the board), the president and steward of the musicians union, the five musicians of the orchestra committee, and the executive director and general manager. Vaguely defined at first as a committee for improving communication, the BUMM Committee (for board, union, musicians, and management) evolved into the most important problem-identifying and problem-solving body within the Denver Symphony Association. The committee meets once every month during the season. Two observers each from the orchestra, staff, and board are invited to attend. Discussion is open and frank, and no subject is taboo. If there is any group beyond which the buck cannot be passed, it is this one.

The Long-Range Planning (LRP) Committee, formed in the months following the creation of BUMM, is made up of members of the board (including president and chairman), the executive director, general manager, the director of development, and three musicians. Appointments are made by the president for staggered three-year terms; the choice of musician representatives is made with the approval of the orchestra committee. The duty of LRP is to set long-range artistic and organizational goals and to suggest ways and means of achieving them. In drawing up its current plan, the committee held two retreats, to which the entire board and orchestra were invited, to discuss the future of the organization. It also solicited suggestions from most standing committees of the board, and it polled the orchestra members to learn in detail their ideas, gripes, hopes, and aspirations.

Recognizing that long-range planning is an ongoing process rather than a fixed event, the board recently designated LRP a standing committee. Although LRP acts in an advisory capacity only, all of its recommendations carry the endorsement of the president, executive director, and chairman of the board. Especially significant is the consensus of this committee that avoiding strikes and lockouts should be a major goal of any long-range plan.

To further enhance communication, musician observers are invited to board meetings, and board and staff members are invited to orchestra meetings. This was a frightening step to nearly all at first, but it broadened the base for discussion and led to greater understanding. At the direction of President Freese, minutes of all board meetings are now distributed to musicians.

When these changes were instituted, musicians truly became involved in the decision-making process. Morale began to improve. Issues formerly reserved for the negotiating table were identified, discussed, and sometimes resolved long before negotiations were to start. When negotiation time came, each team had a good idea of the other's actual needs, of what it would take for the other side to accept a contract.

Perhaps most important, and implicit in the very structure of these new committees, was the assertion that we would no longer solve our problems by digging trenches and declaring war. We would learn to cooperate. It was a philosophical change not entirely apparent at the beginning—the initial BUMM meetings were little more than dagger-staring sessions—but we quickly discovered that when we sat down at the same table, unencumbered by the pressures of reaching a contract settlement, to discuss issues rather than to lob proposals like hand grenades, the issues themselves became our only enemy. Factions began to dissolve. In LRP we began to hear board members taking the musicians' side, musicians taking management's side, each group beginning to understand and concern itself with the problems of the other. We were all equals. There were no sides anymore. We were all colleagues engaged in the same enterprise.

This gradual change in atmosphere caused, and was in some degree caused by, changes in personnel. The election in 1981 of President Freese, an advocate of the new approach, represented a major shift in the policies of the board. It was Freese's leadership, his encouragement of frank discussion, and above all his insistence on mutual respect that allowed the process to flower. When it became evident that a new leader was also needed on the management team, Freese and Board Chairman John Sweeney led an aggressive search for someone whose philosophical stance matched that to which the DSO now aspired. Stephen Klein became executive director in September, 1982.

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FROM THE EDITOR'S DESK

The story was recently told to me of a manager who was challenged by his orchestra's artistic advisory committee for re-engaging a certain guest conductor. The committee informed him that such a move was ill-judged; they did not care for this conductor.

"That's very interesting," replied the manager, "because the results of this survey of the orchestra about this conductor indicate general approval." The survey was one obtained by using the ICSOM conductor evaluation forms, the computerized results of which were properly and routinely requested from the ICSOM delegate by the manager because he was genuinely interested in his orchestra's appraisal of the conductors he engaged. The manager asked the surprised committee members if their personal individual views really represented an orchestra consensus.

The story raises questions about representation by committees, about conductor evaluation, about intra-orchestra communication, and about artistic advice from musicians to management.

The classic question about representation is whether spokesmen are obliged to always present the consensus of their constituents or to use their own judgment as to what is best for them. The views are ideally, but not always, the same. Committee members who do not accurately reflect the orchestra's views damage the credibility of the representation process. Orchestra members who do not let their views be known to their representatives run the risk of not being accurately represented.

A strong argument in favor of using conductor evaluation forms is that they document an orchestra's collective opinion, providing evidence that cannot be refuted by a handful of persons presuming to speak for the orchestra. So why don't more orchestra members fill out these forms? Possible explanations for such voluntary disenfranchisement are apathy and futility: a total lack of interest in having any say about the artistic direction of the orchestra, or a feeling that one's personal vote, or the collective vote of the orchestra, will have little effect on decisions regarding the conductors of one's own or any other orchestra.

The story also raises questions about the relation of the ICSOM delegate to the artistic advisory committee and the players committee. Why didn't these committees know that conductor evaluation results were going to management? If the ICSOM delegate isn't on these committees, he or she should always be in close communication with the orchestra leadership and keep them informed of activity that concerns them. Which raises another question: Why do some orchestras not select committee leaders, those who are most actively involved with the orchestra's labor-management relations, to serve as primary contacts with the national organization?

Finally, the tale of artistic input gone awry is timely because an entire day of the upcoming annual conference will be devoted to examining artistic issues and the role orchestra members can and should play in influencing artistic decisions.

Tom Hall

BACK ISSUES OF SENZA SORDINO SOUGHT

The editor is trying to compile complete sets of back issues of *Senza Sordino*, preferably with original copies which are unfolded and in good condition. Parties willing to part with their old issues, particularly but not exclusively those from Volumes I through X, are encouraged to notify the editor at the mailing address given elsewhere in this issue.

RATIFICATION, REIMBURSEMENT RESOLUTIONS ADOPTED BY AFM

As a result of resolutions adopted at the recent AFM convention held in Phoenix, locals are now required by AFM by-laws "to submit any Collective Bargaining Agreement negotiated for an orchestra, the members of which have Personal Service Contracts, which performs symphony, opera, or ballet services, to the members of the orchestra for ratification by a majority vote of those members voting." The quest for such right of ratification was a major reason for the formation of ICSOM over twenty years ago, and although many orchestras have by now been allowed to ratify their contracts, it is heartening to see such ratification made mandatory.

The AFM also adopted a resolution urging locals to reimburse ICSOM delegates for expenses to the annual ICSOM annual conferences. Because ICSOM is an official conference of the AFM, and considering the financial contribution orchestra musicians make to the union, such urging seems appropriate. Let us hope that those locals who don't already reimburse ICSOM delegates will follow the AFM recommendation.

ICSOM OFFICERS MEET WITH MAJOR MANAGERS, SERVE ON PANEL

ICSOM officers and major orchestra managers met in Chicago on Saturday, July 25, and continued the productive dialogue of earlier meetings. The meeting was held concurrently with The American Symphony Orchestra League (ASOL) annual convention, held in Chicago, June 22-26.

Attending for ICSOM were Chairman Frederick Zenone, Secretary Nancy Griffin, Treasurer Melanie Burrell, and *Senza Sordino* Editor Tom Hall. Managers at the meeting were Major Orchestra Managers Chairman Stephen Sell of the Philadelphia Orchestra, Ernest Fleischmann of the Los Angeles Philharmonic, Henry Fogel of the National Symphony, Stephen Klein of the Denver Symphony, and Albert K. Webster of the New York Philharmonic.

Topics discussed included the ongoing examination of current audition practices, use of résumé tapes, pooled health benefits, home taping and record rental legislation, exchange of players between orchestras, funding for touring, and conductor evaluation.

The managers also announced the following policy recommendation, passed unanimously on June 24 by the Major Orchestra Managers Conference, regarding the release of ICSOM delegates to attend the annual ICSOM conference:

We believe that improved communication between labor and management, a goal we all seek, depends in part upon the ability of the representative labor organization to get informed and consistent representation from each orchestra. This end is best served when the orchestra's elected ICSOM delegate can regularly attend the ICSOM annual conference and share completely in the information exchanged there. Therefore, we recommend that orchestra managements cooperate fully in allowing their ICSOM delegates paid time off from service to attend those conferences unless there is a compelling artistic reason to the contrary.

Burrell, Fogel, Hall, Klein, Sell, and Zenone also participated in a panel discussion, "Strengthening Labor-Management Relations," held as part of the ASOL convention. Discussion focused on the development of healthy day-to-day labor-management relations in symphony orchestras.

The musicians on the panel stressed the desirability of musician participation in the decisions that affect the orchestra. Burrell stated that musicians want to know more about management in order to participate constructively; she cited the recent Denver settlement as an example where this was accomplished. Zenone offered the hypothesis that a basic problem in labor-management relations is the divergence of values and goals tacitly assumed by trustees, managers, and musicians. Hall felt that finding ways for each segment of the symphony family to acquire a broader view of the entire organization could help alleviate misunderstanding and antipathy.

Managers voiced similar views and cited concrete action. Fogel, moderator for the panel, felt that musicians have much to offer and asserted that they have a right to participate in important decisions. As executive director of the National Symphony, he holds regular open forum meetings with the full orchestra to discuss a wide range of topics. Stephen Sell related that members of the Philadelphia Orchestra were consulted in recent long-range planning, including development of a mission statement. He invites orchestra representatives to staff meetings and finds they make constructive contributions. Sell emphasized that musicians should not be the last to know what's happening; when feasible, his musicians receive important information before it is to appear in the press. Stephen Klein also endorsed the concept of greater musician involvement and hoped that musicians would be willing to make the investment of time and effort needed to become more informed about the total institution. He stressed the importance of speaking candidly when musicians and managers express their views to each other.

A hopeful view of ever-improving relations was put forth by all. Would that such receptivity to labor-management collaboration, such non-adversarial approaches, such positive and amicable attitudes among musicians and managers were universal! Perhaps, with continuing dialogue and successful models to emulate, they will be someday.

The sooner the better.

CHICAGO LYRIC OPERA SETTLEMENT

On April 15, 1983, members of the Chicago Lyric Opera Orchestra ratified a new four-year agreement with the opera management by a vote of 59 to 4.

Negotiations began July 13, 1982, and concluded with a ten-hour session March 31, 1983. The orchestra sought to lengthen the season and keep the weekly minimum wage on a par with comparable orchestras. Management pointed to economic hard times and emphasized the necessity of long-range planning for any season extension. The four-year contract was finally agreed upon as a means to give management time to extend the season.

Very little substantive movement in negotiation was felt until the last weeks, when both sides finally came together with the help of federal mediator James F. Schepker. A new Lyric management team, headed by General Manager Ardis Krainik, presented a much less confrontational style of negotiation than had been evident in the past. This was, in fact, only the second settlement in the last fifteen years that did not end up being negotiated in the mayor's office.

The orchestra's negotiating team members were Chairman Michael Green, Tom Crown, Bruce Nelson, Norbert Nielubowski, and Carol Weiss. The committee extends special thanks for the unstinting efforts of Chicago Federation of Musicians President Nicholas C. Bliss and union attorney Michael C. Greenfield in support of the orchestra.

Tom Crown

Details of the Lyric Opera contract were noted in the *ICSOM Bulletin*, Major or notable provisions include:

A four-year term with a minimum of 17 weeks guaranteed each year. An additional 6 weeks of work is guaranteed over the term of the contract with not less than 20 weeks of work in the fourth year.

Minimum wage (formerly \$650 per week) increases each year to \$710, \$770, \$830, and \$890. Principal overscale remains at 25% of base scale. Seniority pay remains at 2% of minimum weekly wage, payable to musicians who have over 10 years of service. Vacation pay remains at 10% of minimum weekly wage (including principal overscale) and is paid at the end of the fall season and the spring season.

Health and welfare payments will increase from 4% to 4.5% and 5% in the third and fourth contract year.

Effective with the third contract year, a member may voluntarily retire after 30 years of service and receive full retirement severance pay.

Lyric is allowed up to 150 minutes (was 120 minutes) continuous playing time for a Wagner dress rehearsal.

U. S. MUSICIANS IN CANADIAN ORCHESTRAS

(Harold Clarkson, chairman of OCSM, the Organization of Canadian Symphony Musicians, has submitted to Senza Sordino a comprehensive overview of two decades of importation of U. S. musicians to fill vacancies in Canadian orchestras. Space limitations unfortunately prevent printing his article in full; the following is a condensed summary.)

Extensive hiring of U. S. musicians into Canadian orchestras began in the early 1960s. The creation of the Canada Council, counterpart of the National Endowment of the Arts, raised expectations of performers and audiences alike. Qualified Canadian musicians were in short supply, and orchestra managements felt it necessary to import U. S. musicians to improve standards. Expansion of orchestras in the late '60s and early '70s, aided by Council funding, created many new job opportunities. Immigration policy was generous; any U. S. musician offered a contract in Canada was automatically given an immigrant visa. Vacancies were often announced immediately in the *International Musician* without local auditions being held.

In the early 1970s, more qualified Canadian musicians became available, the result of upgraded programs in music schools and training orchestras such as the National Youth Orchestra. Among this new generation of Canadian musicians grew strong resentment of an open-door immigration and audition policy. Such feelings were aggravated by incidents where Canadian musicians had to travel to the U.S. to participate in auditions for jobs in their own country.

Under the auspices of the Association of Canadian Orchestras (counterpart of the American Symphony Orchestra League) and the Canadian Conference of the AFM, a new organization called Orchestra Operations was created to inform Canadian musicians of orchestra vacancies and to coordinate audition policy. Partly funded by the Canada Council, it is administered by an independent committee of union representatives, managers, music professors, and symphony musicians.

After discussion with immigration officials, a new level of auditions was established, the national Canadian auditions open only to Canadian musicians and to immigrants previously admitted to Canada. A Canadian job search must thus be completed before anyone from abroad can be considered. Orchestras now have local, national, and international auditions, with the process theoretically ending as soon as an acceptable candidate is found. Local auditions are sometimes omitted in smaller centers.

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DENVER SYMPHONY SETTLEMENT

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With new personnel, new outlook, and new organization, the basis for successful negotiations had been established.

When the five musicians, Union President Tasso Harris, Executive Director Klein, and General Manager Robert Stiles met in October, 1982, to set ground rules for a new and different negotiating process, the desire to find a way to settlement was felt with equal intensity by all.

We all agreed to identify issues and problems rather than put forth lists of demands. We would not trade proposals or count gains and concessions. We would discuss problems and possible solutions frankly. Any idea could be put forth for discussion. Hardened and absolute predispositions were to be avoided. In short, we agreed to collaborate.

We decided to work our way through the contract, noting provisions not at issue, those at issue and needing agreement (including financial items), and those needing only language change and clarification. We would write language changes agreed to as we went along. Should we need attorneys to help develop contract language, they would be brought in; otherwise, we would try to see if we could agree on working conditions without assistance.

Finally, we agreed in confidence to try to reach a settlement by June, 1983. All of us wanted to prove to musicians and board that the new organization worked, that BUMM and LRP weren't merely token gestures. We wanted to avoid alienating the Denver public with yet another lockout. Everyone wanted a reasonable settlement and was determined to make the collective bargaining process work this time.

Eight months later, after meeting over 100 hours, we had a contract.

It wasn't all roses. We had disagreements. The musicians' team was not always unanimous in its opinions; the board probably wasn't either. The Denver Symphony board of directors has run its business in the black for the last five years, but the new settlement creates a deficit which adds greater challenge and dimension to our responsibilities of collaboration. We are committed to working together to solve these problems.

Although changes in structure and philosophy allowed the Denver Symphony to climb from disaster to success, the individual personalities involved were very important. Freese's leadership has already been noted. Mr. Klein's honesty and forthrightness, his basic humanity, his insight into musicians' needs, and his courage in adopting an open and flexible stance in negotiations had much to do with reaching a milestone settlement. Fortunately, there were people on all sides who were willing to work long hours, willing to be flexible, able to speak articulately and listen well, unafraid to attack sensitive issues in a responsible manner, and above all willing to keep in mind the good of the entire organization. Our success or failure in the future will depend not nearly so much on our new committees as it will on the people who join them.

*Melanie Burrell, Gary Goble, Chet Hampson,
John Keene, Lee Yeingst*

Details of the Denver Symphony contract were noted in the *ICSOM Bulletin*. Major or notable provisions include:

Three-year term, 41 weeks each season (was 40), 5 weeks vacation within each season.

Weekly minimum wage (was \$531 + \$19 EMG) increases to \$551 and \$571 in the first year, \$621 in the second year, \$681 in the third. \$19 EMG additional in each year. Figures are based on 41 weeks, but salary is prorated and paid over 52 weeks. DSO has used such prorating since 1977.

Seniority pay (new) begins in second year. \$5 per week for 11-20 years of service, \$10 per week for 21 or more years.

Maternity leave (new): minimum of 6 weeks with pay.

Paternity leave (new): minimum of 2 days with pay.

Reserved parking space available on evenings and weekends in garage adjacent to DSO concert hall.

Negotiated dues (ICSOM dues and assessments) now mandatory, pursuant to St. Louis-NLRB ruling.

New standing review committee to review non-renewal of tenured musicians.

CANADA

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Orchestra Operations also established a bulletin system to more rapidly disseminate information about vacancies, job descriptions, audition times and places, and other pertinent data. Its bulletins go to every Canadian orchestra, every faculty or conservatory of music, and hundreds of subscribers.

These changes have brought about considerable improvement in the hiring of Canadians during the last seven years, but auditions remain controversial. Some audition committees and music directors are accused of going through the motions of national level auditions, declaring candidates unacceptable, and proceeding to test the larger U.S. market. Audition committees complain that too few Canadians audition and those that do are often improperly prepared and unrealistic in their expectations for employment. Audition committees may develop unreasonably high expectations of Canadian candidates, although it is certainly true that training of orchestral musicians in Canada still leaves a great deal to be desired.

Since its creation in 1976, OCSM has been involved in the auditions and immigration debate. OCSM encourages member orchestras to adopt the three-tier audition system, advocates shifting more responsibility for hiring players to the musicians and away from music directors, and lobbies for a National School of Music to improve the training of Canadian orchestral performers.

The Canada Employment and Immigration Commission helps Canadian musicians by subsidizing certain orchestral training programs, providing mobility money to unemployed Canadian auditioners seeking jobs within the country (but not, unfortunately, to those already employed and who are perhaps more qualified and experienced), and by being prepared to intervene when documented evidence indicates abuse of the national auditions procedure.

U. S. musicians can apply for Canadian orchestra vacancies announced in the *International Musician* knowing that national level auditions will have been completed and that, if hired, they will be given an immigrant visa entitling them to all rights of Canadian citizenship except that of voting in federal and provincial elections. While it is very easy for new immigrants to feel as though they never left home, they will find that beneath surface similarities lie substantial differences in laws, attitudes, and life styles; contact between U.S. and Canadian cultures will no doubt prove mutually enriching.

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