

Senza Sordino

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How Do You Spell Relief?

As ICSOM enters its twenty-fifth year, one of the most dramatic parts of the 1986 conference in Atlanta involved the discussion generated by the remarks of the AFM president Victor Fuentealba, who was present throughout the entire conference. Mr. Fuentealba fielded questions from a floor of delegates who are wrestling with difficult problems regarding exactly what the symphony players want from their union and what they are prepared to pay for it.

Work Dues

Certainly the most agitated discussion of the afternoon concerned the work dues we pay to the AFM. Many symphony musicians were surprised to learn that the largest amount of income to the Federation from work dues comes not from us, but from the recording musicians. Mr. Fuentealba conceded that in many local unions, the symphony musicians are paying a disproportionate share of work dues. A matter of great frustration to the musicians is that most resources in a local are spent just to keep the door open, leaving no money to provide services to the players. While the AFM negotiates contracts and handles arbitrations for the recording musicians, the symphony musicians have gradually become more involved in handling these matters. The price of our involvement has been high; in many locals, support for legal expenses is either resisted or unavailable. Some delegates described situations in which the orchestra participates vigorously in administration of the local, but there is simply no money available to assist the symphony players with legal fees. The delegates strongly urged Mr. Fuentealba to come up with some relief; he outlined his plan to survey the major locals in order to determine their financial situations. In addition, he will form a committee (including a representative from ICSOM) to study possibilities such as a ceiling on the work dues; recommendations of the committee will be forwarded to the AFM International Executive Board and hopefully will have an impact on the AFM convention next June. ICSOM delegates adopted a resolution urging the AFM to establish a standard level of union services to orchestras, including payment of fees for professional negotiators, arbitration costs, and expenses incurred by ICSOM delegates in attending the annual conference. It was also suggested that the AFM should be responsible for helping locals in need.

What is the AFM Doing for Orchestras?

The staff of the Symphony Department has been expanded to three persons (all of whom were formerly active in ICSOM), with Lynn Johnson setting up a West Coast Symphony Department in Hollywood. This past year, the AFM contributed to two conferences involving orchestra players. The AFM shared funding of a meeting called by ICSOM in March, 1986 for some of our member orchestras currently negotiating contracts. In July, 1986, a meeting between officers of locals and representatives of orchestras took place in order to promote better orchestra-local union relationships and explore mutual problems. Another

What Is Going On In ICSOM

Throughout the year, ICSOM works actively on a number of issues, sometimes assigning committees to pursue particular problems. This issue of *Senza Sordino* will give an overview of current projects within ICSOM.

The media committee is preparing for two upcoming negotiations: recording (November), and audio-visual (next summer).

The computer committee is presently surveying member orchestras to determine what sort of network is already in place within ICSOM, how computers can best serve our needs, and how we will interface with the AFM. On the subject of computers, our legal counsel, Leibowitz and DuBrul, is compiling on disk a series of "best clauses" from orchestra contracts. In the near future, ICSOM member orchestras will be able to obtain a printout from counsel of sample language on any contract topic.

The conductor evaluation process used by ICSOM is an ongoing responsibility of the president. This year, the Regional Orchestra Players' Association (ROPA) requested and was granted permission to use our form and our questions. ROPA will not participate in our computer system, however.

ICSOM has worked very hard, together with the AFM and the Major Orchestra Managers Conference (MOMC), to develop a code of ethical audition practices. ICSOM has formed a tape resume committee to look further into the many problems in the use of audition tapes.

ICSOM works on a national level to promote the Music Assistance Fund Orchestral Fellowships program (see *Senza Sordino*, Dec. 85), through which orchestra fellowships are awarded to minority players of stringed instruments. Daniel Windham, the director of the Fund, addressed the 1986 conference.

Work continues on the problems of sound levels at the workplace and transportation of large instruments. ICSOM participates in the development of and gives two scholarships to the Congress of Strings, an annual activity of the AFM.

ICSOM is pioneering in the study of medical problems of musicians. Preliminary results are in from the medical survey taken last spring and will be reported as they are tabulated.

A meeting is scheduled in early December between the ICSOM executive committee and representatives of the MOMC to discuss matters of mutual concern. One topic will be a review of last year's medical survey.

ICSOM operates the Emergency Relief Fund to assist member orchestras which are on strike or locked out. During the 1986-87 season, the ERF will be able to loan \$14,410 to each orchestra experiencing a work stoppage. Loans are repayable interest-free for one year from the date an orchestra settles its contract; after that time, the prime rate is charged.

How Do You Spell Relief? Cont.

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worthwhile activity to which the AFM is contributing is the music medicine study which began last spring.

Legislative Activity

A primary responsibility which the union has to us is to maintain an active role in lobbying Congress. We have been directly affected by legislation: witness the ability of the Oakland Symphony Orchestra management to file for Chapter 11 this past September in order to put aside a union contract. (The Oakland Symphony subsequently filed for and was granted a Chapter 7 liquidation under the U.S. Bankruptcy Code.) Currently, the AFM is working for passage of S. 670, which guarantees the same rights of union representation to all musicians. A connecting theme of Mr. Fuentelba's remarks concerned the constraints under which unions operate in today's anti-labor climate. Because the Taft-Hartley Act has drastically limited the union's power, there are fewer incentives for a casual musician to join the union, and therefore the burden of supporting that union falls more heavily on us symphony players.

Threat of Synthesizers

Mr. Fuentelba devoted some of his address to the topic of synthesizers, samplers, and emulators. Many of us are aware of the encroachment of synthesizers on the jingle, movie, and t.v. industry, but were shocked to learn that symphony orchestras too are now vulnerable. Mr. Fuentelba cited a very disturbing article which appeared in the June 27, 1986 *Star Ledger* titled, "Jersey Ballet Employs Electronic Orchestra." The increasing sophistication of synthesizers has attracted the concern of the international music community, and Mr. Fuentelba impressed upon the conference the seriousness and the extent of the synthesizer problem.

To Split or Not?

In the twenty-five years of ICSOM's existence, the effort to achieve a better relationship with the AFM and the local unions has continued to provide challenges and provoke controversies. Several delegates to the conference put forth views about separating from the AFM. Other delegates expressed the opinion that we have enough in common with our non-symphonic colleagues that we are better off staying in a large and diverse organization. Certainly we all have a tremendous amount at stake in the direction which the AFM will take regarding issues such as the work tax and the role of the union in the symphony workplace.

What is Going On In ICSOM Cont.

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Through the efforts of its various committees, ICSOM is actively addressing issues of concern to orchestra musicians. Personnel and accomplishments of the committees will be noted in future issues of *Senza Sordino*.

Settlement Summaries

Please note that complete and comprehensive accounts of orchestra settlements are reported in the ICSOM Bulletins which are sent to each ICSOM orchestra.

At press time, there are nine settlements to report: Utah, Atlanta, Cincinnati, Metropolitan Opera Orchestra, Denver, Cleveland, Buffalo, Indianapolis, and New Jersey. (Denver,

Indianapolis, and New Jersey will be detailed at a later time.)

Utah ratified a two-year agreement with major gains in the area of working conditions. Of primary importance to the musicians is instrument insurance, which they have never had and which now provides total coverage up to \$50,000 per player for instruments used in the orchestra. Another big improvement came in the disability leave provision, which now guarantees 90 days at full pay, plus 91 weeks at 2/3 of minimum scale. Discussion is ongoing about adjustments to the pension plan; an increase has been guaranteed, but the logistics have not yet been worked out. Because financial gains fell short of the players' expectations, Utah musicians limited the term of the agreement to two years. Wages (were first six months, \$505; second six months \$520) are now: first year, \$520; second year, first six months \$530; second six months, \$550.

A settlement which was weighted more towards financial gains took place in **Atlanta**. Increases were granted in the areas of salary, pension, seniority pay, and life insurance. Improvements in working conditions occurred in vacation schedules, rehearsal breaks, and dismissal clauses. The musicians accepted an increase in medical deductible, forfeiture of the personal leave day in the third year of the contract, and loss of some local bus transportation. Wages (were \$638 plus \$35 EMG) increase to \$660 plus \$50 --\$707.50 plus \$62.50--\$755 plus \$75. Pension increases from \$10,800 to \$13,000--\$14,000--\$16,000.

In its second advance settlement of a contract, the **Metropolitan Opera Orchestra** has ratified a new agreement for 1987-1990. Five per cent increases across the board occurred in wages and broadcast scale. Improvements occurred in vacations (with the addition of compensatory time off), rehearsal limitations, and length of work day. New clauses were added to the pension, including "Rule of 85," which states that any combination of years of service plus age that equals 85 qualifies a musician for full retirement benefits. A "30 years and out" clause states that a musician of any age may retire, at full pension, after 30 years of service. Wages (were \$875) are now \$918--\$964--\$1,012.

Cincinnati made financial progress in its 4-year contract. A new summer home for the orchestra will result in redefining the summer season. Seniority pay is now in addition to overscale. Although the insurance deductible increased, the players' cost will decrease, with management paying the difference. Pension includes "rule of 85" and "30 years and out" clauses with full retirement benefits, and it increases from \$14,000 to \$17,000 over the life of the contract. Improvements were made in the overtime pay system and in rehearsal scheduling. Wages (were \$745 plus \$30 EMG) will be: first year, \$770 plus \$30 EMG (six months); \$795 plus \$30 EMG (second six months); second year, \$795 plus \$45 EMG; third year, \$830 plus \$45 EMG (six months); \$870 plus \$45 EMG; fourth year, \$910 plus \$45 EMG (six months); \$955 plus \$45 EMG.

Cleveland made gains in wages; a significant change was the conversion of what had been straight dollar amounts to percentages. Extra rehearsals, concerts, overtime, and syndicated radio broadcast will now be paid as a percentage of scale; thus, increases are built in over the life of the contract. Starting in the third year, seniority pay increases from \$3 to \$4 per year of service and the pension will increase from \$16,000 to \$20,000. Management will give \$20,000 each season to the union to distribute to orchestra retirees in need. New to the audition clause of the contract will be the inclusion of two players from the section in which there is an opening, thus expanding the committee from five to seven persons. The players achieved limitations on what can be scheduled on

days off. It should be noted that Cleveland has never had an EMG, so recording activity is additional income. Wages (were \$840) go to \$900; \$950; \$970 (six months); \$1,000 (six months).

Players in the **Buffalo Philharmonic** overwhelmingly ratified a new three-year agreement. The season increases from 44 weeks to 46 in the third year. Wages (were \$510) increase to \$550, \$584, and \$619. Management's contribution to the pension (was \$100,000 per year) will be \$110,000; \$115,000; and \$120,000. Management guaranteed that four weeks lost by the late start of this season will be made up. Specific language was worked out for the orchestra's summer activities at Art Park. In the third year of the contract, players will receive a bonus equal to two percent of the endowment (including pledges).

As We Go To Press

San Diego--still locked out (since Sept. 15)
 Honolulu--still on strike (since Aug. 8)
 Dallas--playing and talking; contract expired Aug. 24;
 negotiating with Dallas Opera
 Boston--extended contract through October 31
 New Orleans--playing and talking

New Officers Chosen at Conference

ICSOM has recently undergone personnel changes in the executive committee and the governing board. Frederick Zenone, chairman, and Tom Hall, editor of *Senza Sordino*, decided not to run for office, thus creating two vacancies on the executive committee. Melanie Burrell, formerly the president of ICSOM, was elected chairperson. Nancy Griffin and Penny Anderson were re-elected to their respective offices of secretary and treasurer. Two newcomers to the executive committee are Lynn Larsen as president and Debbie Torch as editor of *Senza Sordino*.

Lynn joined the Utah Symphony as assistant first horn-player in 1971, and assumed his present position as second horn in 1974. He has served as chairman for three of his six years on the orchestra committee and as chief negotiator in two of the three negotiations in which he has participated. He has also represented the orchestra on the artistic advisory committee, the executive director search committee, and is currently a member of the board of directors of the Utah Symphony. Lynn brings to the presidency expertise gained from his internship as an American Symphony Orchestra League Orchestra Management Fellow in 1984-85, during which time he worked with the Denver, St. Louis, New Mexico, and Roswell (New Mexico) Symphonies.

Debbie has been a member of the first violin section in the San Antonio Symphony since 1978. Her political experience has included membership on the orchestra and grievance committees, participation on the "bumm" (board-union-musician-management) committee, service as an orchestra strike counselor, and designation as an official orchestra speaker during the 1985 strike in San Antonio. She is also a published translator and writer.

Ellen McGlone's recent move to the AFM Symphony Department left open a one-year remaining term as member-at-large on the governing board. The new member-at-large, assuming Ellen's duties, will be Florence Nelson, ICSOM delegate from the New York City Opera Orchestra. Continuing their service as members-at-large will be Donald

Whyte of the New York Philharmonic, Gary Smith of the St. Louis Symphony, and Michael Nutt of the Los Angeles Philharmonic. Florence, Gary, and Michael will be in touch with about fifteen orchestras apiece in order to facilitate the sharing of information among the ICSOM membership. The conference voted to retain the firm of Leibowitz and DuBrul as legal counsel.

All of the elected officers were those slated by the ICSOM nominating committee: Marguerite Figeroid, Ellen Mc Glone, and Irving Segall. In wishing to express its appreciation for the outstanding job he has done as chairman, the conference unanimously passed a resolution naming Zenone chairman emeritus.

Chairman's Report

In his report to the conference, Frederick Zenone outlined the liaisons which ICSOM has achieved with several important organizations. Establishing ties to groups outside of ICSOM is a major role of the chairman.

A cooperative effort involving ICSOM, the AFM, and the Major Orchestra Managers Conference (MOMC) resulted in the development of an audition code of ethics and joint funding of the medical study which was begun last spring.

Our relationship with the National Endowment for the Arts began 10 years ago when we invited the NEA to our conference in Denver. Since that time, ICSOM musicians have been invited to participate on various NEA grant panels.

Looking within ICSOM, Zenone commented on the symposium held last March for negotiating orchestras. The reluctance of some orchestras to share non-privileged information with other ICSOM orchestras goes totally against the cooperative philosophy and goals of ICSOM. A follow-up meeting which took place during the ICSOM conference was successful in that the negotiating orchestras were able to renew their sense of cooperation with one another. Zenone stated that it is imperative for our member orchestras to consider themselves part of the national field; an orchestra which isolates itself will jeopardize its own and everyone else's chance to make progress.

Thank You, Frederick Zenone

After serving for six years as chairman of ICSOM, Frederick Zenone has decided not to run for re-election. There seems no way to pay adequate tribute to Zenone's many accomplishments as chairman. Under his leadership, ICSOM has expanded its liaisons with organizations such as the AFM, the Major Orchestra Managers Conference and the American Symphony Orchestra League. Our gains as a result of these relationships cannot be overstated. Zenone has opened lines of communication with some of the European orchestras, exchanging information about matters such as administration and funding. Zenone has offered guidance within ICSOM, showing us that each and every orchestra has something of value to offer to the field, and helping us understand how to use the resources that we have in our membership. We thank Frederick Zenone for his outstanding contribution to ICSOM, and are delighted that he has agreed to serve on the media committee and as advisor for the joint administration of health care project.

Henry Shaw

unanimous resolution of the 1986 conference:

WHEREAS Henry Shaw was present at the creation of ICSOM in 1962 and attended virtually every annual conference since that time; and

WHEREAS by virtue of his wisdom, dedication, untiring effort, sense of justice, and ever-gentlemanly demeanor in working with his colleagues, Henry Shaw has throughout ICSOM's first quarter-century been a guiding light and distinguished leader, serving for three years as regional vice-chairman for central orchestras, ten years as editor of *Senza Sordino*, and in numerous other ways;

THEREFORE BE IT RESOLVED that the 1986 ICSOM conference be dedicated in honor of Henry Shaw; and

BE IT FURTHER RESOLVED that the delegates to this 1986 conference hereby express to Henry Shaw their sense of loss at his absence from this conference, their congratulations and best wishes upon his retirement from the Cincinnati Symphony Orchestra, and above all their deepest gratitude for his invaluable contributions to ICSOM and to the welfare of symphony, opera, and ballet orchestra musicians.

Chickens, Blood, Swords

Squawking chickens, dripping blood, and flying swords are among the hazards confronting orchestras in the pit playing opera. To add insult to injury, the symphony which is playing opera must deal with problems posed by the length and special demands of opera services. At the opera workshop chaired by Florence Nelson, ICSOM member-at-large and delegate from the New York City Opera, delegates discussed ways for symphonies to handle the problems of opera work. Suggestions from the floor included exchanging rehearsals for the extra opera rehearsal time; receiving extra money for longer hours; limiting the amount of playing time that can elapse without a break; limiting the number of services per week; and creating a rotation system to allow an equitable distribution of services through the orchestra. Some orchestras have found the necessity for specific contract

language defining what constitutes a dress rehearsal. Having an adequate turnaround time between services is essential. Delegates pointed out the need to guard against management's being able to cancel weeks of work if an opera is cancelled. In the event that there is no room to accommodate a backstage band and a tape is used, the players should be paid every time the tape is played. Scenery constructions which are built right into the pit exacerbate the discomforts of playing at close quarters, and also interfere with sight lines, air circulation, and resonance. The pit also magnifies the problem of excessive sound levels. As for the hazards of flying debris, players in the Alabama Symphony have insisted that a net be hung over the pit just in case that sword-wielding soprano is ready to cut someone's throat.

Recording Problems

Discussion of recording practices and the AFM Phonograph Agreement brought to light a problem which is surfacing in a number of orchestras. Managements are attempting to produce special fund-raising or promotional recordings from archival or broadcast tapes without paying the musicians. Some orchestras and their locals have approved such projects without consulting the AFM. Lew Waldeck, head of the AFM Symphony Department, urged orchestras to check with the AFM before allowing records to be made under any terms other than those outlined in the AFM recording agreement. The ICSOM conference unanimously adopted a resolution concurring with Waldeck and also requesting that the AFM remind locals to check with the Federation before authorizing any records for fund-raising. A copy of the resolution will be sent to each ICSOM delegate.

Editor's note: I would like to thank Tom Hall for his invaluable assistance in preparation of this issue. He has contributed to the articles and offered helpful advice concerning production. His many accomplishments as editor are an inspiration, and not a little intimidating!

Appearing in future issues of *Senza Sordino*: the Oakland Symphony bankruptcy; report about the Department of Professional Employees, at the AFL-CIO; the 1986 Music Medicine Conference; health care cost containment.

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