

Senza Sordino

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ST. LOUIS WEATHERS SEVEN WEEK STRIKE

After being on strike for seven weeks the members of the St. Louis Symphony Orchestra ratified a new contract. The provisions of the settlement are as follows:

Term — Three years.

Wages — First year, \$420; second year, \$460; third year, \$510. These are increases of \$30; \$40; and \$50.

Electronic Media Guarantee — There was an increase from \$30 per week to \$40 per week. A new provision, asked for by management calls for services that have secondary usage as Electronic Media services to be paid for above the guarantee.

Pension — There will be an increase from \$6500 to \$9000 in the third year of the contract, with accumulation of benefits to age 70 for players who do not have 30 years of service at age 65.

Insurance — Life insurance is increased from \$7500 to \$15,000. Long term disability that pays 50% of monthly salary up to a maximum of \$2000 per month.

Medical Coverage — Dental plan with a \$50 deductible provision pays benefits up to \$1000 a year. Major medical plan with a \$50 deductible (\$100) per family.

Per Diem — Up from \$17.50 or \$21 (depending on size of the city) to \$23, \$24 and \$25. As in the past, management provides single room.

Vacation — Increases from seven to eight weeks.

This strike, while very bitter, did end on some positive notes. One was an agreement to establish a joint orchestra/management committee. This committee should provide a forum where both sides can air problems in a constructive fashion.

The other positive note was the contribution of Mstislav "Slava" Rostropovich. When asked to help by St. Louis musicians, he offered to come and play a concert with the orchestra for no fee if the strike was settled. This generous contribution was very helpful in getting the negotiations off dead center and also was responsible for restoring one of the eight weeks that the management had cancelled. I cannot stress enough how helpful this was to us at that time. It was truly the mark of a great musician and human being.

Our thanks to the other ICSOM orchestras who sent a flood of telegrams, money and advice; to our able counsel, Len Liebowitz and especially to the officers and board of Local 2-197 A.F. of M. and to Louis C. Nauman, president of that Local for their help and understanding.

Brad Buckley, ICSOM Representative,
St. Louis Symphony Orchestra



photo by Gary Smith

"Slava" Rostropovich shakes hand of Jacques Israelievich, St. Louis Symphony concertmaster after strike benefit concert.

The major issue of the strike was *seniority pay*. The management took a very hard line on this issue. As seniority recognition has become an industry standard I'm sure that this issue will come up again. Hopefully in the future it can be discussed in a positive, mature way.

CHICAGO CONCERT BROADCAST LIVE BY BBC

The British Broadcasting Corporation broadcast live from Orchestra Hall the Chicago Symphony performance of Beethoven's Symphony No. 9 on Friday, October 1, conducted by Music Director Sir Georg Solti. The concert was transmitted to the United Kingdom and several European countries through cooperation between the BBC and the European Broadcasting Union.

This is the second time that the Orchestra has been chosen for this honor by the BBC. The first broadcast was last season (November 24, 1978) for a performance that included the premiere of Easley Blackwood's Symphony No. 4, conducted by Maestro Solti and relayed to the United Kingdom. The Chicago Symphony is the only U.S. orchestra selected for this honor.

The concert was transmitted live by satellite to Britain and Europe. Leo Black, senior music director at the BBC, coordinated the transmission which was broadcast by radio networks in the United Kingdom, Italy, Belgium, Sweden, Finland, France and Germany. Production capabilities were provided in part by WFMT, Chicago's fine arts radio station.

The BBC is now in its second year of broadcasting radio tapes of Chicago Symphony performances, which this season feature 13 selected broadcasts for overseas listeners. Other BBC broadcasts of the Orchestra include performances at the Henry Wood Promenade concerts during its 1978 European tour. The Chicago Symphony radio service is now carried by nearly 350 stations across the United States and Canada, the largest syndication network of any American orchestra.

Sam Denov
Chicago Symphony Orchestra

LET'S HELP BUST THE BROADCAST LOBBY

Do you know that in the U.S. the sound recording is the only copyrighted work of intellectual creation that does not have a "performance right"; that is, a right to royalties on its performance? This right is granted to owners of copyrights on plays, musical compositions and motion pictures, among others. This inequity is not by accident. It is the result of a concerted effort over a long period of time by the broadcast industry to avoid payment by persistent lobbying to defeat legislation that would rectify this injustice.

Despite the fact that Congress and the courts have acknowledged the fact that the production of a sound recording is a creative activity deserving of copyright protection, the monumental strength of the broadcast lobby has time and time again been successful in tipping the scales in their own favor when their interest seemed at stake. Broadcasted recording music accounts for 75% of all radio programming in commercially available time.

Unbelievably, while we still struggle for an equitable solution, 54 countries, including most of the western world, respect a performance right in sound recordings and would willingly pay royalty fees for the broadcast of our records in their countries if there were reciprocal rights honored in the U.S.

The U.S. Register of Copyright has submitted to the Congress an extensive report on the issue of performance rights. The study concludes that "in general, radio broadcast stations would be able to pay a record music license fee without any significant impact, either on profits or the number of stations in operation."

This brings us to the consideration of a bill presently in congressional sub-committee that would at least provide a foot in the door solution to this nagging problem. H.R. 997 allows for a performance right in sound recording. It provides for compulsory licensing and payment of an annual royalty fee by anyone wishing to perform any sound recording. This would include radio and TV stations, juke boxes, background music services, discotheques and other users. It would exclude radio stations with revenues under \$25,000 a year and TV stations with revenues under \$1,000,000 a year; background music service with revenues under \$10,000 a year and public broadcasting organizations.

Royalties would be divided as follows; 50% to the performers and 50% to the copyright owner (the record company). The performer's royalties would be divided equally among all persons involved in the recording. This royalty is not to be confused with special payment fund money which you currently derive from the making of recordings.

We are entitled to the benefit of performance rights as are the providers of other intellectual creations. It is therefore in the interest of us all to work for passage of H.R. 997. The following congressmen are on the Subcommittee on Courts, Civil Liberties and the Administration of Justice, which is considering the Performance Royalty Bill:

Robert Kastenmeier, Wisconsin
 George E. Danielson, California
 Romano L. Mazzoli, Kentucky
 Lamar Gudger, N. Carolina
 Robert T. Matsui, California
 Abner Mikva, Jr., Illinois
 Tom Railsback, Illinois
 Carlos J. Moorhead, California
 Harold S. Sawyer, Michigan

All congressmen listed can be addressed: U.S. House of Representatives, Washington, D.C. 20515. It would be especially helpful for orchestras in Wisconsin, California, N. Carolina, Illinois and Michigan to zero in on its particular congressmen.

Write urging equity for those producing sound recordings; protest broadcasters who make great profits without compensa-

tion to creators of the work product; stress that musicians and other performers are suffering from depressed economic conditions and needs the compensation; argue that performance rights are needed by the recording industry to protect them against rapidly developing technology which makes it easier to tape records directly off the air from broadcasts: Consumer Federation argues that the burden of financing the creation and production of sound recordings should be shared by broadcasters, not left to the consumer alone; The National Endowment for the Arts claims that under the present system, broadcast stations are loath to seek out a variety of live programming alternatives which would improve the quality and variety of programming offered to the public.

Henry Shaw, editor

OREGON SIGNS IN SEPTEMBER

The Oregon Symphony Orchestra ratified a three year contract in September. The following are the more important features of the settlement.

The new contract calls for a 10% increase across the board for the first two years and a 12% increase in the 1981-82 season. Weeks or employment will be increased from 36 last year to 38 effective this season and to 39 in the 1981-82 season.

Minimum No. of guaranteed services

	1979-80	1980-81	1981-82
Contract A Players (was 130)	140	155	160
Contract B Players (was 180)	195	205	210

Minimum weekly salary

	WAS	1979-80	1980-81	1981-82
Contract A Sideman	\$145.28	\$163.03	\$198.56	\$223.67
Contract A Principal	210.78	236.56	288.10	324.55
Contract B Sideman	217.75	245.85	284.30	317.80
Contract B Principal	306.90	346.48	400.68	447.89

Employer paid pension which was 5% was increased to 6%; 6.5%; and 7%.

Vacation pay, at individual perservice scale will be; 1st year - ½ week; 2nd year - 1 week; 3rd year - 2 weeks.

There will be 18% premium pay above individual per service scale for each out of town concert.

Severance pay has been increased from \$750 to \$1,000.

The Conductor may not fire in his first season of employment with the society, as well as his final season.

A new audition procedure gives the Committee veto power over the conductor's vote.

Carla Wilson, ICSOM representative
 Oregon Symphony Orchestra

HENRY SHAW TO BE NEA PANEL MEMBER

Henry Shaw has been approved by the Executive Committee to succeed me as the ICSOM representative on the Orchestra Panel of the National Endowment for the Arts. It is the NEA policy to rotate Panel members every three years. The Panel meets in Washington December 3rd to 6th.

Henry brings to the Panel a thorough knowledge of the Symphonic profession as a player, as a member of many orchestra committees, as an officer of ICSOM, and as editor of *Senza Sordino*.

ICSOM's continued presence on the Panel is recognition of the fact that we are the "voice" of the symphony musician in the United States. Henry Shaw's expertise will continue to make that voice influential and effective.

Irving Segall

There are still a nominal number of ICSOM Directories available to service new orchestra members that did not receive a copy last season. ICSOM representatives can contact the *Senza Sordino* editor for shipment.

LETTER FROM THE EDITOR

Here we are quickly approaching the new year. Perhaps some of you are drawing up a resolution list. If so, may I suggest an addition. Resolve to ease the burdens shouldered by your orchestra committee. It is in the event that, like so many of us, you have taken your orchestra committee for granted in 1979.

We magnanimously endow them with our vote each fall and send them off to do battle. Too often they find that, conceptually, they are thought of as errand boys (or girls) and that what a few of their colleagues thought they were providing themselves with was a sort of Rent-a-Lackey service.

As if it were not enough that they shoulder the responsibility of meeting head on the knotty problems that normally develop in the working place, and do it on a day in and day out basis, many committee persons I have spoken to find petty complaints and general complacency discouraging, to say the least. A special yearly award should be made to the orchestra treasurer for service beyond the call of duty.

A good committee spends an enormous amount of time performing the duties of its offices. In more than a few cases committees have laid their heads on the block in carrying out what they consider responsibilities inherent in the job. What they deserve is frequently much less than they receive.

Rightfully we should establish an annual COMMITTEE WEEK in appreciation for their on going contribution in making things run more smoothly for us. However, until then, lets all resolve not to complicate an already unrewarding job through thoughtlessness. Let's resolve to attend more orchestra meetings; pay dues more promptly; minimize concerning our committee with inconsequential grievances and show in other ways that our vote was an expression of our confidence in their ability to handle a time consuming task.

The following anecdote is taken from the February, 1912 issue of *The Violinist*:

Here is a true story of the collective revenge of an orchestra. It happened in a Western town, whose people prided themselves upon their musical prowess, as well as on the size and productiveness of their cornfields. For a concert of a visiting orchestra, the local chorus had arranged to sing, under a local conductor, one or two numbers. One of them was the Soldiers' Chorus from "Faust," with its rum-ti-ti-tum, a-rum-ti-ti-tum, in which the tenors, at rehearsal, had utilized grandly the extreme limits of their top range.

All would have gone well at the concert had not the train bringing the visiting orchestra been late, so that the musicians reached the hall twenty minutes after the concert was to have begun. An impatient audience and an angry committee awaited them. The committee at once announced that \$250 would be deducted from the orchestra's fee, and rather than lose the entire amount of the engagement, the manager accepted the lower price.

During the evening the orchestra players got wind of it, and in some mysterious way word was passed around, without the local conductor's knowledge. When the Soldiers' Chorus was started, the orchestra's own conductor, who had not been let into the secret, heard from the anteroom a peculiar effect. It grew more and more tense, until the ascending passages, above noted, were attempted — and, at these, the tenors were seen rolling their eyes and clutching their throats, until they emitted crackings and shrivelled pipings, to the dismay of the leaders and the mortified amusement of the townsfolk.

THE ORCHESTRA HAD TRANSPOSED THE MUSIC UPWARD A WHOLE TONE.

Moral: If you are determined to bilk your hired orchestra, do not attempt it until the concert is over.

A NEW NOUN IS BORN — "ICSOMIZATION"

The 1979 ICSOM Conference could not have been concluded without some reference to an address made at Tanglewood by Gunther Schuller before an audience of music students. They were warned of a fate worse than death if they succumbed to the presumed malaise afflicting the musicians of our American symphony orchestras. He said to them:

• *"Our orchestras are filled with musicians who can perform without hearing very much, and who, worse yet, no longer care to hear.*

• *"Today the term 'professional musicians' often elicits images of musicians who are embittered, disgruntled, bored — who have come to hate music, and for whom a rehearsal is an excruciating agony — at best a necessary evil.*

• *"The light has gone out of their eyes. For young innocent musicians, it is often hard to resist such peer group pressures as exist in our orchestras nowadays, and there is unfortunately much in our modern union mentality — what I call the ICSOM-ization of our orchestras — that turns our profession more and more into merely a business — and in which union mentality at its worst constantly undermines any attempt to preserve music as an art.*

• *"Apathy, cynicism, hatred of new music are rife and abundant on all sides."*

I could not disagree more. I see musicians in our orchestras all over the country who are enthusiastically involved in music, and very orchestra conscious. They are participating in, or fighting to participate in audition procedures, artistic policy committees. They are contributing services to marathons and other orchestra fund raising activities, and devoting time to achieve legislation to help solve arts funding problems. Every orchestra has many chamber groups within it, wherein the musicians are spending time, despite busy orchestra schedules, to learn and to perform chamber music, both old and new.

Today's symphony orchestra musician recognizes that running an orchestra can no longer be left solely to business executives. ICSOM has made us conscious of this. It has taught us to have artistic integrity, while maintaining our self respect by insisting that we have the same rights and benefits as other working people in the United States.

If Gunther Schuller wishes to call that philosophy "ICSOM-ization," we are indebted to him for creating that new noun. Indeed, the "ICSOM-ization" of American symphony orchestras over the past fifteen years has resulted in more world class orchestras which provide many more musicians in the United States with professional status employment. This "ICSOM-ization" process has brought to orchestra players medical benefits, paid vacations, life insurance, and pension plans among other benefits.

Symphony orchestras in the United States are among the finest in the world. I have audited orchestras for the National Endowment for the Arts; I have heard visiting orchestras in New York, Philadelphia, and Washington; I listen to tapes on FM radio, and I don't hear boring performances. If orchestras are reacting in a boring manner for Gunther Schuller, perhaps he is a boring conductor. A sure cure for an "embittered, disgruntled and bored" orchestra is an inspiring and knowledgeable conductor. I have never seen the latter, stand in front of the former.

Irving Segall,
ICSOM Chairman

TOLEDO RATIFIES NEW CONTRACT BEGINS SEARCH FOR NEW MUSIC DIRECTOR

From management's point of view, having to negotiate a new master agreement couldn't have come at a worse time. The events which transpired during the four year duration of the previous agreement saw four different managers, the contract termination of the Music Director, and costly management mistakes which greatly increased the accumulated budget deficit. A season of guest conductor-Music Director candidates was to open on October 5 with an all Beethoven concert with Interim Music Director Joseph Silverstein as both conductor and soloist. Management felt that the musicians of the orchestra had to be made to understand that the future of the orchestra was dependent upon the success of the current season and the integrity of the budget, the latter of which meant that continued financial sacrifice on the part of the musicians was necessary until the orchestra could once again begin to operate in the black, and only then could they begin to expect modest increases, in keeping with the Association's ability to pay.

From the musician's point of view, we had just put to rest a contract which increased the base per service rate three dollars over four years, and had received only a 30% increase over the past eight years. The major deficit problem was only moderate compared to many other orchestras (the average ratio of accumulated deficit to budget of all ICSOM orchestras for 1978-79 was 17%. Toledo's was 19%), our budget was far below the ICSOM average per capita budget in 1978-79 of \$5.60 (Toledo's was \$1.83), and finally that we should not have to pay for management's inability to raise funds.

Such was the atmosphere in which talks began last May and proceeded at snail's pace until October 2, when the mediation efforts began. It took an "overwhelming majority" vote to strike, an interview on the local public radio station, and increasing strike oriented publicity to convince the management team that the musician's were really serious about their demands.

Things loosened up considerably with mediation. A city agency, the Toledo Labor-Management-Citizens' Committee was used to mediate the dispute. It was the first city agency in the nation created to mediate contract disputes and has had, over the years, a remarkable strike avoidance record. A contract was agreed to before the strike deadline set by the orchestra, and in time to go ahead with the opening concert, which was a great success. The agreement was ratified by the members of the orchestra on October 6, by a 59 to 1 margin.

The major terms of the three year agreement are as follows:
Wages which were \$23 per service will increase to \$28.50 - \$31 - and \$32 in the three year span of the contract. Increases are across the board or 7% which ever is higher.

Medical Plan: Single coverage amounts to be paid by the association, 25%, 50% and 75% over the three year period.

Instrument insurance: 100% in the second year.

Sick Leave: Unlimited sick days to be authorized for good cause.

The new agreement also states "that there will be no non-renewals of players' contracts during the current season and the first full season under the new Music Director" for reasons of musical performance, to be reopened after the second year of the contract. It also establishes a standard audition procedure and an Artistic Advisory Committee.

Work conditions include an agreement for the operation of the ensembles (to be reopened after the first year), less hectic scheduling, a sub-contracting clause, veto power, before the fact, over all non-commercial broadcasting, the elimination of a free "benefit" service, a leave of absence provision, and a standardization of pay day.

Although there were some disappointments, the final package is a major step in the direction of growth and development, and is a solid foundation to build upon in future years. The task now at hand is the selection at the end of the current season, of a new Music Director. Our thanks to the Toledo Labor-Management-Citizens Committee, which included Al Hawkins from Owens-Illinois, the Rev. Frank Musgrave of St. Mathew's Episcopal Church, Louis Thomson, head of the LMC, and especially Mel Pelfrey, head of the Toledo Marine Engineers, who quickly understood what we were asking and really went to bat for us. Also, Joseph Silverstein, who tried to make management understand that our demands were most reasonable; Leonard Liebowitz and the rest of our colleagues from ICSOM (not to forget Ted Dreher of the AFM) whose advice and support were invaluable, and most importantly, our attorney, Gerry Lackey, who was most generous with his time and advice, and whose negotiating skills and knowledge of the workings of the city machinery played the major role in the positive settlement of the contract.

TSO Orchestra Committee,
Mel Harsh, Bill Klickman, Laurel Kuhnke,
Valerie Palmieri and Peter Pettit,
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