

Senza Sordino

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Death and Transfiguration The Rebirth of the Honolulu Symphony

Musicians of the last two professional orchestras in Hawaii have returned to work as of December 27, 1995 as the Honolulu Symphony Orchestra once again. The musicians had been laid off except for some per-service work for *Nutcracker* and *Messiah* since mid-September. A contract for the remainder of the 1995-96 season and the 1996-97 season was completed with the Hawaii Symphony Orchestra board. After those negotiations were completed the Hawaii Symphony Orchestra board stepped out of the way to let the Honolulu Symphony Society produce the remainder of the already set-up 95-96 season. The two boards will consolidate into the Honolulu Symphony Society over an as-yet undetermined period of time.

The Hawaii Symphony Orchestra, which was founded after the Honolulu Symphony Society fired all of its musicians in the spring of 1994, never really solidified itself as an institution. From the beginning, everything needed to go right for the new orchestra to survive. Things rarely went right, and the musicians have paid dearly. The State of Hawaii pulled almost \$1 million in funding, and the City and County of Honolulu pulled \$75,000 in funding for the 95-96 season. Some questionable management buried the orchestra even further. The board was unable to raise money, partially because of their internal problems, and partially because community leaders took a "wait and see" attitude and refused to have anything to do with the new orchestra as long as both the Honolulu Symphony Society and the Hawaii Symphony Orchestra existed. All this brings the orchestra to where it is today, which is virtually starting over.

The contract for the next two years reflects the reality of the situation: Year 1: 10 weeks; 4 more weeks contingent on the opening of the Hawaii Theater (a newly renovated theater in Honolulu). Three of the contingent weeks will be paid at a six-services-per-week prorated salary, instead of the usual eight services per week.

Year 2: 18 weeks. Neither year includes opera, which is negotiated directly with the Hawaii Opera Theater (they have sub-contracted the orchestra from the Symphony Society in the past).

The weeks in both years will be non-consecutive, although best efforts will be made to make them as consecutive as possible (this is

partially due to venue availability, which has been a continuing problem for the orchestra for years).

Base pay remains at \$714.30 per week in both years of the contract. The full time contingent of musicians remains at 62. There will be a reduction of guaranteed number of services for part-time musicians from 60 to 50 for the first year only.

Also included with the basics above: musicians will have equal say in the process of hiring an executive director and music director (these positions will be filled by the beginning of the 1996-97 season.) A minimum of ten members of the Hawaii Symphony Orchestra board of directors will be asked to serve on the Honolulu Symphony Society board of directors. For the first year of the contract a work week will be defined as seven consecutive days beginning on Wednesday (this could affect unemployment, especially considering the non-consecutive week possibilities in the season). In the second year the work week is defined as beginning on Sunday.

The contract with the Hawaii Opera Theater (HOT) is for one year only and covers an actual six weeks of work (we have done between 8-10 weeks of work for the opera the past two years, but their funding was cut severely by the state and they ran a deficit last year). It is based on a contract that the Musicians' Association of Hawaii, Local #677 AFM had with HOT in 1994 (during the time the musicians were between being fired by the Honolulu Symphony Society and starting up the Hawaii Symphony Orchestra). The opera board

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Death and Transfiguration

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made a decision not to sub-contract from the symphony society and negotiate their own collective bargaining agreement with Local #677.

The size of the orchestra once again came under attack in these negotiations, but settlement was reached at 62 musicians in the full-time opera core orchestra. Any extra musicians will be hired for a minimum of one week (and paid at least the weekly minimum) and any services after that week are paid at the per-service minimum. Minimum salary is \$714.30 per week and all personal or contractual overscales paid by the Honolulu Symphony Society will also be paid by the opera. The opera will cover all insurance costs during the time we work for the opera —same as the contract with the Honolulu Symphony Society. Sick leave is at 2 days for the 6 week contract, while paid personal leave is at 1 day. Unpaid audition leave is 10 days.

Still to be dealt with is the issue of the back pay owed the musicians by the Hawaii Symphony Orchestra (this amounts to a minimum of \$16,000 per full-time musician), over \$100,000 in pension payments owed to the AFM-EP, and approximately \$250,000 owed to various governmental agencies for payroll taxes withheld but never forwarded to the appropriate agencies by management. The Honolulu Symphony Society has said they will assume no debts of the Hawaii Symphony Orchestra.

The Hawaii Symphony board is in a very poor position to raise any money to cover any of these obligations, and unfortunately the IRS has first say on any assets available to make these payments. The pension payment falls under federal pension law, but it is unclear what kind of enforcement of those laws would occur if the organization dissolved or filed for bankruptcy. The musicians have little hope that all of our back pay will be forthcoming, but we are still working on getting some of it.

Needless to say this is not a good contract for the musicians, but it is the best possible agreement available. We are essentially starting over with the institutional memory in many areas of the management virtually gone. It was clear that if the orchestra did not start with the services on December 27, 1995 that the orchestra would not start up again for a long time. The solidarity of the orchestra is still strong. The musicians are still taking care of each other. A lot of hope is being placed in Michael Tiknis' presence as interim executive director. A lot of businesses have stepped forward already to support the Honolulu Symphony—businesses that had not previously supported the Hawaii Symphony Orchestra. The opening sets of concerts have been well attended and received, and the first payroll was on time after some significant fundraising by the board.

The negotiating committee consisted of Ann Lillya, Scott Janusch, Duane White, Mel Whitney, Steve Dinion (Chair) and Milton Carter (President, Local #677). The musicians owe a great deal of thanks to the Musician's Association of Hawaii, president Milton Carter

and Local #677 board member and presidential assistant Michael Largarticha, and Local #677 staff. Their support has been steadfast and true throughout all of our struggles. Special thanks also are owed Lew Waldeck, Lenny Leibowitz, Fred Zenone, ICSOM leadership and all of the ICSOM orchestras that sent money and words of support and encouragement.

MARK SCHUBERT

Schubert is ICSOM delegate for the Honolulu Symphony.

In Memoriam Henry Loew

The music world suffered a great loss when Henry Loew passed away of a blood disorder on March 10, 1996 at the age of 74.

He was the principal bassist of the St. Louis Symphony for 42 years, an orchestra activist, the orchestra's personnel manager from 1966-77, and a fine teacher and mentor to countless players.

A native of New York's Lower East Side and son of immigrant parents, he first learned to play the harmonica and then the accordion. During high school he won a competition that allowed him to study with Anselme Fortier, the principal bassist of the New York Philharmonic.

In 1941 he enlisted in the Army Air Forces and served as a radio and radar operator in the North African and Italian campaigns. After the war, he played bass with the Seattle, National and Indianapolis orchestras before going to St. Louis.

Henry was involved in forming the first orchestra committee in St. Louis, which appears to have been one of the first in the country. One of the tasks that committee undertook was to send out a survey to seven other orchestras to gather comparative information about salary, pension, and working conditions. Although today this is a common practice, at the time he was severely criticized for doing so by both management and the union. He attended the first ICSOM conference at his own expense.

After he became the SLSO's personnel manager he was a founding member of the Orchestra Personnel Managers' Conference. In 1994, when this group met in St. Louis, it bestowed a special honor on him.

He is survived by his wife Mildred N. Loew, two daughters, Danella Lubar of Petaluma (CA) and Rebecca Loew of Grinnell (IA); a sister, Estelle Haas of Florida, and two grandchildren.

*Carolyn Buckley
St. Louis Symphony*

Phono Negotiations Concluded

The negotiations for a new national recording contract were prolonged and very difficult. Unlike past negotiations, the industry presented an extensive list of changes to the symphonic provisions of the agreement. Many of their proposed changes, such as service conversion and eliminating the 2-hour minimum call paid to all the members of an orchestra, were clearly unacceptable.

The industry strategy became obvious when they announced that they would not discuss other sections of the contract until an agreement had been reached over the symphonic section. Clearly they were attempting to pressure us into concessions by holding the rest of the agreement and the Music Performance Trust Funds hostage to symphonic concessions.

The industry's attempt to split the union became ludicrous when they announced that, since we would not agree to their onerous proposals, they would withdraw them with the proviso that any wage increase negotiated for the rest of the industry would not apply to symphonic musicians. I am happy to say that AFM president Steve Young told the industry in no uncertain terms that any negotiated wage increases would indeed apply to all members of the union.

After some difficult sessions (and one set of negotiations cancelled because of the Blizzard of '96) we finally reached an agreement. President Young and AFM counsel George Cohen did a terrific job for us in a difficult situation.

Thanks also are due to the ICSOM media committee—Dave Angus (Rochester), Don Koss (Chicago Symphony), Robert Levine (Milwaukee), Mary Plaine (Baltimore), Warren Powell (Florida Orchestra), Larry Wechsler (Metropolitan Opera), and ICSOM counsel Len Leibowitz—for their efforts.

Brad Buckley
Chair, ICSOM

SUMMARY OF CHANGES TO THE PHONOGRAPH RECORD LABOR AGREEMENT (SYMPHONIC)

(Three year agreement; subject to ratification)

In addition to changes applicable to commercial recordings:

Wages

3% increase the first year, 3% the second year and 2% the third year. In addition, there will be an increase in the industry's contribution to the Special Payments Fund in the third year of the agreement. This should increase royalties paid to musicians who make recordings.

Location Recordings

- a. Provides for 2 hour patch session within 14 days of the original location recording.
- b. Provisions of patch session will conform to A/V

agreement which allows Company 10 minutes to advise musicians whether patch session shall take place and proposed length of that session.

Material not Previously Performed

Permits material not previously performed in concert to be recorded in studio session.

Rehearsal Sessions

Permits one rehearsal session (to rehearse music not previously performed in concert) at applicable locally negotiated rehearsal or service rate plus additional 50% of such rate, and prohibits rehearsal from taking place on regularly scheduled day off.

Solo Cadenzas

Includes location recordings in provision granting right for no additional payment to be due to the full orchestra when re-recording solo cadenzas outside of session time. *(Note: musician(s) performing the solo cadenza is/are paid.)*

Chamber music

- a. Amend definition of a chamber group to include 16 musicians not playing multiple parts.
- b. Permits the use of the name of the symphony orchestra if musicians recording chamber music are compensated in accordance with the symphonic provisions. *(Note: previously, the name of the symphony could not be used unless the recorded music was performed by no more than 9 players not playing multiple parts.)*

Electronic Press Kit

Similar to Non-Symphonic except that the Company may not use a complete movement, ballet or composition or any product in excess of 3 minutes of such. *(Note: failure to comply with the restrictions set forth will result in full payment plus a penalty equal to 50% of such payments.)*

Librarians

Adds a new sentence which provides that any covered librarian required to attend a recording session shall be paid at the side musician's rate.

Microphone Balancing

Permits microphone balancing at the last performance or the last rehearsal for that performance, provided that the musical services are not being directed by the recording company or recording engineer.

Health & Welfare Contributions

Provides for coverage for extra musicians, librarians, and any musician not covered by an applicable orchestra health and welfare plan.

Newslets

Representative managers of ASOL (the American Symphony Orchestra League) and representatives of the AFM (American Federation of Musicians), ICSOM (International Conference of Symphony and Opera Musicians) and ROPA (Regional Orchestra Players' Association) met on December 18, 1996 in Las Vegas.

After lengthy and frank discussion, the group recognized that it was in the interests of the field to encourage and foster studies of the long-term future of the orchestral institution. Based on its meeting, the group believes that it should meet again this winter with the assistance of a facilitator.



The Symphony Orchestra Institute announced on April 9 that John Breda and Arthur Brooks will receive the Institute's first Doctoral Fellowship Awards. Each award is in the amount of \$10,000.

John Breda is a fourth-year student at the University of Massachusetts Medical School. Over the coming months, he intends to collect and analyze comparative data about the psychological stress which symphony orchestra musicians experience in their work. He will use data stratification to complete a comparative analysis across various groups within the symphony orchestra. He also intends to compare data from other professions gathered through surveys and existing control-group samples with the information collected from symphony orchestra musicians. The study is designed to learn more

about the interaction between symphony orchestra musicians and their workplaces.

Breda was bass/utility clarinetist with the Oregon Symphony from 1982 to 1989. He then turned his attention to medicine and worked in medical research at Harvard University from 1989 to 1991. He was the 1992 recipient of the Betty Lea Stone American Cancer Society research fellowship. He anticipates receiving a Doctor of Medicine degree in June 1996.

Breda will carry out his research under the guidance of Dr. Leonard A. Doerfler, Ph.D., adjunct associate professor of psychiatry at the University of Massachusetts Medical Center in Worcester (MA). The study will also be reviewed by the Human Research Committee at the University of Massachusetts Medical Center regarding ethical and privacy concerns.

Arthur Brooks is a doctoral student in economics at Cornell University. He intends to complete an empirical study of his previous theoretical work on the demand side of "Baumol's cost disease"—a phenomenon which afflicts symphony orchestra organizations through the tendency of costs to rise faster than revenues.

Mr. Brooks holds economics degrees from Thomas Edison State College in New Jersey and Florida Atlantic University. He is a hornist who has played professionally with various ensembles, including the Annapolis Brass.

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