

OFFICIAL MINUTES
INTERNATIONAL CONFERENCE OF SYMPHONY AND OPERA MUSICIANS
September 1-3, 1970 Chicago, Ill.

First Session - 1:00 P.M., September 1

Chairman Sam Denov called the meeting to order.

Secretary Robert Maisel called the role of member orchestras: orchestras represented were Baltimore, Boston, Buffalo, Chicago, Cincinnati, Cleveland, Denver, Detroit, Honolulu, Houston, Indianapolis, Kansas City, Los Angeles, Minnesota, National, New Orleans, Philadelphia, Pittsburgh, Rochester, St. Louis, San Antonio, San Francisco, Seattle, Toronto, Vancouver, Chicago Lyric Opera, Metropolitan Opera, New York City Ballet.

Absent orchestras were: Dallas, Milwaukee, Montreal, New York (on tour), New York City Opera.

William York, delegate from the Chicago Symphony, which was co-host to the conference, greeted the delegates.

The Chairman introduced Dan Garimoni, President, Local 10-208, AF of M, Chicago, who, on behalf of his local (which, with the Chicago Symphony, was host to the conference), also greeted the delegates.

The Chairman introduced Victor Fuentealba, Vice-President, AF of M, to the delegates.

The Chairman read a telegram from Hal C. Davis, President, AF of M: "I have requested my assistant Ted Dreher who heads our Symphony Department to be in attendance with Vice-President Fuentealba at your ICSOM conference September 1-3, 1970."

The Chairman introduced Ted Dreher to the delegates.

The Chairman also introduced Phil Bovero, Treasurer, Local 6, AF of M, San Francisco and Clarence Bading, observer from San Antonio.

The Chairman introduced the other members of the ICSOM Executive Committee: Robert Maisel, Secretary; Gino Raffaelli, Treasurer; David Smiley, Editor, Senza Sordino; Larry Bocaner, Henry Shaw, Robert Danielson, James Weaver, Area Vice-Chairmen. Ralph Mendelson, Vice-Chairman, was on tour with the New York Philharmonic.

The Chairman also introduced I. Philip Sipser and Eugene G. Eisner, ICSOM legal counsel.

The Secretary announced that, as the result of a mail vote of the delegates after the 1969 conference, both Milwaukee and the New York City Opera Orchestra were now members of ICSOM.

The Secretary read the application of the Syracuse Symphony Orchestra for membership into ICSOM.

The delegates voted unanimously to admit Syracuse into membership in ICSOM.

The Secretary gave a synopsis of the minutes of the 1969 conference and, after changing "Weaver" to "Forbes", top of page 10, the delegates voted to accept the minutes.

The Chairman called for a moment of silence in respect for the late Herman D. Kenin, President, AF of M, 1958-1970, and the late Jerome H. Adler, Trustee of the Music Performance Trust Fund and former New York Counsel to the AF of M.

The Chairman announced that Local 10-208, Chicago, was inviting all the delegates and visitors to the conference to a luncheon at the Ascot House Wednesday afternoon.

Reports of ICSOM Officers

Chairman's Report

Sam Denov cited his many obligations and activities since serving out the unexpired term of George Zazofsky: meetings with the ICSOM Executive Committee, the officers and legal counsel of the AF of M, various interested parties in the San Antonio dispute as well as numerous phone calls and letters to musicians and orchestras throughout ICSOM seeking advice and help.

He also cited his meetings in Washington, D.C. with Miss Nancy Hanks, Chairman of the National Endowment for the Arts, to discuss some of the problems of symphony musicians. (Miss Hanks was invited to the conference, but, because of prior commitments, was unable to attend.)

He also cited his visit to San Antonio to talk before the demoralized members of the San Antonio Symphony Orchestra.

(In his spare time, he tried his best to make a living as a member of the Chicago Symphony Orchestra.)

In discussing accomplishments, the Chairman cited the AF of M Symphony Strike Fund and his appointment, along with Secretary Maisel, as one of the trustees; his efforts, along with Secretary Maisel and Vice-Chairman Mendelson, at the agenda meeting concerning the 1969 AF of M Symphony Symposium, to achieve a success-

ful symposium; he stressed the interest and good will of the Federation officers, particularly the late Herman D. Kenin, which had a great deal to do with these successes.

In discussing failures, the Chairman cited the unsuccessful efforts of ICSOM to solve the San Antonio situation, but he stressed that every resource was still being extended to rectify that situation; he also cited the disregard of symphony and opera musicians by the Federation during television and radio broadcasting negotiations, i.e., ICSOM was not consulted, allowed to participate or even informed that these negotiations were taking place.

The Chairman concluded his report by saying that he had learned a great deal during his term of office and had reached some conclusions about the goals of ICSOM and the means of achieving these goals; he pledged to contribute his abilities in whatever capacity he would be asked to serve. He thanked the ICSOM Executive Committee and legal counsel for its help and cooperation and he stressed that, although ICSOM needs and problems and is short of financial resources, it has no shortage of intellect and talent and he asked that we all go forward together.

Vice-Chairman's Report

Since Ralph Mendelson was on tour, Gino Raffaelli read a statement prepared by Ralph. This statement made the the following points: 1) a need for better communication between members of the ICSOM Executive Committee, i.e., more phone calls, more conference calls, more memos (maybe once a month required); 2) absolute need for officers to check public positions with the other officers and counsel before printing in Senza Sordino, letters in newspapers and letters to principals involved in disputes, etc.; 3) need for support of the strike fund and praise for the cooperation of Victor Fuentealba and Max Arons and further need to aid and encourage friends of symphony and opera musicians; 4) the need for better and more frequent use of counsel. Mendelson concluded his statement by urging that the San Antonio Symphony Society, the conductor and the local be censured by ICSOM.

Treasurer's Report

Gino Raffaelli gave his report; this report was printed and distributed to the delegates, and will be printed in Senza Sordino.

The delegates voted to accept the report.

Senza Sordino Editor's Report

David Smiley suggested that ICSOM money would be saved if those orchestras desiring Conductor Evaluation forms would have a photographic or electronic stencil made from one sheet and run the desired number of copies off on their mimeograph machines.

He said that because of a lack of a good lead story, he published only five issues, rather than six. His biggest problem was getting information from orchestras; he tried getting more through the new regional Vice-Chairman system, but it didn't work too well, with the notable exception of Henry Shaw; he thought, however, that the system would work better next year, but stressed that the primary responsibility rests with the ICSOM correspondents. He asked for information on negotiations, helpful negotiation hints, etc.. He reminded the delegates that Senza Sordino is a continuing record of the progress of orchestras. He welcomed Zeroxed news items and he also mentioned the value of giving each member of an orchestra a copy of a news item by having it stenciled and mimeographed.

The Editor thought that the insert idea (letters to Nixon, etc.) had worked well (these inserts were also put into the San Francisco Symphony programs); he noted that Congress had appropriated more money for the arts than had been requested; he also noted that not only had a fewer number of congressmen voted against arts endowment than before, but that those who had voted against the bill were tending to not be re-elected.

The Editor gave a detailed financial report on Senza Sordino (to be printed in Senza Sordino). He concluded his report by urging more communication between regional vice-chairmen and their constituent orchestras.

The editor's report was accepted.

Secretary's Report

Robert Maisel gave some highlights of the talks he had participated in with officers and counsel of the Federation on the AF of M Symphony Strike Fund. He announced that the ICSOM Executive Committee unanimously recommended that all ICSOM orchestras be urged to participate in this fund.

He mentioned the problems which had delayed the publication of the 1969-1970 ICSOM Orchestra Chart: many orchestras were in negotiation, he received slow responses from some orchestras, and, moreover, he had a personal antipathy towards drawing up the chart. He promised, however, that the next chart would be much more promptly disseminated.

He also cited the slowness of some orchestras to send their mail votes to him and urged more cooperation.

He concluded his report by asking for ideas which would help the Secretary to be of more service to ICSOM.

(It was suggested that the conference agenda be given to orchestras well in advance and also that agenda ideas could be submitted to Senza Sordino well before the conference for examination and discussion.)

Contract and Rapid Communications Center Report

Gerald Corey listed the services of the center, i.e., sending out contracts and messages to orchestras. He asked that orchestras signing new agreements send at least forty copies to him and that messages from orchestras wanting dissemination be typed on ditto masters. He emphasized that messages of a controversial nature would not be disseminated until cleared by the ICSOM Executive Committee and legal counsel.

He announced that Ken Willaman had relinquished his duties and that he, Gerald Corey, with some help from his friends, would assume the responsibilities of the center.

Legal Counsel's Report

Eugene Eisner delivered a lengthy report which will be disseminated to all ICSOM orchestras.

The delegate from Houston announced that the Ralph Liese issue, i.e., conflict of interest between being simultaneously local president and orchestra personnel manager, had to be taken into Federal Court (in spite of the fact that Mr. Liese had stated at the 1969 AF of M Symphony Symposium that he would resign as local president).

Philip Sipser told the delegates that his office wanted copies from local counsel on all such cases.

Mr. Sipser was asked about his willingness, if asked, to help in individual orchestra negotiations. He explained his fee and expenses requirements and cited the arrangements he had made with various orchestras.

As a point of information, Houston said that its local by-laws specify the orchestra committee as the official bargaining team.

The Minnesota delegate cited the great value of having had Mr. Sipser in its negotiations.

This sentiment was echoed by the New York City Ballet delegate, who stressed the mandatory necessity of having first-rate legal counsel.

The Kansas City delegate was also quite enthusiastic about Mr. Sipser's aid to his orchestra in its last negotiations.

The Metropolitan Opera Orchestra delegate also stressed the value of having first-rate counsel.

The Pittsburgh delegate said that its negotiation situation had been complicated because its legal counsel was not permitted by the local to sit at the bargaining table.

The Vancouver delegate wanted to know if Mr. Sipser would be available to examine the language of a proposed contract.

Mr. Sipser replied that he would not perform such a service because any good local lawyer could do the job.

Mr. Sipser suggested that an orchestra facing negotiations should first find a very good local labor lawyer; if necessary, check with other local unions to determine his capabilities; if, however, no such good counsel were available, Mr. Sipser would discuss with the local orchestra his fees, expenses and extent of involvement.

The Los Angeles delegate said that it was very helpful to have a local lawyer who had an extensive and lengthy knowledge of that particular orchestra; he also said that his local has allowed legal counsel a free hand in negotiations and that the relationship between the orchestra and the local is very good.

Irving Segall, the Philadelphia delegate, suggested that ICSOM create a contract committee to help orchestras in negotiations.

AF of M Symphony Strike Fund Discussion

The Chairman emphasized the necessity of following the voting procedure stipulated in the fund.

Ted Dreher cited the letter he had sent to all orchestra members. Various delegates reported that their orchestra members had not received these letters. Mr. Dreher asked that they confer with him.

The Chairman stressed the importance of voting to participate by September 15. He announced that the following orchestras had already voted to participate: Cleveland, Los Angeles, Minnesota, National and New York.

Those orchestras intending to vote before September 15 were: Baltimore, Chicago, Chicago Lyric, Cincinnati, Honolulu, Houston, Metropolitan Opera, New York City Ballet, Pittsburgh and Toronto.

Those orchestras intending to vote before December 15 were: Boston, Buffalo, Denver, Detroit, Kansas City, New Orleans, Philadelphia, Rochester, St. Louis, San Francisco and Seattle.

It was moved and seconded that the conference concur with the recommendation of the ICSOM Executive Committee to encourage the orchestras to participate in the AF of M Symphony Strike Fund.

The Philadelphia delegate read the following petition, signed by eighty members of that orchestra:

"The undersigned musicians of the Philadelphia Orchestra urge that ICSOM reject the proposed strike benefit plan passed at the 1970 AF of M Convention in Houston, Texas, known as Recommendation Number 2.

The complete control of the strike fund by the International Executive Board of the AF of M is unacceptable to symphony musicians. We urge that ICSOM develop an alternative plan that would be controlled by the musicians who contribute to the plan."

The Philadelphia delegate explained that this petition was circulated three days before the end of the season and that there had not been an orchestra meeting on this matter. Many orchestra members wanted symphony musicians to have more control of the fund; many also objected to the amount of power vested in the trustees; others objected to the looseness of the language. A big reason for signing was to ensure that the proposed fund would be very carefully examined before being recommended by ICSOM.

After considerable discussion, the motion was carried, with one abstention.

The delegates voted that the Chairman appoint the necessary special committees to expedite the business of the conference.

The following committees were appointed:

Services of ICSOM: Beach, Elitzik, Segall, Simon, Smiley.

AF of M Relationship: Corey, Erb, Fay, McLean, Weaver.

ICSOM Relationship to Public: Bocaner, Gravagno, Weait, Werner.

It was moved, seconded and passed unanimously that the conference send letters of appreciation to the members of the IEB of the AF of M for their efforts toward implementation of the AF of M Symphony Strike Fund.

The delegates concluded this session by deciding that the first item on the next session would be reports on negotiations.

Morning Session, September 2

After the roll call, the Chairman introduced to the delegates Mr. Ken J. Farmer, President, Local 2, AF of M, St. Louis, Mo.

Copies of the up-to-date ICSOM By-Laws were distributed to the delegates.

Reports on Negotiations

The Kansas City delegate was very appreciative of the financial aid extended to his orchestra by ICSOM and ICSOM orchestras during its negotiations. He mentioned the good publicity the orchestra had gotten. He stressed the importance of having had Philip Sipser as counsel and negotiator in negotiations. One of the lessons learned was the necessity for a negotiation team to stay flexible and to keep the talks moving. As a result of all the help it received, the orchestra made many gains -- economic, fringe benefits, new management.

The Los Angeles delegate reported that negotiations had been successful; he stressed the value of using questionnaires to determine the sentiment of the orchestra.

The New York City Ballet delegate reported that Philip Sipser was the most important factor in achieving a better contract. The orchestra had to go on a four-week strike; the biggest issue was the work load; management was not willing to talk, but, through Mr. Sipser, agreed to a work and talk agreement; management had not believed that the orchestra would strike, so the strike not only helped to get long-term gains, but also helped to gain the respect of management. The delegate thought that being in ICSOM helped his orchestra. He also thought that the Symphony Strike Fund would be helpful in negotiations.

The Toronto delegate reported that more money had been needed for the orchestra from the provincial government, but that the law had to be changed, so the orchestra succeeded in getting the law changed, thereby getting more money; they also got more vacation time and other fringe benefits.

The Washington National delegate reported that the orchestra had a six-week work stoppage, but received a great deal of help from ICSOM and ICSOM orchestras, particularly Philadelphia, which told Ambassador Goldberg that it would not play in Washington, D.C.; Philadelphia did, however, play a benefit concert

in Washington, D.C. and provided the National an opportunity to state its position to the audience. The orchestra had excellent press coverage; for example, its counsel Joseph Rauh cross-examined management on TV. Another thing that helped was that a mayorial fact-finding commission exploded management's statements, helping to break the work-stoppage.

The orchestra had trouble with its summer season: management "cancelled" the summer season on April 8th, but the public was not informed of this illegal action. Also, at first the local would not allow orchestra counsel into the negotiations, but was finally persuaded to do so and negotiations to restore the summer season started less than four weeks before the scheduled opening; the orchestra and counsel lobbied, conducted a public petition drive and threatened to subpoena all of management's financial records for an arbitration case; the matter was finally resolved, however, and the orchestra played a full ten-week summer season; funds were received from various Federal and private sources; also, local officers were instrumental in lobbying for the Federal funds in direct contact with the White House.

The orchestra now has a new orchestra manager, new dignity and pride, a better public image, a new hall, more money from the National Endowment for the Arts and an assurance from management that such a crisis "will never happen again".

The San Francisco delegate reported that both the symphony and the opera contracts would be negotiated at the same time. He was optimistic about the situation.

Pension Fund Discussion

Mr. Sipser discussed contributory welfare and pension plans and said that he was opposed to any employee-contributing plans, because the employee's contribution is taxed money, meaning that more has to be earned than is contributed; therefore, if you ask management to pay everything, but deduct an amount from your salary, you will end up with more take-home money. Mr. Sipser said that it was a myth that an employee-contributed plan helps the employee to have some control over the plan: it is not true legally nor psychologically.

Mr. Sipser explained that in negotiations, management decides on a money package deal it will use to bargain with; part of that package will be employee contributions which an actuary calls "if" money because it is based on assumptions. Therefore, an orchestra negotiation team has to keep this in mind when examining management's money offer; the actual take-home pay is of prime consideration.

Sipser pointed out that actuarial assumptions are subject to negotiations; an assumption, for example, of 3½% yield is much too low (even the Internal Revenue Service agrees); if this

assumption is moved up by only $\frac{1}{4}\%$, it could result in increased benefits of \$7.00 to \$10.00 per week.

Other assumptions are those concerning turnover of personnel, mortality, funding (a very important assumption, which should be based on a thirty-year basis) - all of which must be negotiated.

Sipser emphasized that 1) for tax and actuarial reasons, employee contributions should be dropped; 2) a good labor-oriented actuary should be retained in negotiations.

(The above minutes do not pretend to be a comprehensive summary of Mr. Sipser's remarks on this subject; in fact, they are only a fraction of his exposition and I was told by Mr. Eisner that, at the least, a thirty page digest would be needed to elucidate Mr. Sipser's observations - Secretary.)

Mr. Fuentealba, in answer to a question concerning increased AFM/EPW benefits, said that the trustees would be meeting soon to discuss increasing benefits.

On per diem, Mr. Sipser observed that the U.S. Government now allows \$31.00; he suggested that orchestras try to increase their per diem because it is non-taxable.

Negotiation Reports - Continued

The Honolulu delegate said that, because of having attended ICSOM conference, the committee members learned not only that their approach to negotiations had to be changed, but also that, after having talked with Mr. Sipser, a good labor lawyer was essential.

Cleveland reported that its negotiation team is in very close with the Chicago and New York teams. During their previous negotiations, there was a failure on the committee's part to communicate effectively with the orchestra; also, the local changed ratification requirements, creating disunity. Now the committee is working to unify the orchestra and is busily building its case against management. Management is very aloof and hostile; for example, it refused to allow politically provocative material to be posted in the locker room. The committee protested, but was just barely supported by the orchestra, so, to reiterate, the committee's chief emphasis is on uniting the orchestra.

Afternoon Session - September 2

It was decided that election of officers would be held at the next morning session.

Negotiation reports - Continued

The Chicago delegate reported that thus far there had been thirty-one negotiation sessions with management as well as eleven

sub-committee sessions. The delegate gave a detailed report on managements proposals as well as the orchestra proposals. The orchestra wants, in addition to a higher scale, seven services per week and a five-day week, tenure provisions, sabbatical leave, a better rotation system, a better pension plan, better hiring procedures (based on a point system). The orchestra wants, for Ravinia, a four-day work-week with a two-hour service limit, and also time off (this not to affect the regular time off).

The Minnesota delegate discussed that orchestra's cost-of-living clause and told the delegates that the cost-of-living index is a negotiable item.

The San Antonio delegate reported that the orchestra had voted to ratify its last contract largely because it had been assured by Mr. Gil Rogers (then assistant to the AF of M President on symphony affairs) that a non-renewal clause agreed to by management offered excellent protection (the ICSOM Secretary interjected by saying that he too had told the orchestra committee that, Mr. Rogers was correct, the orchestra might well consider ratifying the contract, even though the money and week offer was quite inadequate, especially since up to this time, the orchestra had not had a non-renewal clause at all). As it later developed, the non-renewal clause was worthless, i.e., when a number of musicians (committee members) were given non-renewal notices, the local ruled that they were not protected by this clause; moreover, the IEB upheld the local.

In San Antonio, reported the delegate, the local officers constitute the negotiation team and the demands of the orchestra are disregarded.

The Vancouver delegate said that scale last year was \$115.00 per week with thirty weeks, but most of the players make above scale. The orchestra has now been offered \$135, \$143, and \$151; the weeks have not been resolved. The orchestra wants a summer season and has already gotten some fringe benefits and improved audition and dismissal procedures. One big problem is that, in Canada, a musician can come in from England and be offered as much as \$10,000 annually, with no waiting period requirements.

Mr. Dreher said that he had asked Mr. Alan Wood, AF of M Vice-President from Canada, to correct this situation.

Mr. Fuentealba said that he would be attending the Canadian Symphony Symposium and would get more information on import laws and would give this information to ICSOM.

The Chicago Lyric Opera delegate reported that the orchestra now receives \$266.00 for a thirty-hour week for fourteen weeks. the orchestra is now negotiating for next fall and wants eighteen weeks with a 35% reduction in work-load.

Counsel noted that the actual cost-of-living increase is 18%; he urged all orchestras to have a cost-of-living clause and said

that this is a negotiable item and that the variables have to be checked.

Minnesota commented that its orchestra made a mistake in not having a cumulative cost-of-living clause.

The Kansas City delegate said that attrition was one of the big issues in its last negotiations.

Counsel said that the McKinsey Report clearly intimated that managements should consider cutting down the sizes of orchestras; he warned that this was a serious problem, that managements will continue to discuss this issue and orchestras have to be prepared to deal with it.

Toronto reported that its contract specifies that the orchestra must have a minimum of eighty-four local players.

It was moved, seconded and passed that ICSOM go on record as being strongly opposed to any attempts by any orchestra management to reduce the size of its orchestra; managements, on the contrary, should work to improve their orchestras, increase the size and improve their fund-raising activities. This resolution is to be sent to all orchestras managements.

San Antonio Report

Robert Danielson cited Miss Nancy Bodycomb's report at a previous conference in which she gave details concerning Phil Bass, who, after having served as an ICSOM delegate, was demoted, had his salary cut to minimum, and, after being further demoted, left San Antonio to join the Oklahoma City Symphony Orchestra as assistant concertmaster. Danielson reported that Miss Bodycomb had been associate first horn for four seasons, after having served as ICSOM delegate, was offered a contract as fourth horn and assistant first, second or third, as needed. She resigned not only from the orchestra but from the profession itself. Clarence Bading, a few years ago, invited ICSOM representatives to come to San Antonio to discuss the organization with interested orchestra members (he was committee chairman at the time). He was dismissed from the orchestra last season and is now one of the plaintiffs a law suit against the society, the conductor and the local.

Danielson cited his difficulties dating from 1963: after having been in the orchestra for seventeen years, he became the spokesman for the orchestra committee and was then given a non-renewal notice; after a four-year fight, with the help of ICSOM,

he was reinstated, but during the season was, along with a number of other former and present committee members, brought up on charges by the local. The local fined each person \$200.00 to \$400.00 apiece. These charges and fines were appealed and the Appeal was sustained by the IEB; ten days later, however, he and the others were given notices of non-renewal; these notices were given after the legal date, but the local ruled that they were valid. (The local, however, later, without consulting these members, offered the symphony society a surety bond of \$5,000.00 for each of these members if they would be reinstated; this offer was turned down by Victor Alessandro, the conductor.) Shortly thereafter, a suit was filed by these members in Federal court against the symphony society, the conductor and the local. (Because of the time factor, i.e., the imminent opening of the new season, these members decided to try to get a temporary restraining order in court rather than wait out the long process involved in an AF of M appeal.)

Danielson also cited the last union election: before the election, no nominations were opened for vice-president (the explanation being that it had been handled this way for years and would be continued to be handled the same way). So a write-in candidate ran for election and was defeated. After the election, Danielson and others protested to the AF of M against voting irregularities. The AF of M sent down a representative (Thorpe) to investigate. After four months of waiting, the protesters were notified by the AF of M that Mr. Thorpe had found no evidence of irregularities. They then went to the U.S. Department of Labor, who, after a four-month team investigation, decided that not only had there indeed been irregularities, but that these were serious enough to warrant the Department to file charges against Local 23. Danielson did not think that a hearing had been held yet; he noted, however, that the local has decided to install voting booths for the next election.

The Chairman cited his informal efforts to resolve the dispute, i.e., meetings with Alessandro, with no results.

Counsel explained that, because of appeals, the Department of Labor suit may take a year and a half before being resolved. He also said that, even though he was disturbed that the San Antonio musicians did not notify Sipser's office before deciding to take the society, the conductor and the local into court, his office thought that it was a correct action and ICSOM has decided to support this action. A Federal Court hearing is scheduled for September 10. Counsel thought that the Court would grant the injunction, but, if not, counsel was prepared to have a trial, which would probably be held in January or February. If this effort should prove unsuccessful, the next step would be to go into Appellate Court.

After discussion concerning the San Antonio report, it was moved and seconded that the IEB be censured for its failure to remedy the situation in San Antonio.

The Chairman said that ICSOM had asked the AF of M to put the San Antonio Symphony Society on the National Unfair List and was told that this would first have to be done by the local. ICSOM had also asked that Local 23 be put into trusteeship, if an investigation warranted such action. This request was also turned down.

Victor Fuentealba spoke against the resolution, citing the improved relationship between ICSOM and the IEB. He not only felt that this resolution, if passed, would impair the relationship, but also felt that the criticism of the IEB was unwarranted because the IEB had tried to help rectify the situation, but since there had been no violation of any by-laws by the local, it had been unable to take action against the local. Moreover, now that the matter was in court, the IEB could not enter into the dispute. He intimated that he knew of some facts which might hurt the players' case.

The Chairman, speaking for the motion, said that he had heard both sides of the story and felt that a union should defend its members rather than side with management. He cited the repressive atmosphere in San Antonio, but he said that he understood the difficulties facing the IEB in correcting the situation, given the structure of the AF of M.

Mr. Fuentealba did not disagree that the San Antonio atmosphere was repressive, but felt that the proposed resolution was not the answer.

The maker of the motion withdrew the motion and restated it:

It was moved and seconded that ICSOM request AF of M President Davis to immediately make a detailed investigation of Local 23 and the San Antonio Symphony Society to determine whether the Federation should place Local 23 in trusteeship and whether the San Antonio Symphony Society and its conductor, Victor Alessandro, should be placed on the National Unfair List, the investigation team to include a member of ICSOM and a full report to be made to the IEB at their September 30, 1970 meeting and a copy to be sent to ICSOM.

An amendment to the motion was made and seconded: that the IEB immediately place Local 23 in trusteeship.

The amendment was withdrawn.

A motion was made, seconded and passed to table the motion.

Committee Report on ICSOM/AF of M Relationship

It was moved, seconded and passed that this report be typed and enough copies be made to be disseminated to the orchestras.

Various ideas not embodied in the report were explored: 1) with proper organization, it might be possible to influence motions as well as the election of IEB members at AF of M conventions; 2) there should be more mutual acceptance, for example, more about ICSOM in International Musician; 3) more projects involving both ICSOM and the AF of M.

A survey was conducted which showed that, of the orchestras represented, eleven had representatives (orchestra members) on their local boards.

It was reported that, in Indianapolis, an orchestra player who is also a local officer withdraws when symphony affairs are discussed. This procedure was also recently invoked in Washington, D.C..

(It was announced that the next American Syphony Orchestra League convention will be held in Seattle. A member of the Seattle orchestra will attend.)

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Morning Session - September 3

Committee Report on Services of ICSOM

The report was adopted unanimously.

Report on ICSOM Relationship to Public

It was moved and seconded to adopt the above reports with a recommendation that they be disseminated to the orchestras.

It was moved and seconded that the motion be amended to include dissemination of a paper entitled Relevance of ICSOM submitted by Irving Segall of Philadelphia.

The amendment was withdrawn.

The motion was carried unanimously.

There was a discussion on video-taping and the need to establish rates.

Conductor evaluation was discussed and a new Conductor Evaluation form was introduced. Los Angeles offered to serve as the central collating agency (the new form and details will be printed in Senza Sordino).

The Secretary announced that ICSOM and the AF of M, through Ted Dreher's office, would henceforth work on the ICSOM Orchestra Chart together.

It was moved, seconded and passed unanimously to remove from the table the subject of the San Antonio resolution.

The resolution was passed, San Antonio abstaining.

The New Haven situation was discussed and it was reported that the orchestra, now in negotiations, has asked for support from ICSOM as well as for sanctions put on management by the AF of M against allowing recitalists and other orchestras to perform in the area.

Victor Fuentealba said that he and Ted Dreher would discuss sanctions with New Haven.

It was moved, seconded and passed unanimously to have ICSOM send a telegram of support to New Haven.

The Secretary read New Haven's letter of application for membership into ICSOM.

It was moved and seconded to admit New Haven into ICSOM on condition that its members vote to join.

The motion was carried unanimously. The New Haven Symphony Orchestra became (conditionally) the thirty-fifth orchestra to join ICSOM.

The ICSOM Executive Committee recommended that legal counsel be retained on the same basis as before.

It was moved, seconded and passed unanimously that ICSOM concur with this recommendation.

The Chairman read a letter from Mr. Norm Hoagy, President, Local 76, AF of M, Seattle, in which ICSOM was invited to hold its 1971 conference in that city.

ICSOM agreed to accept Mr. Hoagy's invitation.

The 1971 ICSOM conference will be held in Seattle, Washington. (Date and place will be announced well in advance.)

Election of Officers

It was moved and seconded to concur with counsel's opinion that, Article IV, Section 3 (c) notwithstanding, i.e., "commencing with 1964", the first vice-chairman's term of office shall be for two years.

The motion was carried.

Henry Shaw took the Chair during the nominations for chairman.

It was moved and seconded to exclude counsel and AF of M representatives from the meeting during nominations and elections.

The motion was declared out of order.

A substitute motion was made to exclude Victor Fuentealba from the meeting during discussion of candidates.

The motion was withdrawn.

The nominees for Chairman were: Sam Denov, Ralph Mendelson and David Smiley.

The results of the first ballot were: Denov - 5, Mendelson-13, Smiley - 9.

On the second ballot, the results were: Mendelson - 16, Smiley - 11, with one abstention.

The nominees for First Vice-Chairman were: Sam Denov and David Smiley.

The results of the vote were: Denov - 8, Smiley - 19, with one abstention.

Robert Maisel was re-elected Secretary by acclamation.

Nominees for Treasurer were: Roy Cox, Larry Hartshorn, John Swallow and William York. (Gino Raffaelli regretfully declined to serve again as Treasurer.)

The results of the first ballot were: Cox - 13, Hartshorn-6, Swallow - 4, York - 3.

The results of the second ballot were: Cox - 17, Hartshorn-9.

Upon the the recommendation of David Smiley, R. Vance Beach was elected as Editor of Senza Sordino by acclamation,

Officers elected to new terms of office were:

Chairman	Ralph Mendelson, New York Philharmonic
Vice-Chairman	David Smiley, San Francisco Symphony
Secretary	Robert Maisel, St. Louis Symphony
Treasurer	Roy Cox, Toronto Symphony
Editor, <u>Senza Sordino</u>	Vance Beach, Los Angeles Philharmonic

There was discussion concerning NLRB jurisdiction over symphony orchestras and references to same in symphony contracts.

Counsel Eugene Eisner said that the Board had recently taken jurisdiction over universities and other non-profit organizations. He thought that orchestras should avoid any references to the NLRB or to Taft-Hartley in their contracts. He thought that perhaps in the near future, orchestras will be covered by these Acts, but he did not think this matter to be crucial. He emphasized, rather, that the single biggest issue in negotiations is the unity of the orchestra.

Afternoon Session - September 3

It was moved, seconded and passed unanimously to have Sam Denov continue to serve as a trustee of the Symphony Strike Fund.

It was moved and seconded that the ICSOM Executive Committee draft appropriate written communication, subject to ICSOM counsel's approval, and that this communication be sent to managements of ICSOM member-orchestras, San Antonio press, radio and TV, and to President Davis, AF or M:

ICSOM orchestras urge their managements 1) not to have them perform in San Antonio; and 2) not to engage Victor Alessandro as a guest conductor (he being considered persona non grata as far as ICSOM orchestras are concerned).

This communication shall also include ICSOM's previous resolution concerning San Antonio.

The motion was carried, San Antonio abstaining.

It was moved and seconded to have a standing recording committee appointed by the ICSOM Executive Committee to study the possibilities of improving possibilities in recording and all future performance media for all ICSOM members and to report to each ICSOM meeting on the committee's progress.

It was moved and seconded to amend the motion so that one member of this committee, at the discretion of the ICSOM Executive Committee, shall be ready to serve, when requested, on any and all negotiations for recording contracts.

Victor Fuentealba said that the AF of M has decided that an ICSOM representative will be a participant in all negotiation sessions concerning symphony musicians. He also said that he would recommend to the AF of M that an ICSOM representative be a participant in negotiations on video-taping.

The amendment was carried unanimously.

The motion was carried unanimously.

The Chairman appointed to this committee: Lee Collins, Gerald Corey, Larry Hartshorn, Irving Segall and Henry Shaw. (Later, Sam Denov was added to this committee.)

It was moved and seconded to send a telegram of support to the New Haven Symphony Orchestra, management, the local, and legal counsel for the orchestra:

"The New Haven Symphony Orchestra, a constituent member of the International Conference of Symphony and Opera Musicians of the American Federation of Musicians, has advised this organization of an impending lock-out of the members of its orchestra. ICSOM pledges its full support of the New Haven Symphony Orchestra in its collective bargaining efforts. We have requested the AF of M to impose sanctions on the New Haven Symphony management and to take any other measures in support of the New Haven Symphony Orchestra members. We urge an immediate return to the bargaining table without any threats or prior conditions and a peaceful resolution of the current dispute."

Ted Dreher said that the AF of M had already been notified of the situation in New Haven and was working on it.

The motion was carried unanimously.

It was moved and seconded that the following statement be sent to all U.S. Congressmen, the Chief of Army Bands and the Army Chief of Staff:

"Major-General Walter Higgins
Fort Hamilton
Brooklyn, N.Y.

Sir:

The International Conference of Symphony and Opera Musicians is shocked and dismayed by the action of the commanders at Fort Hamilton who have persecuted members of the 26th Army Band and suppressed their constitutional right of free speech.

As musicians and citizens who are concerned about the preservation of our civil liberties for all citizens, regardless of the content of the expression, we respectfully urge you to end the harassment of these musicians and to rescind all punitive actions taken to date.

International Conference of Symphony and
Opera Musicians."

The motion was carried with one abstention.

It was moved and seconded that ICSOM support and circulate the following petition:

"The undersigned members of the Philadelphia Orchestra urge the adoption of the following resolution by ICSOM and also urge that copies of the resolution be sent to the following: George Meany, President, AFL-CIO; the IEB of the AF of M; our elected officials in the U.S. Senate and House of Representatives; the mass media via a press conference:

As citizens and taxpayers of the U.S.A., we, the members of ICSOM, demand that our tax dollars cease being used for the purpose of waging war abroad, and that these resources be transferred to the solution of our pressing domestic problems. Our commitment to humanistic ideals makes it imperative that we actively involve ourselves and support individuals and groups working to end our military and political intervention in Southeast Asia."

(signed by seventy members)

It was noted that the late Herman D. Kenin, President, AF of M, had cast a dissenting vote on Meany's support of Nixon's foreign policy.

It was moved and seconded to amend the motion so as to have this petition given to all ICSOM orchestras, signed and sent back to the ICSOM Secretary; if enough orchestras concur with the petition, ICSOM can then take an official position.

The Chairman ruled the amendment out of order.

The motion failed.

Victor Fuentealba and Ted Dreher excused themselves from the conference and were given a warm round of applause by the delegates in appreciation of their efforts on behalf of symphony musicians.

It was moved, seconded and passed to deal with the subject of letters of support from ICSOM to orchestras in negotiations.

It was moved, seconded and passed that the ICSOM Executive Committee be authorized to send individual letters of support to orchestras involved in negotiations and/or strikes, and that the wording of the letter of support of Cleveland be incorporated into these letters.

It was moved, seconded and passed that the ICSOM Secretary send a letter of appreciation to Local 10-208, AF of M, Chicago.

It was moved and seconded that the Philadelphia petition be circulated among member orchestras of ICSOM for signature, and that copies of the signed petitions be sent to those parties specified in the petition.

The motion was carried unanimously.

It was moved, seconded and passed unanimously that ICSOM go on record for and suitably publicize its policy of support for equal rights for women in all employment, and specifically in the field of symphony, opera and ballet orchestras.

There was a report from the Denver delegate on the last American Symphony Orchestra League convention: the merger idea had been seriously discussed and it was noted that the AF of M had killed the Rochester merger idea. Michael Newton of the St. Louis Arts and Education Council reported on its success. there had been discussion on the UCLA program of a training arts degree (this program will be outlined in Senza Sordino).

It was moved, seconded and passed to renew membership in ASOL.

There was a request that the ICSOM Minutes note that the Cleveland management is the only one among ICSOM orchestras to refuse to excuse an ICSOM delegate from orchestra duties.

A poll was taken to determine how many locals paid the full or partial expenses of ICSOM delegates. Of those present, only the locals of Chicago, Cleveland, Minnesota and Philadelphia did not pay.

The delegate from Toronto, Roy Cox, discussed problems peculiar to Canadian orchestras, for example, U.S. legal counsel practicing in Canada. He announced that in the very near future there will be held, for the first time, a Canadian symphony conference, similar to the AF of M Symphony Symposium. In answer to a question, he said that he didn't think that it would be a good idea to have an ICSOM representative from an American orchestra at this conference, because of the nationalistic attitude in Canada. He said that he would report on this ICSOM conference at the Canadian conference. He concluded his remarks by observing that perhaps there should be a Canadian division of ICSOM or that perhaps Canadian orchestras should have a special status in ICSOM.

It was moved, seconded and passed to send a telegram from ICSOM to the Canadian Conference of Symphony Musicians, wishing them well.

Because of the existence of the Symphony Strike Fund, the question of continuing ICSOM's Emergency Relief Fund was discussed. There was some sentiment toward continuing the fund, because it could be used for items other than strike loans, for example, helping an orchestra's publicity costs.

It was moved, seconded and passed to discontinue asking for ERF funds.

There was a poll of the delegates on referendum voting in local elections. The poll showed that Baltimore, Cleveland, Honolulu and New York had referendum voting and that it was now being considered in St. Louis and Washington, D.C..

It was moved, seconded and passed unanimously that the conference go on record as being grateful to Sam Denov and Gino Raffaelli for their many years of service to ICSOM.

The conference was adjourned.

Respectfully submitted,

Robert Maisel, Secretary