

OFFICIAL MINUTES

ICSOM CONFERENCE 1975

The 1975 meeting of the ICSOM Conference took place in Indianapolis, Indiana, from Tuesday the 26th through Friday, the 29th August, 1975.

36 orchestras sent representatives:

Atlanta, Baltimore, Boston, Chicago, Cincinnati, Cleveland, Dallas, Denver, Detroit, Florida, Honolulu, Houston, Indianapolis, Kansas City, Los Angeles, Milwaukee, Minnesota, Montreal, National, New Orleans, North Carolina, Oregon, Philadelphia, Phoenix, Pittsburgh, Rochester, St. Louis, San Diego, San Francisco, Seattle, Syracuse, Winnipeg, Metropolitan Opera, Chicago Lyric Opera, New York City Opera, New York City Ballet.

6 orchestras did not send representatives:

Buffalo, New Haven, New Jersey, New York Philharmonic, Vancouver (about which more later), and the New York City Ballet.

Of the 3 orchestras applying for new membership, Birmingham (Alabama), Nashville (Tennessee), and Oakland (California), only Oakland sent a delegate.

Paul Berns, Central Regional Vice-Chairman, was an active administrator hosting this conference, which took place at the Indianapolis Hilton Hotel.

The first general session took place Tuesday afternoon, 26 August 1975 with ICSOM Chairman Irving Segall introducing Ted Dreher, Assistant to President Hal Davis and head of the AFM Symphony Department, Dave Winstein, IEB member and Local President in New Orleans; and officials of Local 3, Hal Dailey, Secretary-Treasurer, and Tony Minnick, member of the Executive Board. The Chairman then announced the schedule for the ensuing sessions, that President Davis would address the general delegation, along with Fred Richmond, Congressman from Brooklyn, Mayor Wheeler from Kansas City, and the Mayor of Indianapolis, Richard Lugar, who declared "ICSOM Week" in that City.

The minutes of the last conference meeting in New Orleans (1974) were officially submitted and accepted unanimously.

ICSOM Secretary Stanley Dombrowski then took up the matter of orchestras applying for new membership. Those having fulfilled the requirements were Birmingham, Nashville, and Oakland. The Secretary briefly described the financial

status of the applying orchestras to the delegation, and introduced Donn Schroder, the one representative (Oakland) that attended. The Secretary moved that the three orchestras be admitted to membership. Motion carried unanimously.

Chairman Segall discussed the very successful Executive Committee meeting held mid-season in Chicago, and the suggestion then posed by Bob Jones (Portland, Oregon) that workshops be held at the next general meeting. The Chairman pointed out that Workshop sessions would be held at this meeting before the opening of 3 sessions, in three separate areas, on the following subjects:

SUBJECTS:

1. Pension & Health & Welfare Plans
2. Negotiating Techniques
3. Musical Administration Problems

MODERATORS:

Phil Sipser
 Len Leibowitz
 Segall, Sam Denov, Fred Zenone

The plan was to have 1/3 of the delegates at each of the 3 Workshop tables, with a system of rotation over the 3 day period. Thus, all delegates would eventually attend all Workshop sessions, while the informality of the small groups would be retained.

Francis Fitzgerald, Indianapolis, then introduced the Mayor of the host City, Richard Lugar.

Mayor Lugar, who plays the Cello and on occasion conducted the Indianapolis Symphony, emphasized his interest in the orchestra, as a fund raiser, member of Board of Trustees, as one who has had enough contact with music and musicians to recognize the effect an orchestra has on its community. In his welcoming address, he proclaimed the week 25-31, August 1975 as "ICSOM Week", and described the inspiration he felt at the August assemblage of people gathered for the meeting from so many great cities. He presented the Chairman with the proclamation, who responded that Mayor Lugar's comments were reflective of a sense of values shared by all of ICSOM.

Chairman Segall pointed out another of Bob Jones' recommendations: that orchestras in the "metropolitan" category have their own informal caucus. Also, in a continuance of the "workshop" tenor of the conference, a meeting was proposed for the evening for any delegates wanting to attend, concerning the problems of recordings, since the National recording trade agreement was expiring on October 31, 1975.

A recommendation by the Executive Board, which had its meeting in the morning, was brought to the general delegation. This concerned the proposal by letter from George Zazofsky, founding Chairman of ICSOM, retired violinist from the Boston Symphony, and current Professor at the University of Miami, to become a "roving ambassador" for ICSOM during his sabbatical. He noted in his letter that

many university students and musicians abroad were unaware of ICSOM'S existence. Mr. Zazofsky planned spending some of his time in Europe and Israel with an endeavor to acquaint musicians with ICSOM'S objectives. He said in his letter that he would incur no expenses and that he was prepared to meet with the Conference. Motion was made and carried to grant the status described above to George Zazofsky.

CHAIRMAN'S REPORT

Irv Segall spoke initially of the Dallas situation and ICSOM'S attempts to lend political support to the musicians there. Some of this centered about the forming of an orchestra in the East to play a benefit concert for the Dallas musicians, and arranging for soloists and conductors. Eventually, talks there reached a critical stage and it was thought best not to disturb them. The impasse was resolved shortly afterward.

Then the San Francisco problem (non-renewals of non-tenured players by committee action) was mentioned, a problem that coincidentally had been resolved the night before the meeting. (Details to be given by San Francisco delegate). Chairman Segall contacted the President of the S. F. Local and offered to go there with counsel to do what was necessary to settle the differences.

On the Health & Welfare Plan, Nicholas Borsay from Los Angeles and Russell Marquardt from Philadelphia were contacted for advice and consultation (later to appear personally to address the Conference). It was pointed out that obtaining the necessary information from orchestras by way of questionnaires was not an easy task. Thanks were given to those who complied.

Last year the survey Americans and the Arts was a subject given close scrutiny by Phil Sipser. Through counsel's office, these pamphlets were sent out to legislative officials throughout the country, and the mailing received about 40 replies. Fred Richmond, Congressman from Brooklyn (later to appear at the Conference in person), actually drew up a Bill (H. R. 8274) then in Ways & Means Committee--providing for an additional and voluntary \$5 or more to be added to personal income tax.

On another tangent, ICSOM became affiliated with the Associated Council for the Arts, based in New York. In representing performing arts institutions, the Council is devoted to keeping abreast with legislation concerning activities of those institutions. Both the Chairman and Editor of Senza Sordino had memberships. It was felt that the eventual emerging by symphonic orchestras from private to public funding might better be accomplished in consort with other similarly dedicated institutions.

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Thanks and applause accorded Lynn and Ken Richmond, Rochester, for the immense and well-executed job of the ICSOM Directory. Lynn, unexpectedly did the typing herself, an enormous task of its own.

The Chairman then alluded to the "feeling of nationalism" sweeping through Canada, and the discussion earlier in the year with Sam Levine from the Canadian Conference. Orchestras in Canada have wanted for some time a looser affiliation with ICSOM, with a view to better developing together first themselves. A resolution would be studied by the remaining Canadian ICSOM delegates, John Miller (Winnepeg) and Christy Slater (Montréal), along with Sam Levine, concerning the type of affiliation desired and would be presented to the Conference.

Concerning the Chicago Executive meeting in March 1975, it was noted that all officers and both members of counsel attended, and that the meeting, lasting some 7 hours, with in-and-out travel the same day, embraced the following subjects:

- * The Canadian Situation
- * Health & Welfare Survey
- * The problem with Jorge Mester
and Conductor Evaluation Sheets
- * An update report on the San Francisco problem
- * Discussion of format-particularly the
workshops aspect-of the next conference meeting
- * NLRB prohibition of Personnel Managers
remaining as members of bargaining units
- * Participation in Advocates for the Arts
- * Goals for the balance of the year

The Chairman then thanked the other members of the Executive Board who worked like "absolute Trojans" and hoped they felt the same rapport as he did with them.

VICE-CHAIRMAN'S REPORT

Vice-Chairman Robert Maisel spoke of his gradual transition from the office of Secretary and how it affected his work--that in fact people unaware of a change were continuing to write to him for general ICSOM information. Also, by arrangement the Minutes, and Motions Passed were his responsibility for the last time. All in all, Bob felt it was a "reasonably mild year". He recognized the new responsibility (formerly held by Stan Dombrowski) of the Conductor Evaluation Program, and as Vice-Chairman, intended to expand communication with the Regional Vice-Chairman, particularly since he viewed coming legislation to be requiring of strong ICSOM involvement. Mr. Maisel also intends to remain a trustee of the AFM Strike Fund. (Other present ICSOM trustee: Ralph Mendelson).

SECRETARY'S REPORT

Secretary Stanley Dombrowski acknowledged readily the inundation of paper work associated with his new office, and particularly the 47 pound shipment of ICSOM'S historical archives from the former Secretary Bob Maisel. On new orchestras joining ICSOM, 7 had expressed interest during the year--3 were already admitted.

On the By-Laws change, passed by resolution the preceding year and requiring a 2/3 acceptance vote among ICSOM member-orchestras, it was reported that a 70% majority passed the resolution, with one dissenting vote. The change proposed a dues increase of \$2 across-the-board, with the increment going to the ICSOM Emergency Relief Fund.

The Secretary said that a new delegate directory would be available before the conclusion of the Conference meeting, asking, perhaps imploring, legibility and exactitude on the part of the delegates when filling out address lists, citing the cost, time, and frustration in having to correct inaccuracies.

The highlight of the year, actually an exchange of responsibility with Vice-Chairman, was administering the Conductor Evaluation Program--something that had been Mr. Dombrowski's work for 2 years. In the last year alone, 107 sheets were turned in, amounting approximately to a 70% increase in activity. It was gratifying to see orchestras use the rights they have won, and even more so to see managers, board members, and even some conductors ask for the information from the ICSOM Evaluation Bank. This heightened activity could be the manifestation of the "musical chairs" game apparently developing around the podium, with conductor changes now coming more frequently. Orchestras are becoming increasingly interested in engaging new conductors simply as a result of more frequent vacancies. Secretary Dombrowski lamented however, that most orchestras develop an evaluation procedure primarily when they need something for themselves, and that the activity wanes as soon as their own new conductors are engaged. He cautioned about the difficulty in resuming such a program once it should be allowed to list and sag, and that maintaining one already established was a good way to keep a check on current events.

With the new rights, however, came new responsibilities. As counsel had pointed out last year, the sheets would be used correctly if they were kept within the professional circle, to aid a committee or a management in the selection of a conductor; that use for publicity reasons or any other purpose was contrary to the intent of the program, and could jeopardize it.

TREASURER'S REPORT

Treasurer John Palanchian began by emphasizing certain figures already in his printed report. 33 orchestras had fully paid their dues, and so had contributed (as per By-Law change) \$2 per man to the ERF. 3 orchestras, St. Louis, Kansas City, and Rochester had outstanding loans, and the Treasurer emphasized that regardless of individuals, it was the orchestra's responsibility to pay the debt. Solvency of the Treasury was key noted, however, by a savings account deposit from the General Fund, the first time such was warranted. Mr. Palanchian noted that the Regional Vice Chairman's expenses have substantially risen from the prior year, and that this was a good sign, indicating a greater level of activity. During this report, Paul Berns, Central Regional Vice Chairman, who underlined his resignation from the office, suggested honoraria for the Regional Vice Chairman, citing his own experience as being one of much work and time taken up. Such a change, it was noted by the Treasurer, would require a change in By-Laws, with all the attendant formalities.

EDITOR'S REPORT (Senza Sordino)

Editor Henry Shaw detailed his financial report with the following figures:

EXPENSES

Printing	\$2843.76
Postage	370.18
Supplies, periodicals	38.24
Telephone	144.29
Miscellaneous	<u>31.15</u>

\$3427.62

RECEIPTS

Balance carried	\$ 212.11
Private subscription	257.00
Treasurers payout	<u>3 300.00</u>
	\$3 769.11

Balance \$ 341.49

The Editor said that expenses of publication remain rather stable; but that costs are rising about 10% each year. The addition of 3 new orchestras to ICSOM membership would increase the number of copies (4500) of Senza Sordino currently printed. Mr. Shaw noted that there were 75 paying subscribers, and those who receive Senza on a complimentary basis: 12 foreign orchestras, AFM board members, local officials and some government agencies--also certain conductors, symphony board members, arts organizations, university libraries, and critics.

As always, there was a call for material with note that only 8 orchestras submitted reports on their new contracts, and 8 others articles of varied nature.

In a moment of reverie, Henry dreamed of a day when there would be "too much material"--and reminded everyone that contributions are vital to the success of ICSOM'S journal.

At this point, the Treasurer's Report, not yet having been officially approved, was approved by a motion to that effect. The motion carried unanimously.

COUNSEL'S REPORT

Reporting for ICSOM Counsel, Mr. Leibowitz gave an exhaustive report of the past ICSOM year from Counsel's vantage point. To encapsulate, he covered the following topics:

- 1) The survey "Americans & the Arts" and the Richmond bill. Leibowitz felt it extremely encouraging that replies to the mailing of survey pamphlets yielded the response it had, and particularly the Bill, H. R. 8247, which came as a result only 6 months later.
- 2) The mid-year executive meeting in Chicago was an event that was so helpful it should become an annual event, that the "ICSOM KIT" (to be mentioned later) came as one result of this meeting.
- 3) Health Insurance: Work in this area was impeded because of difficulty in obtaining necessary information from orchestras.
- 4) Rapid Communication Center: Somewhat by default, counsel's office became the center. Mr. Leibowitz pleaded to the delegates to send in copies of contracts, so that the reference file is maintained in as complete a form as possible.

(At this point, the Auditions survey was mentioned, but a report on this would be made later by Crawford Best).

- 5) On Labor Relations in the Performing Arts: Mr. Leibowitz mentioned the request by a California periodical for an article on the above topic. A law student was engaged to prepare a law review article, which should be available the next ICSOM general meeting.
- 6) Pension Reform Act of 1974: A law having broad ramifications for everyone, not only musicians, took a great deal of time, and most of the questions pertaining to it would be dealt with in the workshop session table devoted entirely to Pensions, Health & Welfare.
- 7) "ICSOM KIT": A large 3 ring binder was distributed to the delegates, one for each orchestra to be the property of the orchestra and not any individual. The volume was prepared by counsel to assist orchestra committees, their counsels, and to create a basis for a running reference work of material not recorded in law libraries, and which can be added to in time.

Briefly the work includes:

- * A History of ICSOM
- * ICSOM By-Laws
- * The AFM Strike Fund
- * Political Activity (on a national level)
- * NLRB Material
- * Sample Contract Clauses
- * ICSOM Study on Orchestra Splitting
- * Sample of questionnaire for possible
use preparatory to negotiations
- * Collective Bargaining Techniques
- * Three Memoranda
 - 1) The changed IRS position relating to
audition expenses.
 - 2) The NLRB prohibition on personnel
managers remaining part of the bargaining
unit.
 - 3) Federal termination insurance premiums
for pension plans under the Pension Reform
Act of 1974.
- * ICSOM Directory
- * Volunteer Lawyers for the Arts (monthly publication
available)
- * Compilation of Arbitration Awards involving
musicians, symphony orchestras, and AFM locals.

Mr. Leibowitz submitted that this last section would grow in size and probably require a second volume for itself alone. It was emphasized again by counsel and by the Chairman that the book was extremely expensive and was the property of each orchestra.

STRIKE FUND REPORT (Ted Dreher, AFM)

The Strike Fund financial report was distributed to all the delegates and is appended to these minutes.

Perhaps due to the actual paper not having been distributed prior to the report, there developed some misunderstanding about the amount of \$43,051.38 that had to be reimbursed to the AFM General Fund. It seemed initially that the original guarantee of \$250,000 had been touched at some point to the extent of the above amount in question. When the fund began to show its usual surplus, the \$43,051.38 was due to be repaid. The matter is clarified later in these Minutes.

By far the most cogent matter arising during the report, was the matter of increasing benefits from the Strike Fund. It was a direct result of an earlier Executive Meeting during which a motion to increase strike fund benefits to \$100 was passed unanimously. This executive recommendation was now brought before the delegation by Bob Maisel, Vice Chairman and strike fund trustee. Brad Buckley, delegate from St. Louis, stated that the financial state of the times alone indicated an increase to be necessary. He went as far as to suggest an increase in benefits (doubling them to \$100) without providing for an increase in premium paid by each musician. This proposal was understood, but opposed by Mr. Maisel. As to additional costs resulting from a benefits increase, most understood that the amount of premium increase would depend on the actuarial experience of the fund. When Chairman Segall found no further discussion on the motion already submitted, he asked for a re-stating of the motion. Bob Maisel responded and said "The motion is to increase the Strike Fund benefits to \$100". The motion was carried unanimously.

After the vote, Counsel Phil Sipser read the provision in the strike agreement which, however germane, was read for informational purposes. Essentially, the section read showed no need, in Sipser's opinion, for AFM Convention approval of action taken by strike fund trustees regarding payments and benefits changes--to wit, "Benefits in the amount of \$50 a week shall be paid for a maximum of 15 weeks to the individual players on strike, provided that the trustees in their discretion may determine that lesser payments, or a lesser duration are appropriate or are necessary in order to preserve the fiscal soundness of the fund. The trustees may also in their discretion increase the payments or duration of both". Counsel suggested that "that area (aspect of the matter) be investigated".

REPORTS ON NEGOTIATIONS (in progress or completed)

Dallas: Betty Patterson Girko began by recalling her orchestra's winning an arbitration award a year ago in August, but in September, management still had not agreed to pay the money as decreed by the award. The arbitration case involved salaries due musicians after the remainder of the (11 weeks) season was cancelled. After a new manager, H. R. Haldeman (!) and much to-and-fro jockeying for position, with the Dallas management put on the "Unfair List", and still further balking in paying the arbitration award, what emerged was a 33 week season (including 7 opera weeks) at \$285 weekly and a 39 week season (7 opera weeks) at \$300. The final result was a contract 1 week short of what had existed 2 years ago. Betty thanked ICSOM and all who helped in making the Dallas settlement reach fruition. Sipser paid tribute to Betty's energies in the Dallas impasse.

METROPOLITAN OPERA:

Harold Elitzik, who had appeared before the ICSOM Executive Board in Chicago earlier this year, spoke of the dilemma faced by the Met's musicians. In describing the Met's unique problems and complexity of its operations, Mr. Elitzik reminded delegates that 14 unions were involved in contract negotiations, that tours included 350 people--orchestra, chorus, ballet, conductors, etc.--and with such a grand scale of operation that deficits were enormous. The management threat to close the house had been an oft-repeated one--but this time it materialized. He recalled the attitudes of orchestra committees years ago--when the tendency was close collaboration with management--and as a result, the per diem one year rose from \$10 to \$10.25.

He intimated that such meekness was now a thing of the past. Recent history of negotiations there included a short strike followed by a good contract; and a lockout of 4 months, with musicians losing about \$5,000 each, but again resulting in a good contract, Mr. Elitzik said.

The next trade agreement, the first which Sipser negotiated, resulted in a return of the musician's pension contributions.

In the current negotiations, management's first proposal coming months after talk began, included a 4-week cut in season, a 1-week cut in vacation, and a 10% cut in pay. After a resolution of support from the ICSOM Executive Board meeting in Chicago, after several months of no meetings, management rescinded the 10% pay-cut but asked for 5 free Sunday performances. At the time of the Conference meeting, the only real progress seemed to be the absence of threat to close the house.

In the question-answer period that followed Phil Sipser characterized the 10% cut proposal as a "ploy" that was deliberately put on the table and just as easily withdrawn. He stressed that musicians should think in terms of annual salary, and leave the seeking of engagements--and hence, the filling of the season weeks--up to management. In a point raised by Stan Dombrowski that the increase sought by musicians was very small in relation to the total budget (\$24,000,000) of the Met, Sipser pointed out that any increase would have to be across-the-board, with all unions benefiting, if a coalition of these unions was to be achieved.

He felt a more valid argument was the disproportionate amount of deficit management apparently expected musicians to absorb: \$500,000 out of the total \$2,000,000. And, that even if musicians acquiesced to cuts proposed, the real problem (and total deficit) at that major arts institution would remain unsolved.

(At this point, the Chairman reminded delegates of an informal meeting of Metropolitan Orchestras whose budget is under \$1,000,000, and to contact Bob Jones, Portland, Oregon, who had a special interest in this area).

LYNN RICHMOND, ROCHESTER, reported conclusion of negotiations as having been less troublesome than in the past. She felt that a "first" had taken place when a trombone player and personnel manager was made Acting General Manager for a 1-year trial period, with the option to return to the orchestra should he so desire. Leibowitz reminded the Conference that the player was once an ICSOM delegate.

VANCE BEACH, LOS ANGELES, reported that progress in negotiations had come about in most areas, with discussion at that time centering on money matters. Mr. Beach (former Editor, Senza Sordino), spoke of the new negotiating arrangement in Los Angeles--with himself (a local union official) and the local union President, as well as 5 Committee members being the negotiating team. The committee members were paid the same rate as the Local Executive Board at Board Meetings, \$10 per hour, and had already attended 45 hours of meetings. This amounted to "a little more than the usual \$100 honorarium", he said.

Mr. Beach spoke of the 15,000-member Los Angeles local as compared to the 100-member symphony--which nevertheless had representatives on the Local Board. Other locals did not have such a large preponderance of non-symphony musicians, so election to a Board position should be somewhat less difficult.

On the question which naturally emerged from this discussion, it was found that nine ICSOM orchestras had representatives on their Local Boards.

TOM HEIMBERG, SAN FRANCISCO, gave an extremely detailed and illuminating account of what he admitted became generally known as the "San Francisco Problem"--the non-granting of tenure to Elayne Jones, Tympanist, and Ryohei Nakagawa, Bassoonist. This case, already well known to ICSOM members, was presented at the Conference meeting last year, when Mr. Heimberg and Charles Ullery distributed considerable printed matter pertaining to the case. This year, a conclusion, at least in the case of Miss Jones, was presented. Basically, the only question in the case seemed to be the manner in which the original vote on the granting of tenure was taken. On this matter, the court laid down a list of 12 requirements which would be followed in a new vote taken on August 25th (1975). Some of the guidelines included even the manner of dividing of the hundred-point scale to denote certain ability. But one of the most important was the provision for a court-appointed monitor to watch over the deliberations to insure, among other things, the vote be based strictly on musical ability and not on race or sex (which were among the charges filed by Miss Jones--who sued both the Union and the Symphony Association).

The vote by the Player's Committee was 169 for Miss Jones, 8 fewer than that cast last year, and 182 fewer than required for the granting of tenure by the Committee (351 votes required). The Conductor, Seiji Ozawa, also voted against the granting of tenure to Miss Jones.

On the matter of the Bassoonist, Ryohei Nakagawa took no legal action. He did re-audition; no one was accepted. A number of circles felt it only fair to accord him the same treatment as given Miss Jones, but at the juncture of the 1975 ICSOM general meeting, no further news on his case was available.

Mr. Heimberg alluded to the trauma that the "problem" caused many, the endless hours spent without pay, the criticism from the outside, et al. the symphony association too, lost subscribers and contributors as a result.

There was much question and comment that followed Mr. Heimberg's report. One had to do with the strictures placed on a departing conductor regarding dismissal or granting of tenure; another by Chairman Irv Segall, compared the apparent imbalance of the hiring procedure and the procedure for tenure-granting. In the former, the conductor in San Francisco had 150 points, whereas the auditioning group from the orchestra had only 100 with 200 required for gaining entrance to the orchestra--obviously a conductor-weighted situation. Yet, in the latter, the

two entities--conductor and committee--were on a more evenly balanced scale. Tom Heimberg also pointed out that the position of concertmaster does not fall under any of the usual contractually protective security provisions, and has no tenure. He just "keeps practicing", Mr. Heimberg said.

(END OF 1ST SESSION)

(Wednesday, August 27, 1975)

CRAWFORD BEST, AUDITIONS COMMITTEE REPORT

Crawford Best, Southern Regional Vice-Chairman, gave his report on a subject of critical interest to all musicians, auditions. A questionnaire had been circulated among delegates, and upon the results of that, plus a number of personal contacts, Mr. Best gave some suggestions for solutions. The problems being well enough known, he felt they could be met best by 1) strong auditions provisions in orchestra contracts, 2) by AF of M, by action at its annual convention, not necessarily binding in nature, and 3) through regional auditions.

The last was a rather novel concept, spawned perhaps by realization of the enormous costs involved in travel, food, and lodging, each time an individual applies for an orchestral position. It was thought and suggested initially that establishing a few regional centers throughout the country might alleviate the problem. Management representatives from various orchestras could attend, simultaneously hearing anyone applying for one of several positions. Even rating sheets were suggested, in the hope that candidates would not have to re-audition for another position that same year. On this entire matter, there seemed many counter arguments; that a new evaluation bank would emerge, that record keeping on each musician and each audition would reach diluvian levels, that people react differently to different environments, that some conductors prefer hearing applicants in their own halls, etc.

Leslie Martin, Boston, foresaw a "sticky wicket" in rating a musician who might suffer from the rating until he could audition again to change it. He also spoke of the many who were even denied the right to play an audition because of lack of professional experience.

Finally, a straw vote on whether or not the subject of Regional Auditions should be pursued further was negative.

Kyla By num, Houston, advocated playing in an orchestra for a short trial period as a better means of forming judgment on a new player, and as her orchestra has provided for contractually (for string players). Stan Dombrowski noted that auditions often involve testing in areas seldom if ever offered to the candidate if successful: solo concerto playing and playing of orchestral parts alone rather than actually sitting in an orchestra playing with others--the job he is trying for.

John Palanchian and Henry Shaw echoed these sentiments, with the Senza editor recalling the article on European orchestras and the audition procedures there providing for a short trial period playing in the orchestra.

Tom Heimberg, San Francisco, urged that a session of chamber music be part of the audition, to test ensemble playing ability--a prerequisite to orchestral playing.

On auditions committees, the questionnaire only proved the sentiment widely held that these committees were instrumental in the engaging of better players. Most orchestras engage musicians today with the participation of some version of an auditions committee, Cleveland and New York City Opera being notable exceptions. Crawford Best felt these groups to be rather limited in their size, however, pointing to the Berlin Philharmonic where the whole orchestra may attend an audition. The questionnaire seemed to indicate a greater interest in this area by the smaller orchestras.

Ted Dreher, from the Federation, recalled the problem of candidates for auditions not having sufficient time to play. If called back for final auditions, the applicant's costs should be borne by the orchestra society, he felt.

Advertisements in the International Musician of positions available came under some discussion. Mr. Dreher emphasized that positions under litigation would not be advertised in the journal, but that it was necessary to inform him of the status of such positions. He spoke of Bob Carver who, he said, is extremely cautious and careful about accepting ads, usually calling the Local Union before doing so, to determine whether or not a conflict exists. In his appearance, Mr. Dreher coincidentally warned delegates about contractual conditions in 3 foreign orchestras located in Jerusalem, South Africa, and Mexico, and that regardless of advertisements and auditions that take place, AFM members were strongly advised to consult with him before acting on any audition or contract with those orchestras.

Dr. Charles Wheeler, Mayor of Kansas City addressed the meeting. (The Mayor actually entered the hall during Crawford Best's report, the latter conceding the rostrum and resuming later. For the purposes of these minutes, both reports are given in uninterrupted form). Mayor Wheeler, having doctorates in Forensic Medicine and in Law, was introduced by Dale Weddle, K. C. delegate. Mr. Weddle pointed to the Mayor's avocational interest in music--playing the cello--and conducting the Kansas City Philharmonic on occasion.

Mayor Wheeler spoke of the various efforts to fund the arts--and despite the Federal, State, and Local Councils for the Arts, the problem of adequate funding

is everpresent. He alluded to this problem as being more severe outside of the Northeast, saying that "most of the cultural dollars stayed where the original 13 colonies were", and jokingly that he wanted to create a National Corporation called the "Other 37".

Mayor Wheeler's proposal, essentially, was to lessen the yearly deficits in cultural institutions by a contribution from the business community. Having done considerable preparation for this, he concluded that if only 50% of all corporations earning a profit contributed .01% (one hundredth of one per cent) of their profits to the Arts, the problem in the country would be virtually eliminated. He stressed his preference for such private support, rather than from government, supported by taxes. He demonstrated the case in his own area: that such a .01% contribution from 50% of Missouri business would amount to \$6,400,000, that Missouri was an "average state", 14th in size, and that such an amount would be twice as much as the state legislature is providing through the taxpayer--further that this amount matched by the other 49 states would go to all cultural activities--with 1/10 going to symphonic orchestras. According to the Wheeler plan, the contribution would be based on the amount of business the corporation did in the state, with state regional offices of national companies making the contributions. He felt guaranteeing confidentiality to business to be an essential aspect of his program.

The Mayor suggested that representatives of orchestras, players organizations, etc., attend meetings, become acquainted with the mayors, members of governing bodies, and the chamber of commerce. He suggested sending representatives to the Governor's Conference which takes place semi-annually and on two levels, national and regional. A new and stimulating idea was Mayor Wheeler's proposal for activity on an international level. In that he mentioned that most American cities had "sister cities" abroad--that his own, for example, had sister cities in Mexico, Spain, Japan and Sierra Leone, Africa. Thus, by implementing "Sister Cities International", an exchange of orchestras could take place on a favorable and efficient cost basis, with a full plane taking one orchestra--and returning with another. He stressed that the idea needed a mechanism to coordinate it, and that he was sure of its feasibility.

KANSAS CITY REPORT

Larry Hartshorn, Committee Chairman from Kansas City, spoke on the state of negotiations in that orchestra. For purposes of historical background, he went back to 1969, recalled the 11-week lockout that year as the most bitter dispute in the annals of symphony orchestra contract negotiations. This was especially so since the 11 weeks represented such a high percentage of the season length. He spoke of the demoralized state of the orchestra, particularly the season after the lockout, which was cancelled after 26 weeks with 8 weeks remaining. Having

engaged Sipser & Co., the following 3-year contract increased the season length by 12 weeks over 3 years, to 38 weeks, with a minimum annual wage around \$7500.

Interesting points of Mr. Hartshorn's report were that the Kansas City Philharmonic was the only major orchestra that failed to match a Ford grant--that the board of directors, via a New York Times article, said they could not raise the matching funds because it would just go to raise musicians' salaries--that, at the same time, the board succeeded in raising \$3.5 million to build a new hall, in conjunction with the university.

A Kansas City orchestra member had made a chart comparing the subsistence wage for a family of 4 in metropolitan areas with the minimum annual salaries of orchestras in cities with population from .9 to 1.6 million. The result showed all orchestras on the chart as having a minimum salary 6% to 33% above subsistence level--excepting Kansas City, which was 12% below that level.

When unemployment compensation became mandatory by law, management challenged it, but orchestra members ultimately won their case after several appeals. Larry Hartshorn continued by pointing to what was termed an "appalling lack of earned income". This amounted to only 21%-22% of the annual budget (\$1.4 million). Income figures for 3 seasons were given, beginning in '71-'72, as \$275,000; \$208,000 and \$275,000. An example of this problem was a description of a memorial concert for the late President Harry Truman, at the Reorganized Church of Latter Day Saints in Independence, Missouri. The musicians donated their services, the attendance numbered 67000. Gross receipts were \$72,000. Net gain for the orchestra was \$5,000.

At the time of the Conference, management had offered the orchestra a 32-week season, with an option to go to 35 weeks, with a \$5-per-week raise in salary. It was noted that \$10 of salary went to Electronic Media, so this represented an actual \$5 weekly cut. (At the time of this writing, the orchestra endured and survived a 10-week strike).

SAM LEVINE, Vice-President of the Toronto Local, Chairman of the Canadian Conference Symphony Symposium, and member of the Toronto Symphony, next addressed the ICSOM delegation on a matter that had been discussed for some time but which had its initial action at the ICSOM Executive meeting in Chicago. At that time it was noted that Canadian musicians' interests--while basically the same as those of their colleagues to the South--were still different enough to raise question as to the kind of membership they should have with ICSOM.

In his statement to the Conference, Mr. Levine described the prevailing conditions, attitudes, problems, and solutions in Canada. For the past 5 years,

for example, there were symposia composed of paired player and union delegates--similar to those formerly held by the AFM--from 1/3 to 1/2 of the 30 symphony orchestras in the Canadian Conference. While Canadian orchestras were somewhat "behind" their counterparts in the United States, the "Big 10" in Canada worked under fully professional conditions. In attempting to anticipate the question why Canadian orchestras aren't as involved in ICSOM as the American, Mr. Levine first noted the difference in participation of government. He doubted that any of the Big 10 orchestras could exist without it. The National Arts Center Orchestra in Ottawa received 100% government funding, and others received 35%--40% funding of their budgets. Those others also received aid from provincial and city governments. Mr. Levine referred to this as a "compromise between Socialism and Capitalism in Canada"--since most orchestras still had to raise at least 30% of their budgets through private funding.

Government was also soliciting advice, sounding the opinions of players, and transmitting them to the various Arts Councils. Curiously, in the various studies undertaken, the government had found itself taking back some of its own appropriations in the form of taxes, due to the greater spending potential of the musicians.

The players were forming their own Players' Organization, and though they wanted to retain some tie with ICSOM, the relationship would be changed. A resolution was then submitted to the ICSOM Conference pertaining to these changes, and read by Chairman Segall:

CANADIAN RESOLUTION

Whereas the member orchestras of the Canadian Conference Symphony Symposium, which we will hereafter call CCSS, do not find it feasible to become regular member-orchestras of the International Conference of Symphony and Opera Musicians, which we will hereafter call ICSOM, but they do however recognize the potential mutual benefits of an affiliation with ICSOM, and whereas ICSOM also recognizes the potential mutual benefits of an affiliation with member-orchestras of CCSS,

Therefore be it resolved, that the Executive Committee of ICSOM be authorized to enter into an affiliation agreement with CCSS, embodying among other things, the following understanding:

- 1) Observer status will be accorded to representatives at the respective conventions.
- 2) CCSS members may subscribe to Senza Sordino at the established current rate.
- 3) The respective executive committees will maintain close contact with a view to exchange information, take concentrated action on matters of

mutual concern, and in general achieve a climate of optimum cooperation.

- 4) Current Canadian member-orchestras of ICSOM may remain members under existing ICSOM By-Laws, and any Canadian orchestra may become a member-orchestra of ICSOM if they so desire.

This agreement may be terminated at any time at the request of either ICSOM or CCSS.

The discussion which then followed concerned the whys and wherefores of the proposed changed relationship with ICSOM. Along with the reasons stated by Sam Levine, was the matter of a different legal system in Canada, making ICSOM Counsel of little use to Canadian member-orchestras. Also cited were the heightened feelings of nationalism in countries throughout the world today--with Canada being no exception. ICSOM Officers pointed out that the new relationship established could actually broaden the Canadian exchange with ICSOM--ultimately to all 30 orchestras in Canada. This, of course, apparently meant exchange of ideas and information through the respective Executive Boards of ICSOM and CCSS.

Question was called. The resolution carried unanimously.

Before the day ended, Ted Dreher renewed his plea for quicker delegate response with the information annually compiled in the AFM Chart, "Wages Scales and Conditions in the Symphony Orchestras". In answer to questions and discussion appropos, he noted possibilities for two new items on the chart: 1) whether/how many orchestra members were on the Executive Boards of their local unions, and 2) the percentage of annual budget of symphony associations spent on musicians' salaries.

To clarify the Strike Fund report made earlier, Mr. Dreher explained that money from Strike Fund subscriptions was deposited in an interest-bearing account, and that benefits payments were made from the AFM General Fund. Therefore, the \$43,000 owed to the General Fund came as a result of benefits paid out of that fund. Since that amount had not yet been repaid (from the Strike Fund Account to the General Fund), it appeared on the report as an amount to be deducted from the gross balance.

Delegates were reminded that individual payments to the Strike Fund were treated as dues, and that failure to pay could result in suspension from AFM membership.

(Thursday, August 28, 1975)

Paul Ganson, Committee Chairman in Detroit, addressed the Conference. Since Detroit as well as other orchestras was in the midst of negotiations with talks approaching an impasse, Mr. Ganson visited briefly, apprising ICSOM of the current situation. In the scenario vividly portrayed of a tough city, with tough labor and tough management, symphony negotiations apparently were no different. The Committee attempted to begin in February (1975), was promised a complete offer by May 22, with that offer finally emerging on August 22, 3 months later. It was too little, too late, -- "brinksmanship" -- a tactic to sew uneasiness among the players. Mr. Ganson recalled the Detroit riots of 1967, a landmark year in many respects, which had his orchestra in 6th rank. Today he found it occupying 10th to 13th place. Since 1967 is the base year for inflation, he noted musicians now had 12% less purchasing power; and despite double-digit inflation predictions, management came up with proposed increases of 3.2%, 4.8% and 6%, after the season began with a cash surplus of \$424,000. Ticket sales, attendance, and contributions to the Maintenance Fund were at all-time highs, with an Endowment Fund just short of \$10 million after an expected grant from the Ford Foundation. Management refused to raise benefits for past retirees even though some were receiving monthly amounts of \$60 or less, with some surviving widows \$20 or less, after husbands were in the orchestra 40-45 years. They likewise refused: to upgrade Blue Cross/Blue Shield, to provide Long Term Disability Insurance, guarantee an orchestra of 90 members; -- and very importantly, strongly rejected the idea of any musicians' committee to review dismissal or non-renewals. Detroit was the only orchestra in the top twenty without such a committee. All committee proposals on working conditions were rejected as well. Management's rejoinder was a list of proposals that were regressive.

Mr. Ganson eloquently returned to the subject of Detroit's image, by quoting the Welsh playwright, Dylan Thomas. In a letter to his wife, Caitlin, Thomas described his travels over the United States and Canada, naming the cities he visited. "Detroit, the worst city of all, where they make the motorcars," was the only one ascribed a character, Ganson emphasized, but he said that the orchestra was committed to making it something better -- "hoping to make it a little better for our being there, and hoping that our being there will be a little better as well."

Chairman Segall's epilogue was his expression of pride to have people such as Paul Ganson, and the Committee Chairman from Kansas City, Larry Hartshorn, as ICSOM members, and that the dedication of such able people, along with the Strike Fund, and the ERF, were three very positive factors available to orchestras in distress.

HAL DAVIS, President AFM, next appeared as guest speaker. In his address to the delegates, the first in ICSOM's history, he recalled the institution of the AFM Symphony Symposium under President Kenin. While it was successful to a degree, communication did not really improve to the current levels until the establishment of ICSOM as a Conference within the AFM. "Communication, he said, means education; education means understanding." President Davis believed that officers in local unions now have a better understanding of symphony and opera musicians' problems and felt that great progress has been made in recognition of players' talents and their contributions to their communities. Federal funding helped these improvements but more would be required. State, county and city funding would be necessary to maintain already achieved levels, and to raise them further.

In this vein, President Davis recalled the evolution of government support, recounting his efforts before Congressional Committees in the late '50s and early '60s, to a point when, in 1964, Congress finally adopted the concept of funding for the Arts and Humanities.

It was not until 1965, however, that they actually appropriated money, and then it was \$4 million. That initial level grew to \$74 3/4 million in 1974-75. This year, the AFM President said, he appealed to legislators from the standpoint that other industries and occupations benefit when the Arts are healthy, that a "ripple effect" would ensue, that parking lots, restaurants, and the employees in various related businesses would feel the effect of a high level of funding for the Arts. Congress originally authorized a \$126 million appropriation for the fiscal year, but the Administration request was for \$82 million. At the time of his speech, the final amount was not settled by both houses of Congress, but he hoped for at least the \$82 million. He said he had long felt the need for a tax check-off (as provided in the Richmond Bill), promised support and would seek the support of the AFL-CIO.

President Davis then described how the Federation's legislative support program works. A legislative director is appointed in each of the 50 states--each being charged with contacting all locals within his state--and urging a letter-writing campaign with regard to specific legislation...the emphasis always being on cards and letters from individuals, since Congressmen pay close attention to the voices of their constituents.

There were problems still with us. For years, the Federation has been attempting to have the 1909 Copyright Act amended. While some amendments were approved in the last session, one which was of vital interest, the Performers' Rights Amendment, was defeated. The President said the amendment was re-introduced this year, but described it as an uphill fight. If defeated, "we will be back", he said, noting that it also required patience to win the eventual repeal of the Federal Amusement Tax.

Also taken up was the problem of Foreign orchestras in residence. President Davis spoke of difficulties in re-educating immigration authorities as new people fill vacancies left by those retiring. He reminded the Conference that the current Recording Contract expired October 31 (1975) and that he had apprehensions about the outcome of negotiations. Noting that Columbia's sales figures for the first quarter were down in excess of \$600,000, he anticipated greater problems than in the past. While these and other problems, he said, were of vital importance to ICSOM, there were a myriad of others relating to the musicians in television, recordings, those travelling, those in the theatre, circus, rodeo, and ice-show. While the work was rewarding it was never-ending; and when handicapped by laws in existence today it could be frustrating. The battle to educate the Congress, however, would continue.

The President thanked everyone for being able to meet and hoped that discussions for the balance of the Conference would be fruitful and helpful.

Irv Segall thanked Hal Davis and assured him that his presence was one of the highlights of all the general meetings held by ICSOM.

DALE WEDDLE, Kansas City, requested a short time to underline his concern over negotiations there. In response to a management threat to cancel the season, a list of various alternatives for the orchestra was presented. It began with an appeal to the association for a fresh approach and graduated to stronger measures, including telegrams from ICSOM orchestras, publicity in St. Louis papers (Kansas City media offered little news coverage), a letter from Chairman Segali to Mayor Wheeler (who appeared earlier), communication with the conductor, and the various usual appeals for financial aid. Larry Hartshorn, K. C. Committee Chairman, thanked ICSOM with especial gratitude to St. Louis members at the Conference, Messrs. Maisel and Buddley who took time to have private discussions on the problem. The Chairman suggested a resolution be submitted in the afternoon session relative to Kansas City and ICSOM's support for the orchestra.

HEALTH AND WELFARE

Russell Marquardt, from Philadelphia presented his assessment of a proposed national H & W plan for ICSOM orchestras. Mr. Marquardt, a specialist in the field worked on this project in conjunction with Nicholas Borsay from Los Angeles. Questionnaires were distributed a year earlier to selected orchestras and the accumulated data then submitted to Mr. Marquardt for actuarial analysis and a report, so that a determination could be made on the feasibility of the proposed project.

Mr. Marquardt considered the subject that of establishing a Multiple Employer Trust for benefits to symphony orchestra employees in the United States. Conceptually, such an arrangement is designed to provide to an association of employers mass purchasing power, making possible the broadest available group insurance coverages at costs normally available only to the largest groups or companies.

A high degree of cost stability and predictability results from the greater spread of risk. Flexibility, could be arranged for, suiting each member-orchestra's needs, regarding life insurance schedules, health insurance benefits, travel/accident and short-/long term disability benefits.

Mr. Marquardt made 7 points that already could be defined from the information submitted. He emphasized, however, that a complete census would be necessary for a complete evaluation, that budget and employee make-up, statutory state requirements, availability of local, equitable, and adequate claims service were factors to be considered. Also as important were the effective communication to employer-participants, and the participants' recognition of the insurer. The 7 points were:

- 1) Life Insurance Benefits Recommendation: approximately equal to annual salary--a minimal proposal. Many individuals have 3 and 4 times this figure, but such a beginning would represent a substantial increase for some musicians currently "enjoying" a \$1,000 death benefit.
- 2) Accidental Death and Dismemberment: should be established to amounts equal to Life Insurance. Coverage should include 24 hour protection, including protection for accidental death as a result of being a fare-paying passenger on a regularly scheduled airline, domestic and overseas.
- 3) Rate Structures: could be reduced for all symphony orchestras--roughly 15%-20% for Life Insurance in the specific examples referred to (Mr. Marquardt quoted actual figures in these examples).
- 4) Dividend Potential: By itself, no orchestra is large enough to have a dividend potential under the various Life Insurance Programs; but in the group concept, the total would be large enough to warrant issuing a participating contract which would produce dividends approximating 20%. This, in addition to rate reduction, would produce a very favorable picture for the combined group.
- 5) Health Insurance: These plans vary widely, so a basic, comprehensive major medical plan would be developed with high liability limits--\$1,000,000 or unlimited maximum. This is not uncommon in the commercial community. A case was shown where a change from \$30,000 to \$1,000,000 maximum resulted in a small percentage upward change in premium.

Mr. Marquardt cited semi-private room charges in Philadelphia: \$130-\$175 per day. A major health problem, then, would produce skyrocketing costs. But again, due to the large purchasing power, the rates could be discounted 10%-15% from rates for individual groups.

- 6) Dividends could be paid (on Health Insurance) according to a participating contract, but with the rise of medical costs, the amount would be negligible. (Mr. Marquardt admitted this to be a weak point).
- 7) When additional coverages would be appended, such as dental care or prescription-drug coverage, the rate discounts would be on the order of 10%-15% compared to rates for individual groups.

Mr. Marquardt said that a viable program embracing group life, health, disability, dental insurance--and various other packages--is available to ICSOM, and that there are high-image insurers that would welcome the opportunity to be named as the carrier for such a program.

In the ensuing discussion there was concern about the varying requirements, and financial capabilities, of the various orchestras that might participate. Nicholas Borsay, a Los Angeles insurance consultant, assured the Conference (as Mr. Marquardt did in his opening remarks on "Flexibility") that this did not constitute a problem. Of course, all participants in a specific member orchestra would have to remain within its plan. He simplified much of this by saying that for the same amount of money an orchestra could have greater coverage; or have the same coverage for less money. Answering a question pertaining to the minimum number of participants, Mr. Marquardt suggested 1,200 for a lower-image carrier (12 orchestras) or 1,500-1,800 for a high-image carrier.

Nick Borsay gave as one reason for lower rates the "absolutely incredible, inherent job stability" (sic!) in symphony orchestras, that job turn-over is much lower than in the university faculties handled by his firm; further, that this favorable aspect has a great deal of significance in insuring 1000 people, almost none for 100.

Chairman Segall thanked Nick Borsay and Russ Marquardt for the services they offered ICSOM.

(Afternoon Session, Thursday, August 28, 1975)

CONGRESSMAN FRED RICHMOND, Democrat, New York's 14th District (Brooklyn), was a major scheduled speaker at the 1975 Conference. Introducing the Congressman, Chairman Segall cited his long background in civic and cultural activities, that he was former New York City Commissioner on Human Rights, an early organizer of housing rehabilitation projects, former city councilman of New York, is a trustee of the Brooklyn Academy of Arts and Sciences, and runs the Brooklyn Museum and Brooklyn Academy of Music, an 8-year member of the New York State Council for

the Arts (the first in the United States) being Chairman of the Budget Committee, Honorary Chairman of the Young Audiences which in 1975 sponsored 2700 concerts in New York City public schools, and Chairman of the Board of Carnegie Hall, helping to prevent its demolition a few years ago.

Mr. Richmond plunged immediately into the depths of his message pointing to the dwindling revenues and rapidly increasing costs of Arts and Humanities institutions today. Because of this, these institutions, and their artists, faced an incredible lack of security with no assurance from year to year whether funds would be available for their work to continue. He quoted figures from Ralph Black, head of the American Symphony Orchestra League (ASOL), that showed the average annual salary of musicians in the 117 largest American orchestras to be \$5,300. He bemoaned the lack of Federal commitment that allowed such a situation, while the United States "boastfully claims to be the center of Western culture". And he paid tribute to the musicians and artists who have so far survived, and insured the flourishing of the Arts and Humanities in this country. As if proof were needed, he gave figures to back his claims: In Canada a full 1/3 of total production costs are borne by the government, while in contrast, the United States government pays 4.6% of the operating budget for symphonies, 8.1% for opera. As a result we "might" get \$80 million this year from the Federal Government, whereas something like \$800 million is needed.

No artistic organization can be self-supporting; all of them lose money. According to Opera America, opera companies take in only 40%-50% of their costs; and symphonies, even though costs may be lower, likewise take in considerably less than their expenses. Behind a ticket costing \$8.50, Mr. Richmond said, were another \$20 or \$30 in costs, and with such a background, the eventual involvement of the Federal Government was inevitable.

He therefore had submitted his bill, H.R. 8274, as a way of finding relief for this ever-deepening problem. It provides for a check-off on the Federal Income Tax form, where the taxpayer could contribute any part or all of his refund and/or pay an additional amount with his taxes, toward the Arts. Monies so collected would then go to the National Endowment for the Arts and Humanities--no part of which to be used for the Endowments' own administration, but for direct subsidy to artistic organizations, artists, and community groups.

Using the data from the Harris poll, and the booklet, Americans and the Arts, which pointed out that 64% of the American adult public would pay \$5 a year toward the Arts (with smaller percentages paying larger amounts), Mr. Richmond calculated that 80.7 million Americans would contribute \$1.7 billion toward the Arts and Humanities, were his bill enacted.

He appealed for massive public support and for ICSOM efforts to marshal that support. The bill, in Ways and Means Committee, almost automatically there

because it involved a change in the Federal tax form--would stay there unless the members were convinced of public support. Also, lest anyone have fears about government in the Arts, he stressed the bill would have government merely serving as the conduit for such funds, which would be contributed on a purely voluntary basis.

He then listed the names of the members of the Ways and Means Committee:

WAYS AND MEANS COMMITTEE

Democrats

Al Ullman,	Oregon <u>Chairman</u>
Wilbur Mills	Arkansas
Dan Rostenkowski	Illinois
Phil Landram	Georgia
Charles Vanick	Ohio
Dick Fulton	Mississippi
Omar Burlison	Texas
Jim Corman	California
William Green	Pennsylvania (Phila.)
Sam Gibbons	Florida
Joe Waggoner	Louisiana
Joseph Karth	Minnesota
Otis Pike	New York
Richard Vanderneen	Michigan
J. J. Pickle	Texas
Henry Helstoski	New Jersey
Charles Rangel	New York
William Cotter	Connecticut
Fortney Stark	California
James Jones	Oklahoma
Andrew Jacobs	Indiana
Abner Mikva	Illinois
Martha Keyes	Kansas
Joe Fisher	Virginia

WAYS AND MEANS COMMITTEE
Republicans

Clancy	Ohio
Bill Archer	Texas
Guy Vanderjaqt	Michigan
William Steiger	Wisconsin
Phil Crane	Illinois
Bill Frenzel	Minnesota
Joe Martin	North Carolina
L. A. Bafalis	Florida

In discussion which followed, questions were raised mainly with regard to the methods for the required lobbying effort. Mr. Richmond suggested writing to any of the above Committee Members directly, if they were representing the writer's State or District; or, to write to one's own Senators or Representatives, to influence these Committee Members. He stressed, in response to Lynn Richmond's (Rochester) question, that individual letters are much more effective than petitions. Sam Denov (Chicago) suggested approaching management to have an announcement sheet inserted in the concert programs, asking audience members to write.

Another suggestion was to contact music critics, teaching colleagues, and students. Congressman Richmond referred to the ICSOM delegation as the "tip of the iceberg"--and that in addressing the Conference he was trying to reach the iceberg--the 4000 musicians in ICSOM orchestras. He reiterated that "not a dime of Federal money " would be spent if the bill were enacted, and so he doubted a presidential veto. The main job, he averred, was to get hearings on the bill started.

The Chairman thanked Congressman Richmond, assuring him of ICSOM's effort to support his proposed legislation, H.R. 8274. Also thanked was President Hal Davis, who left the meeting shortly afterwards.

Phil Sipser then recapitulated the points of the various speakers and added his suggestions. He reminded delegates of the actual widespread interest and support of the Arts in the country, citing the 150,000 that attended a Metropolitan Opera performance in Central Park, as well as the statistics in Americans and the Arts. He suggested not only the participation of ICSOM's 4000 members, but that of all local unions and their memberships in the Federation; to organize a delegation of people including the Local Presidents, officers, board members, along with respective symphony managers, to meet with legislative officials in their state or district. Even if these officials oppose the Richmond bill, they could not oppose a hearing, he said. Approach all unions engaged in the Arts, and those who are not could be introduced to the existing problem by providing copies of Barbara Wertheimer's booklet,

"Exploring the Arts", which specifically deals with getting trade unions involved in such support. But musicians would have to take the lead. The Federation and its President Davis would fully support H.R. 8274, but most critical was activity by the rank and file.

Some of this activity required a change in attitude. Sipser said, a change some musicians might feel reluctant about accepting. While letters, or leaflets in programs would have their effect, he strongly suggested that musicians use their talents to impress legislative officials. He recalled the Democratic Convention that took place in Kansas City--the first time a symphony orchestra played at such a gathering. For the then-coming Democratic Convention in New York, he proposed to Mr. Bliss inviting the convention to the Met for a performance; that the Florida Symphony could play for the Republicans in Miami (Convention took place in Kansas City, finally), and that musicians play for the Governor's Conference-- "one of the most potent organizations in America", and for meetings of the Democratic and Republican State Committees. He considered this the most dramatic form of work ICSOM musicians could do, and a unique form of lobbying. The service rendered would be more effective than even 10,000 letters to the Ways and Means Committee, which continually faces a barrage from pressure groups as a normal order of events.

Finally, Sipser cautioned against getting "hung up" on this or any other single bill supporting the Arts. What was urgently needed, he said, was to get a dialogue started--particularly in this coming presidential year--on funding from the public sector. Recalling the Ford Foundation report, "Finances of the Performing Arts" in which the deficit gap for Arts institutions in 1970-'71 was \$69 million--and growing to a projected \$365 million (7% inflation factor presupposed) for 1980-'81, he said that such an enormous gap could no longer be covered by private sector support.

During a brief respite from the various speeches, the Chairman took a straw vote concerning the workshop idea for the next Conference meeting. The moderators of the workshops felt they needed more time, and the delegation by its vote, not only accepted the workshop idea, but agreed to expand it.

The night before, informal caucus was held concerning the recording situation, and Irv Segall tried to encapsulate its feelings and presented the resolutions emanating therefrom. The recording contract between the Federation and the Companies expired October 31, 1975, and so he recalled President Davis' mention of the Performers' Rights Amendment to the Copyright Act. This proposed legislation he explained, would yield royalties payments to the musicians involved in a particular recording each time it was played on the air. Further, while companies originally opposed the idea, it now met with their acceptance, with radio stations becoming the major obstacle. Sam Denov, Chicago--a former ICSOM Chairman, then

introduced his resolution, which asked the AFM to seek payment of foreign royalties earned. The resolution reads as follows:

Whereas,

The AFM supports the concept of performance royalties and favors the passage of the copyright revision bill now before the U. S. Congress, and

Whereas,

the copyright revision bill provides for the payment of a royalty to musicians whose recordings are broadcast over the air, or are otherwise commercially exploited, and

Whereas,

nations, other than the United States, that are signatories to the International Copyright Convention already support the concept of performance royalties and provide for their collection, and

Whereas,

some such nations have multi-national recording companies actively at work in the United States recording symphony orchestras whose phonograph records are manufactured and broadcast abroad while depriving AFM members of such foreign royalties, and

Whereas,

such multi-national recording companies are parties to the AFM's Phonograph Record Labor Agreement, now therefor,

BE IT RESOLVED,

that ICSOM request that the AFM negotiate, at the forthcoming recording contract talks, a means whereby their members may collect foreign royalties earned.

Mr. Denov then spoke to the delegation and pointed to the new phenomenon of European companies coming to America to record--the reverse of what formerly took place. Most such companies were members of the International Copyright Convention, having a means within their countries whereby royalties are paid for performances on the air of their recordings. Records made here, manufactured and played in those countries, are therefore generating royalties--royalties which musicians in American orchestras have not collected. Denov's resolution then, was

to have the AFM attempt to negotiate with these foreign companies, signatories to our Phonograph Record Labor Agreement, a means whereby the musicians who made the records would receive those royalties. The resolution presented (by Sam Denov) and seconded (by Henry Shaw) was carried unanimously.

Emerging from that caucus was yet another resolution on recordings, authored by Vance Beach, former editor of Senzo Sordino and visiting Los Angeles union official. The resolution was submitted by Treasurer John Palanchian.

It read as follows:

That ICSOM request the AFM to propose and vigorously negotiate an agreement with the recording industry to provide for sales royalties to be paid to the members of symphony orchestras for recordings made under the symphonic Wage Scale provisions of the AFM Recording Industry Labor Agreement.

After the reading of the resolution, Dave Winstein, member I.E.B., AFM alerted delegates to the fact that any orchestra even recording for only one year, becomes a participant in the Special Payments Fund, and has presently a maximum period up to five years of payments from that fund. He cautioned that the symphonic musician could be "eliminated" from the total of the Special Payments Fund, noting that they (the symphonic musician) share the total royalties earned by the entire industry;--and reluctance to share with the rest royalties gained by symphony musicians, could result in an opposite move or reaction. Also, Mr. Winstein raised another question concerning payment of royalties: whether they would be paid to the orchestra musicians the year of the royalty payment, or whether the title to the royalties would remain in perpetuity in the name of the person making the record--with each person receiving a minute portion of the royalty. He emphasized he had no position on the resolution, nor answers to these specific questions; but that questions such as these would have to be answered if the resolution passed.

Vance Beach, author of the resolution, also expressed doubts that individual royalties would equal or even approach the amount each musician was receiving from the Special Payments Fund. The uncertainties of the proposition, though, would not be solved until the resolution would be passed and the facts assembled. The Chairman and Treasurer both felt that the thrust of the resolution was not at all to undermine the Special Payments Fund, but in fact to reward certain active recording orchestras in lieu of a special/higher scale. Henry Shaw explained that opinion from the recording caucus seemed to indicate a wish for higher scale by the active recording orchestras, while also seeming to indicate a fear by other orchestras that a much higher scale would preclude them from any part of recording activity. Since the idea of split-scales found ultimate disfavor at the caucus, the

royalty approach as propounded by the resolution seemed to accomplish nearly the same, with higher retail sales figures providing the increment desired by the largest orchestras. Thusly, with present scales not being overly tampered with, the arrangement would not endanger orchestras involved in recordings to a lesser degree. Sam Denov, Chicago, reiterated that the sales royalty proposition was "in lieu of a substantial raise in scale" while Brad Buckley, St. Louis, felt the proposal to be a favorable compromise, fearing that otherwise recording scales could "go through the roof", jeopardizing such work in his orchestra. James Hansen, Chicago, felt that any raise in symphonic recording scales should at least be commensurate with any raise in the commercial scale.

The resolution was passed with two negative votes.

Finally, on the subject, was a motion by Leslie Martin, Boston, seconded by Dale Weddle, Kansas City, that ICSOM request that the AFM propose no less than the same percentage raise for symphonic scale as commercial scale. Motion carried. Two negative votes.

A motion was then submitted by John Palanchian, to the effect that the delegates select three people to represent them at the Recording Negotiations, and that Irving Segall represent them as Chairman, having the power to replace them if necessary (in case of illness or other inability to attend). The motion was withdrawn with Lynn Richmond, its second, giving assent.

Another motion submitted by Roger Stevens, Los Angeles, seconded by Bert Siegal, read that the 4th hour of straight time (regarding recording sessions) be stricken from the existing agreement. This motion also grew out of the informal caucus on recordings, and the Chairman noted the concession made to recording companies in the last contract, namely, that the 4th hour be treated as straight time, not overtime. This, the companies said, would provide opportunity for more work, from which musicians would ultimately benefit. Consensus at the informal meeting was that benefits from this concession did not materialize. Motion carried unanimously.

On the subject of the crisis in Kansas City, Dale Weddle read his resolution which was seconded by Brad Buckley:

The 1975 ICSOM Convention is hereby committed to take whatever measures are necessary to support and assist the members of the K. C. Phil. in its current crisis. The Convention pledges moral, political, and financial assistance to our colleagues for the purpose of maintaining the institution of a major symphony orchestra in Kansas City, Missouri, and ending the regressive attitude of the Board of Directors toward the players, and the continued growth of this orchestra.

The resolution carried unanimously.

Fred Zenone, National Symphony, Washington D. C., then reminded delegates to the

Conference that critical negotiations were also taking place in Pittsburgh, Philadelphia, Washington, and Detroit--but that delegates from those orchestras had agreed to desist from much discussion on their own affairs because of the extreme situation in Kansas City. But in view of the little forward movement in those 4 cities, Mr. Zenone asked the Conference for whatever aid that could be given by ICSOM should a crisis emerge. Brief commentary about negotiations in those cities was then made by Stan Dombrowski, Fred Zenone, and Irv Segall.

From this short discussion, Lynn Richmond suggested that the next year's agenda provide for a caucus of negotiating orchestras. While this was not an official motion, it evoked the informal voice of approval from several delegates, members of the Executive Board and Counsel.

Discussion on Health & Welfare resumed, with an effort to synthesize the various proposals, arguments, and problems into some form of conclusion. While there was general agreement on the premise that further work in this area be done, it was pointed out that Russell Marquardt already had enough information--what little he had--to show substantial gains from the pooling of resources with a common carrier. What remained was for orchestras to take action of a more final character to implement, or provide for the future possibility of such implementation, such an arrangement in their contracts. In an informal poll, eight orchestras said they were ready for such implementation immediately, it being understood that they had the concurrence of their musicians and respective managements. Again, the difficulties in some orchestras of obtaining necessary information were brought to light, and to this, Mr. Sipser emphasized that management was required to provide information pertaining to census, claims experience in each orchestra's plan, etc., and that charges could be filed with the NLRB if information was not submitted. The day was drawing to an end, with one delegate requesting time before the session would close, so further discussion on Health & Welfare was postponed to the next day.

Harold Elitzik, Metropolitan Opera, mentioned Phil Sipser's suggestion of press conferences in other cities in support of a troubled orchestra. Mr. Elitzik suggested possible press meetings in San Francisco and Chicago, where viable opera companies exist--in support of the Met. He appealed to ICSOM and its Executive Board, to provide the help if it is needed, by implementing counsel's suggestions.

(Friday, August 29, 1975)

HEALTH AND WELFARE discussion resumed. Counsel centered on three approaches to get movement started. 1) to provide in contracts being negotiated a sample clause (which ICSOM Counsel would furnish) that would provide for possible subsequent inclusion in the Multiple Employer Trust earlier described by Russell Marquardt; 2) that if the clause cannot be incorporated in the collective bargaining

agreements, to try to obtain an oral understanding with the employer that he will entertain favorably moving into the new national plan if it can be shown that costs will be the same for the duration of the agreement; and 3) that even if no discussions or understanding have taken place, to explore with the employer the possibility of joining the plan, again emphasizing no increase in costs throughout the term of the agreement and the probability of little increase in future agreements. Sipser entertained managements calling his office or that of his insurance consultant, for information. He lamented the thousands of dollars being wasted under present individual arrangements in each orchestra--and that by the pooling of monies, such added benefits as dental plans and optical plans could be had at no additional cost.

The Chairman then stated that he and the Executive Board "will continue to pursue what we feel is necessary with the aid of Counsel and the Consultants to get to you as quickly as possible the opportunity to incorporate this into your trade agreement." Mr. Sipser agreed, but with the necessary added ingredient of delegates taking up discussions with their managements, with the objective of obtaining management's agreement subject to the conditions set forth, and advising the ICSOM Executive Board of that agreement. He felt certain that if 10 to 15 orchestras indicated their readiness, the plan could start.

George Zazofsky was then introduced to the Conference by Irv Segall--as the founding Chairman of ICSOM, and as one who fathered it and raised it through its tough years. Mr. Zazofsky said that two converging elements brought him to the Conference:--his reading of the two-part comparative study of European and American orchestras in Senza Sordino (of which he "devours every word") and his coming sabbatical leave. While a sabbatical is a refreshing respite for many, the former ICSOM Chairman characterized it as "the spectre of so much free time--too rich for my blood." As a result, he had written to Irv Segall proposing to become a "roving ambassador," as it were, for ICSOM during his travels. No expenses to ICSOM would be incurred unless deemed necessary by the Chairman and the Executive Board. Mr. Zazofsky felt especially that the subject of recordings would be of interest to European colleagues. He said he missed being a member of ICSOM and looked back nostalgically at the years when the organization was in its infancy and just "trying to keep its head above water". But his observation now was that the "quality and sophistication of the dialogue is really to me an astounding fact"--and he expressed greatest admiration for all the delegates for this, and for the differences of opinion "expressed in such terms as I've heard." Mr. Zazofsky received a spontaneous, sustained, standing ovation from the Conference.

ON THE STATUS OF LIBRARIANS, in the various orchestras, a subcommittee was appointed consisting of Ken Richmond (Rochester), who would be the Chairman, Kirke Walker, (Minnesota) and Leslie Martin (Boston). The subcommittee would send out questionnaires with the objective of setting guidelines in this area for the next year's Conference meeting. The guidelines, at any orchestras option then,

could be a point of departure from which contract negotiations could proceed in establishing protection for librarians.

Discussion followed, involving suggestions from delegates as to the make-up of the questionnaire. A curious item emerging was that two orchestras had, currently or in the past, non-union librarians. Ted Dreher, AFM, expressed the opinion that a librarian's work was far-ranging--"a musicians job"--so he should have union protection.

Francis Fitzgerald (Indianapolis) moved to renew counsel's contract for the same fee. The motion was seconded by Leo LePage (Baltimore), and carried unanimously.

ELECTION OF REGIONAL VICE-CHAIRMEN, resulted in the following:

Eastern--Fred Zenone, Washington
 Central--Bert Siegal, Cleveland
 Southern--Betty Patterson, Dallas
 Western--Melanie Burrell, Denver

Poetry Readings from the works of Ted Dreher, ICSOM Poet Laureate. At the 1974 Conference in New Orleans, Mr. Dreher initiated his now-famous series with verses on Secretary Dombrowski and Canadian Vice-Chairman Miller. This year, no doubt due to the success of these two past works, and in a burst of prolific creativity, he trebled his production by no less than six new poems on the following subjects:

Caucous
 Counsel Sipser
 Irv Segall
 Collective Bargaining
 Melanie Burrell (2)
 (the last entitled "For Her Guidance")

Readings were done by the Chairman, convulsive laughter came from the delegation, and the needed change of pace was uniquely refreshing. Senzo Sordino is privileged to carry Dreher's poetry and will present the above titles to its readers.

1976 CONFERENCE: The site selected for the meeting was Denver, and Melanie Burrell added that it was an offer from Local 20-623.

The preferred date was the week prior to Labor Day, according to an informal poll of delegates. Only 3 preferred the Labor Day week, and 8 said they could not have attended this meeting had it been scheduled the week of Labor Day. The date of this Conference meeting was the week before that holiday, and resulted in very good attendance.

A report from Baltimore was given by Leo Le Page. Mr. Le Page recalled the strike in '71-'72, a bitter dispute which allowed Baltimore barely to keep pace with the rest of the industry. The main accomplishment of that eventual settlement was a 6-week summer season. He felt that the problem then was a satisfaction with status quo on the part of the Association. Now, however, sights were set somewhat higher by the following indications: The retention of Sergiu Commissiona, Music Director; the engagement of the new manager Joseph Levitt; the expanded number of players in the orchestra (to 95); the recordings with Vox and Columbia; and the plans for a new hall, well underway. Unfortunately, he said, the enlightenment did not extend to players' salaries, and the current deadlock was therefore over money matters. He ended his report by extolling the virtues of Sipser's oft-repeated advice; to get support of other labor unions. This was done in Baltimore and made the orchestra members more secure in their coming moment of trial.

ON CONDUCTOR EVALUATIONS, Phil Sipser, again as in past Conference meetings, explained the legal ramifications of the use or abuse of Conductor Evaluation sheets. Obviously, the original intent of the sheets, to aid orchestras in democratically selecting a conductor in conjunction with their managements was legitimate; and as such, constitutes legal privilege. The defense of privilege, however, would not stand if the sheets were used for some other purpose, or wantonly distributed to publicity writers in the press or elsewhere, resulting in a conductor's loss of livelihood. During the discussion, Stan Dombrowski, who administered the program for several years, cautioned that even bulletin board posting--regardless of its intended view--be ruled out, that critics, and other outsiders read the bulletin boards. He further indicated that all requests for evaluation results be made on the Committee letterheads. Bob Maisel, to whom administration of the sheets was being transferred, said he would not honor any request made unilaterally and that the established mode of request outlined by the Secretary would be observed.

The Subject, Effectiveness of Artistic Advisory Committees, has been approached before. The Chairman asked for volunteers to form a subcommittee which would report on the subject at the next Conference meeting. The delegates offering to work on the project were:

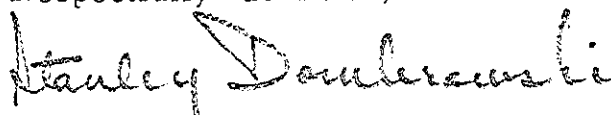
Dale Weddle, Kansas City
 Leslie Martin, Boston
 Chuck Sherba, Milwaukee

SEA OF GREEN was the phrase once used by the late ICSOM Vice-Chairman, Dave Smiley, in taking up a collection from delegates to a crisis-ridden orchestra. This time Crawford Best, New Orleans, and for many years Southern Vice-Chairman, collected money for Kansas City. A total of \$327.95 was collected in a few minutes and given to the delegate from that orchestra, Dale Weddle.

The Chairman reserved final comment for himself, and in taking his prerogative thanked everyone for their indulgence, help, and behavior during his first year in that office. Thanks and general applause were also accorded to the host city, Indianapolis-- and Paul Berns and Francis Fitzgerald, who so indefatigably worked there to make the meeting possible.

The 1975 ICSOM Conference meeting was adjourned.

Respectfully Submitted,

A handwritten signature in cursive script, reading "Stanley Dombrowski". The signature is written in dark ink and is positioned above the printed name.

Stanley Dombrowski,
Secretary, ICSOM