

OFFICIAL MINUTES

INTERNATIONAL CONFERENCE OF SYMPHONY & OPERA MUSICIANS
(ICSOM)

MINNEAPOLIS

27 - 31, AUGUST, 1979

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MONDAY, 27, AUGUST, 1979

Chairman Irving Segall calls meeting to order at 2:00 P. M.

Secretary Stanley Dombrowski calls the roll of the 46 orchestras comprising ICSOM, 39 sent delegates:

Atlanta	Indianapolis	Phoenix
Baltimore	Kansas City	Pittsburgh
Birmingham	Los Angeles	Rochester
Chicago	Milwaukee	St. Louis
Cincinnati	Minnesota	San Diego
Cleveland	National (Wash. DC)	San Francisco
Dallas	New Orleans	Seattle
Denver	New York Philharmonic	Syracuse
Detroit	North Carolina	Toledo
Florida	Oakland (California)	Chicago Lyric Opera
Grant Park	Oklahoma	Metropolitan Opera
Honolulu	Oregon	New York City Opera
Houston	Philadelphia	Kennedy Center Opera

The following were not represented:

Boston (tour)	Hartford	New York City Ballet
Buffalo	New Jersey	San Francisco Ballet
	San Antonio	

The Utah Symphony, an orchestra applying for admission and later admitted, sent Ben Ivey as a representative.

(A-1
084)

The Chairman introduces Robert Biglow, President of Local 73, Minneapolis. Mr. Biglow welcomes delegates, introduces Congressman Martin Sabol, who speaks supportively of the Arts. Also introduced are Ted Dreher and Bob Jones, observers from the AFM; Sam Denov, past ICSOM Chairman; Nick Kilburn and Eddy Bayens from OCSM; and Jill Hansen, Research Administrative Assistant to ICSOM.

(A-1
260) MINUTES:

The Secretary entertains a motion to approve the Minutes of the 1978 meeting in San Diego. Corrections offered are: 1) to include the acceptance of the Treasurer's Report; 2) to substitute "Federation" for "Federal" (page 6, paragraph 2); and 3) to note that the quotation from a letter by Walt Ritchie (page 2) is not the entire letter.

Minutes approved as corrected. (Motion #1)

The Chairman announces corrections in the Agenda, the schedule of Workshops, the Luncheon given by Local 73, the seminar by United Economic Services (no ICSOM sponsorship of company or its product expressed or implied), and the Caucus Sessions for Major and Regional orchestras.

(A-1
660) APPLICATIONS FOR MEMBERSHIP:

The Secretary explains application procedure, the two requirements having been AFM membership and approval of ICSOM By-Laws. Pending applications are from the Utah, Grand Rapids, Savannah, and Chautauqua Symphonies. Secretary moves acceptance.

Utah)	Accepted unanimously
Grand Rapids)	Applications tabled pending
Savannah)	clarification of contract conditions
Chautauqua)	Accepted unanimously

(Motion #2)

During course of discussion the Chairman appoints a sub-committee to study possible new criteria for admission, Olive Rhodes, John Hall, Bert Siegel.

(A-2
150) CHAIRMAN'S REPORT:

Chairman thanks Executive Committee, recounting the meetings during the year and other involvements. Cited are ICSOM participation in

PBS negotiations, the growth in ICSOM Bulletin activity (with thanks to Nancy Griffin), the four strikes during the year (New Jersey, National, Kennedy Center Opera, and Seattle). Gunther Schuller coins a new word in his reference to the "ICSOMIZATION" of symphony orchestras. The Chairman relates details of his meeting with Mr. Schuller; ends report by explanation of Jill Hansen's work as Administrative Research Assistant.

(A-2
290)

VICE-CHAIRMAN'S REPORT:

Vice Chairman Zenone addresses responsibilities of area Vice-Chairmen, the importance of immediate reporting of negotiated contracts for coverage in ICSOM Bulletins, as well as the day-by-day exchange of information during the negotiations themselves. Speaks of the Conductor Evaluations (125 new evaluations added to file); advises amalgamation of pension funds from the investment standpoint.

SECRETARY'S REPORT:

Secretary Dombrowski speaks on the annual task of the Minutes, explaining the digital system in the margins for the benefit of the 21 new delegates. He appeals for an orderly parliamentary procedure in the making of Motions, and tries to clear certain misconceptions about ICSOM that seem to flow to applying orchestras relating to bargaining-agent status and availability and cost of counsel during individual orchestra negotiations. The By-Law Change passed at the last meeting, changing the method of amending the By-Laws (Article X) was ratified - 35 yes, 3 no, 3 - requesting extensions but not voting, 3 not responding. The effect of this change should make further ratification more reflective of action taken at annual meetings.

(B-1
123)

TREASURER'S REPORT:

Treasurer Palanchian distributes report to delegates. ERF Balance is approximately \$62,500; suggested the loan-ceiling-from ERF be increased from \$4,000 to 15% of previous year's balance (circa \$9,000 in this case). (Motion #3) The Treasurer points to an operating loss of \$13,000., with a surplus of \$26,900. in the General Fund; sees need for increase and re-structure of dues. The Chairman appoints Treasurer Palanchian, Don Muggeridge (Los Angeles), and Peter Pettit (Toledo) to this purpose.

(B-1
390)

SENZA SORDINO REPORT:

Editor Henry Shaw makes a brief financial report associated with publication and distribution of the ICSOM journal. There are 300 individual subscriptions, of which 200 are paid, 100 sent gratis. He appeals for input from correspondents and news items from individual orchestras. He notes

the interest in a Senza article by a Dr. Westmore (Boston) who is writing a work in England on Incidence of Noise-Induced Hearing Loss in Orchestral Musicians.

(B-1
545) COUNSEL'S REPORT

A written report was distributed. Leonard Leibowitz reminds delegates to send in new contracts and arbitration awards, and copies of newspaper or magazine reports of interest to musicians.

(B-2
033) OCSM REPORT:

Nancy Griffin, having attended the meeting of the Organization of Canadian Symphony Musicians, speaks on the differences and similarities between ICSOM and OCSM. OCSM meets one day alone, the second day adding the Union, the third day adding the managers organization. Executive structure is similar, with the addition of a "Communications Officer." She cites as discussion topics Auditions Procedures, Dismissals, Conductor Evaluations, Pension, Severance Pay, Study Grants, (Sabbaticals) and audition tapes. A new departure was the desire of Canadian musicians to sit on symphony boards and to comprise 10% of board membership.

(B-2
151) REPORT ON MUSIC ASSISTANCE FUND:

John Palanchian described Fund's origin, history, ICSOM's support and involvement, auditions procedures, plan of payment for the Fellows, the experience of the program, and the orchestras where it has been implemented. He reads a report by Leon Thompson, the Fund's Director, and solicits questions from the floor. Prolonged discussion follows.

N Standardized audition repertoire is recommended. The Chairman announces times and locations for workshops the following morning. Topics are:

Basic Bargaining
Non-Renewals
Tours, Tour Conditions, Auditions

Session adjourns at 5:30 p.m.

TUESDAY, 28, August, 1979

10:30 a. m.

(C-1
090) SEMINAR BY UNITED ECONOMIC SERVICES

Ed Frankel and John Philip Sousa IV
United Economic Services
23879 Madison Street
Torrance, CA 90505

What follows is an exhaustive, 1-1/2 hour presentation on Fringe-Benefit Negotiations, dealing with health insurance, dental coverage, disability, hospitalization, out-patient, and out-patient psychiatric care. Blue Cross and Blue Shield plans are compared to these. HMO (Health Maintenance Organization) and IPA (Individual Practice Association), both pre-paid medical coverage with variations, are compared to coverage by an indemnity carrier (the last affording the most freedom of choice of physician and hospital). On the strategy of formulating proposals, a strong case is made for negotiating an advantageous mix of fringe-benefit-plus-salary demands, since the fringes are bought with pre-tax dollars. General increased awareness of this has, however, brought in the interested scrutiny of the government, Counsel cautions.

(C-2

530) Motion to adopt reports of the Chairman, Vice-Chairman, Secretary, Treasurer, Editor Senza Sordino, Counsel, and OCSM representative.
(Motion #4)

TUESDAY AFTERNOON - 28 AUGUST, 1979

(C-2

560) The Secretary calls the roll.

(C-2

625) ICSOM IN THE EIGHTIES;

Counsel Sipser pays tribute to the late Ralph Mendelson, says ICSOM is a "living memorial" to him.

Mr. Sipser scans ICSOM's history from its beginning, recalling the courage of its founders and the court battles waged to protect their principles. He cites the many gains made by orchestras since that time, and points to the new efforts that must be exerted in the Eighties, particularly those dealing with the Quality of Work Life. He raises the issues of stress, general health, and longevity, and how poorly musicians fare in these areas in comparison to the general populace. He affirms that musicians will have to concern themselves about the source of funds, sit on symphony boards, if in fact they would be the architects of their own destinies. "Wars cannot be left to the generals." In this background, he voices his dismay at the inadequate support of the Seattle strike; the lack of credit to ICSOM shown by one member-orchestra (unnamed) which, it would almost seem, achieved its contract gains single-handedly; and finally, the speech by Gunther Schuller, disparagingly referring to the "ICSOMIZATION" of symphony orchestras. Musicians of the '80s, he said, will have to harken to the '60s for a base of historical perspective for the future.

Space limitations here prohibit specifics. Tape copy (90 min.) suggested.

(E-1
000) GENERAL DISCUSSION ON SUPPLEMENTAL UNEMPLOYMENT
BENEFITS. (S.U.B.)

(E-1
195) STRIKE FUND REPORT;

Ted Dreher gives a financial report of the Fund (written report distributed). He comments on a few recalcitrant players (not named) apparently refusing to pay dues, and that charges may be filed against them.

(E-1
382) Melanie Burrell, ICSOM trustee to the Strike Fund, takes up matter of admission requirements. Current AFM By-Laws require that an orchestra have 75 players playing at least 5 services per week for 30 weeks with an annual budget of at least \$500,000. Recommendation is made to change requirements simply to 55 players with an annual individual salary of at least \$10,000. Long, protracted discussion follows, with those delegates whose orchestras do not or would not qualify expressing frustration and some disillusionment. Several delegates whose orchestras have been members for some time express similar sentiment. Proponents argue for actuarial soundness, and feel the Fund should serve those actually earning livelihood as orchestral musicians. After the long deliberation, the proposal is sent to a subcommittee for further study.

Election of Regional Vice-Chairmen

Eastern	-	David Angus	Rochester
Central	-	Bert Siegel	Cleveland
Southern	-	Brad Buckley	St. Louis
Western	-	Melanie Burrell	Denver

All wer re-elected.

WEDNESDAY - 29, AUGUST, 1979

(F-1
045) BRUCE LEHMAN ON PERFORMANCE RIGHTS LEGISLATION (H. R. 997)

Mr. Lehman, Chief Counsel of the House Sub-Committee on Courts, Civil Liberties and the Administration of Justice, addresses the delegates. His sub-committee has jurisdiction on copyright laws in the United States, and in 1976, completely re-wrote the Copyright Law for the first time since 1909. He explains the thrust of the proposed legislation as extending to sound recordings the performance right accorded to every other work of Art. With intellectual creativity, being an intangible in the marketplace, creators of Art (composers, writers, et al) have long had rights to control

uses of their product, an important aspect of their remuneration. These include control over:

- 1) the right to copy or reproduce
- 2) the right to prepare derivative works (such as a screen play based on a book)
- 3) the right to display, perform, or play the work publicly.

Symphony musicians are not protected on the third count. Their work is played freely by radio stations, via phonograph recordings, without remuneration, while at the same time displacing them from the studio orchestras most radio stations had prior to World War II. Mr. Lehman refers to a 1300 page study which recommends performance right in sound recording. H.R. 997 by Congressman Danielson, is a result of that study. The Bill has 12 major organizations supporting it, the only 3 against consisting of radio station organizations and their lobbying agencies. Mr. Lehman suggests a more militant, aggressive posture for meaningful action.

(F-2

370) ELECTION OF STRIKE FUND TRUSTEE AND 2ND ALTERNATE

John Palanchian, Trustee)
Sam Denov, 2nd Alternate) by acclamation

(F-2

465) A.F.M. CONVENTION REPORT:

Stanley Dombrowski attends the Convention in Phoenix. Since a written report appeared in Senza, much of that is excluded in favor of calling delegate attention to the lack of ICSOM voice, or representation, at the Convention. He describes the lack of entitlement on the floor, in Committee, even to an official seat. There is no automatic access to printed material; no payment of per diem as to all A.F.M. delegates. He describes the less-than-official means he used to show ICSOM concern on symphony issues to the Law Committee, on a Strike Fund resolution to the Chairman of the Finance Committee; and the coincidental, almost haphazard, means by which he received the pertinent information. He reads a prepared resolution which is promptly seconded by John Palanchian.

Bob Jones, member I. E. B. and A.F.M. representative, asks to be recognized, agrees that the relationship between the A.F.M. and ICSOM should be formalized in matters of protocol and procedure at the Convention. He apologizes on behalf of the Federation for the situation which had arisen. Two of several points he makes are that no committees reflect musical pursuits (therefore why a symphony committee?) but are set up to deal with resolutions; and, that no other conference officers go to the Convention as delegates or observers, unless they happen also to be delegates elected by their home Locals.

Deliberation postponed to next Agenda session.

Session adjourned.

(G-1
330) MAJOR ORCHESTRA CAUCUS 2:30 P.M.
WEDNESDAY, 29, AUGUST, 1979

A roll call is taken. The Caucus, open to any delegate, is attended by 32.

The preponderant discussion topic is Special Sessions, on which an advisory motion by Larry Grika (Philadelphia,) seconded by Sam Denov (Chicago), enunciates, "We do not do Special Sessions!!" To that motion one negative vote is cast.

Other topics include general discussion on the taking of sound levels at rehearsals prior to media services; and the matter of tuning before call time. Both items receive negative reaction.

(I-1
000) THURSDAY - 30, AUGUST, 1979

The Chirman introduces two A.F.M. Local Presidents, Sam Busby (Birmingham) and Lou Nauman (St. Louis).

(I-1
150) AFM CONVENTION STATUS:

Sam Denov asks to submit a modified version of the resolution introduced by Stan Dombrowski earlier. Discussion takes on legalistic tones; Counsel submits a "sense" of the two resolutions and it is moved and carried that this be adopted pending final verbiage. (Motion #5)

Final version, written after the meeting, appears here as Motion #6.

(I-1
171) MEMBERSHIP SUB-COMMITTEE:

Bert Siegel says the subject of admission criteria has become more complicated than initially thought. Subject referred to ICSOM Executive Committee.

(I-1
204) MEMBERSHIP APPLICATIONS:

Information was obtained on Savannah:

60 players - 35-40 residents
20 from surrounding area

152 services @\$20

Application tabled. (Motion #7)

Information on Grand Rapids:

80 players (avg.), 24-26 weeks, 70 services @ \$26-\$32

Application tabled. (Motion #8)

The Chautauqua Symphony having been admitted earlier, it was moved and carried to reconsider that action (Motion #9). After considerable discussion, the application of Chautauqua was also tabled. (Motion #10). The number of delegates opposed to Motions 7, 8, 9, and 10 were, respectively, 2, 6, 5, 6.

REMARKS BY BOB JONES

(I-2
030) He addresses earlier ideas in Sipser's "Eighties" presentation. On fund raising he points to the \$10,000 contribution to the St. Louis Symphony by its Local; the Teamsters' endowment of a Concertmaster's chair in another orchestra; that government grants come more readily to a touring orchestra or one with youth programs. He speaks further on auditions, and the continuing abuses relating to them; on the complaints of Local musicians when an orchestra from another jurisdiction enters that Local as part of its regular contract. Also, he mentions the ASOL CARD FILE ON MUSICIANS, suggesting that players bring pressure to bear on personnel managers to see such stored information about themselves.

(I-2
113) STRIKE FUND SUB-COMMITTEE REPORT

Melanie Burrell, speaking for the Sub-Committee which also includes Bruce Heim (Oklahoma), Sam Denov (Chicago), and Steve Lawlis (Syracuse), reports the committee recommendations as to eligibility to the Strike Fund. The recommendations, not yet "ICSOMIZED," she explains, provide for the entrance of all Major and Regional orchestras (not Metropolitan orchestras).

	<u>Annual Budget</u>	<u>Yearly Premium</u>	<u>Weekly Benefit</u>	<u>Duration (Weeks)</u>
Major	Over \$1.5 million	\$55. -	\$100. -	15
Regional	Under 1.5 million but not less than .5 million	40. -	75. -	15*

*or length of season, if less than 15 weeks - or, if less than 15 weeks, number of services divided by 8.

It is moved (Motion #11) to adopt the Sub-Committee report and recommendations. Text of complete prepared resolution appears in the Official Motions.

(I-2
375) TED DREHER ON FOREIGN ENGAGEMENTS:

It is emphasized that anyone taking any foreign engagement must submit the contract for approval to the A. F. M. before leaving. Reference is made especially to the orchestra in Hong Kong, for which the A. F. M. will not take ads or approve contracts.

(I-2
590) MEDIA: PBS NEGOTIATIONS

John Palanchian reports on the negotiations environment (ICSOM participated directly), the difficulty in obtaining accurate experience data from orchestras, and after the agreement was consummated, parts of it were "totally mis-written", with the promised draft never delivered. A firm industry position of not paying for rehearsals for leveling, camera-blocking, etc., - where no usable tape is produced, and where there is no control over the rehearsal - finally softened slightly to payment for one hour of such a rehearsal.

(J-1
123) PHONOGRAPH RECORDINGS:

Irving Segall points to the dates of the coming negotiations in October. Discussion took place at Major Caucus, will likewise with coming Regional Caucus. The traditional position of having symphonic scale rise by the same percentage as commercial scale will be maintained.

(J-1
145) MINORITY MUSICIANS REPORT:

No further report from appropriate Sub-Committee.

(J-1
172) CONDUCTOR EVALUATIONS REPORT

Fred Zenone reminds that he has already covered this item in his Vice-Chairman's Report, but in answer to questions, reads the cover letter sent to any delegate requesting evaluations, a cover letter that advises discretion as the best means to avoid liability.

(J-1
400) NICHOLAS KILBURN, OCSM CHAIRMAN thanks the delegation for the invitation to attend, cordially reciprocates the invitation, with an offer to exchange information, before saying goodbye.

(J-1

492) REGIONAL ORCHESTRA CAUCUS:

A roll is taken. 12 orchestra delegates attend, in addition to Executive Committee members. Subjects discussed are the panoply of management requests for free taping; similar requests by composers, ostensibly to qualify for NEA grants; the wrenching problem of growing from part-time to full-time, with the consequent reticence of players established in other fields, as well as the funding enormities faced in abruptly going from one level to a much higher one; the problems of "A" and "B" contracts; communications; the transient status forced on some; and the lack of a reasonable reserve for effective operation. (At least one orchestra had no committee treasury.). Considerable sentiment is expressed for a longer Regional Caucus, lasting a full day, perhaps before the general sessions begin.

(K-2

090) AN ADDITIONAL MEDIA PROPOSAL is submitted and carried. (Motion #12) It deals with establishment of a special scale for symphony orchestras, on camera, during a motion picture film.

NEGOTIATION REPORTS:

(K-2

140) Atlanta
Ralph Jones and Warren Little
(Management attempt to reach agreement
one year in advance.)

(K-2

267) Toledo Peter Pettit

(K-2

298) Oregon Carla Wilson

(K-2

408) Oklahoma Bruce Heim

(K-2

450) Chicago
Sam Denov
(Committee kept demands confidential;
Orchestra gave Committee a strike-vote
with only one dissenting vote.)

(K-2

592) New York Philharmonic Donald Whyte

(L-1

007) Oakland Stuart Gronningen

(L-1
060) San Diego Richard Levine

(L-1
076) St. Louis Brad Buckley

(L-1
258) Seattle Sandy Lambert

(L-1
339) Dallas Betty Girko

(L-1
482) Minnestota Charles Schlueter

(L-2
089) BY-LAW CHANGES

\$1000. Honorarium for the Vice-Chairman:
(Motion #13) (Requires orchestra modification)

Deletion of Article VIII, Section 1(b).
(Motion #14) (On advice from Counsel,
orchestra ratification not required.
Canadian orchestras have not been
members of ICSOM for some time,
therefore section is no longer applicable.)

(L-2
164) Amendment of Article IV, Section 3(d)
(Motion #15) Effective August 1980, the Editor
of Senza Sordino would be elected
for 2 years. Formerly election
took place each year.

(L-2
269) TAX SHELTERED ANNUITIES IN LOS ANGELES:

Don Muggeridge's detailed presentation of this unfortunate event is beyond the scope of these Minutes. Suffice it to say that the Connecticut Mutual Insurance Company's restoration of \$700,000 to the members of the Los Angeles Philharmonic implies a culpability which the company has accepted. Nick Borsay, Los Angeles representative of the company (and no stranger to ICSOM) was apparently a key figure in policy or contract mis-representation regarding load costs, policy fees, and expected return. United Economic Services, an insurance broker helpful in the resolution of this problem, then

investigated the company's dealings with other ICSOM orchestras and found similar problems. Los Angeles player representatives actually met with the board chairman and company president in Hartford in the final resolution of this matter. Delegate Muggeridge is asked to meet with delegates from other orchestras having had dealings with the company.

(M-1
288) WAGE CHART:

Stan Dombrowski, and Sub-Committee on this matter, announce a division of the ever-growing chart into two sections, the first dealing with absolute basics. The action is taken in the interest of more timely distribution.

(M-1
368) Before leaving, Louise Solmsson invites ICSOM to Honolulu for the next meeting.

(M-1
424) EXECUTIVE RESEARCH ASSISTANT:

The Chairman notes that Jill Hansen has been ~~employed~~ ^{paid a research fee} by ICSOM for three months, on a relatively regular basis, and that more information regarding that would be available at the Conference's next meeting.

(M-1
450) COUNSEL'S FEE AND RENEWAL:

Since he was retained 11 years ago, Counsel has not had an increase in fee. A request was made for an increase from \$12,000 to \$18,000 which the Executive Committee recommends. Renewal and fee increase is approved. (Motion #16).

(M-1
580) SITE OF NEXT CONFERENCE MEETING:

Long discussion. After Honolulu is discounted, a centralized location is sought. St. Louis is offered but rejected by Motion #17, since Missouri has not ratified the Equal Rights Amendment. Portland, Oregon is offered by Bob Jones, later by Carla Wilson. In order to resolve the melee, Motion #18 refers the question to the Executive Committee.

(M-2
498) EPW FUND:

Lew Waldeck, in a study of the Fund, calls attention to its poor financial performance, investments in notoriously anti-union companies (IBM, Eastman Kodak, United Technologies), and suggests that the \$112 million-plus investment should be regarded more closely. Suggested reading: The North Will Rise Again, by Jeremy Ripkin and Randy Barber.

(N-1
051) EDITOR SENZA SORDINO nominated to serve another year. Elected by acclamation.

(N-1
064) RALPH MENDELSON MEMORIAL FUND is established by Motion #19.

(N-1
164) COMMITTEES APPOINTED

On Auditions Procedures
Non-Renewals

B. Siegel
C. Compton
D. Whyte
M. Burrell

History

I. Segall
H. Shaw
S. Denov
T. Dreher

(N-1
213) "SOUND-OFF" SESSION:

A variety of subjects includes evaluations of managers, Quality of Life, how to run a strike, convention managing, the "Decibel Dilemma" and use of ear plugs, Bulletins, and the "remoteness" of the Met to ICSOM.

The 1979 Conference at Minneapolis is adjourned.

Respectfully submitted,

STANLEY DOMBROWSKI, Secretary
15, August, 1980