

## 1988 ICSOM CONFERENCE

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OFFICIAL MINUTES

August 17-21, 1989  
Buffalo, New York

WEDNESDAY AFTERNOON, AUGUST 19, 1988

The ICSOM Conference was called to order by Chairperson Melanie Burrell. Chairperson Burrell announced that ICSOM Secretary Nancy Griffin had broken her hand and would be unable to take minutes during the Conference. Jo Ann Hairston from Buffalo has been hired by ICSOM with Federation funding to do note-taking during the Conference to assist in the production of the minutes.

ROLL CALL

Special Assistant to the Chairman Tom Hall called the roll in the absence of the Secretary. Delegates were present to represent the following orchestras:

Alabama Symphony	Michael McGillivray
Atlanta Symphony	Michael Moore
Baltimore Symphony	Charles Underwood
Boston Symphony	Arthur Press
Buffalo Philharmonic	Lois Carson
Chicago Lyric Opera Orchestra	Marilyn Lauriente
Chicago Symphony	Tom Hall
Cincinnati Symphony	Paul Frankenfeld
Cleveland Orchestra	Gino Raffaelli
Dallas Symphony	John Geisel
Denver Symphony	Katherine White
Detroit Symphony	Derek Francis
Florida Orchestra	Warren Powell
Florida Symphony	Jerry Weiss
	(attending for
	David Ewart)
Grant Park Symphony	Carol Beck
Honolulu Symphony	Mark Schubert
Houston Symphony	Deborah Moran
Indianapolis Symphony	Rosemary Rader
Kennedy Center Orchestra	Roger Weiler
	(attending for
	Nancy Stutsman)
Los Angeles Philharmonic	Donald Muggerridge
Louisville Orchestra	Katherine Lurton
Metropolitan Opera Orchestra	Marvin Topolsky
Milwaukee Symphony	Robert Levine
Minnesota Orchestra	James Clute
National Symphony	(on tour - proxy to
	Michael Nutt)
New Jersey Symphony	Lucinda Lewis
New Orleans Philharmonic	Richard Erb
New York City Opera Orchestra	Katherine Eisner
New York Philharmonic	(on tour - proxy to
	Marvin Topolsky)
North Carolina Symphony	Sandra Schwarcz
Oakland Symphony	Cyrle Perry
Oklahoma Symphony	Nancy Nehring

Oregon Symphony	Judith K. Litt
Philadelphia Orchestra	Irving Segall
Phoenix Symphony	Fred Chao
Pittsburgh Symphony	Stephanie Tretick
Rochester Philharmonic	David Angus
St. Louis Symphony	Thomas LeVeck
St. Paul Chamber Orchestra	Hanley Daws
San Antonio Symphony	Marilyn Rife
San Diego Symphony	Richard Levine
San Francisco Ballet	Brian McCarty
San Francisco Opera	Tim Wilson
San Francisco Symphony	Lee Ann Crocker
Seattle Symphony	Randall Baunton
Syracuse Symphony	Richard Decker
Utah Symphony	Marion Albiston

The only ICSOM Orchestra not represented at the Conference was the New York City Ballet Orchestra.

ICSOM Orchestras on tour and represented by proxy vote included:

National Symphony	Michael Nutt - proxy
New York Philharmonic	Marvin Topolsky - proxy

Substitute Voting Delegates\* and Alternate Delegates

Florida Symphony	Jerry Weiss
Kennedy Center Orchestra	*Roger Weiler
Minnesota Orchestra	Adele Lorraine
Phoenix Symphony	*Frederick Chao
San Francisco Symphony	Tom Hemphill
Seattle Symphony	John DeJarnatt

## INTRODUCTIONS

Chairperson Burrell introduced and welcomed ICSOM officers, AFM officers and guests, including the following.

Tom Hall, Special Assistant to the Chairperson  
Florence Nelson, ICSOM Treasurer  
Deborah Torch, ICSOM Senza Editor  
ICSOM Members-at-Large James Clute, Richard Decker,  
Michael Nutt  
ICSOM Counsel, Leonard Leibowitz & Liza Hirsch DuBrul

American Federation of Musicians

J. Martin Emerson, President  
Symphony Department  
Lew Waldeck, Presidential Assistant  
Lynn Johnson  
Nathan Kahn  
Wayne King  
John Schulman

## 1988 ICSOM CONFERENCE

### Additional AFM Guests:

Robert D'Arcy, IEB, President, Local 161-710, Washington, D.C.  
Richard Totusek, IEB, President, Local 105, Spokane, WA  
Elio H. Del-Sette, President, NYS AFM Conference; Vice-President, Local 506  
Robert Findley, Secretary-Treasurer, Local 99, Portland  
E.C. Holland, President, Local 65, Houston  
Jack Hook, Secretary-Treasurer, Local 40-543, Baltimore  
Phil MacArthur, President, Local 78, Syracuse  
John Palanchian, Vice-President, Local 802, New York City  
Frank Primerano, President, Local 92, Buffalo  
Richard Renna, President, Local 2-197, Saint Louis  
Steve Young, President, Local 9-535, Boston

### OCSM

John Trembath, Chairman  
Murray Ginsberg, Editor, OCSM Newsletter

### ROPA

Nathan Kahn, President (through August 1988)  
Rosemary Estes, Vice-President and Acting President  
Chris Durham, Member-at-large, Vice-President Local 103, Columbus

### RMA

Dennis Dreith, Chairman

### Other Participants and Guests

Brad Buckley: ICSOM Conductor Evaluation Administrator  
ICSOM Chairperson-Elect  
Carolyn Parks: ICSOM Member-at-Large-Elect  
Abe Torchinsky: ICSOM Emeritus Administrator  
Daniel Windham: Music Assistance Fund  
Gordon Boles, Sam Hirsch: Guest Speakers  
Alan Scott: Attorney, Portland  
Jo Ann Hairston: Stenographer

### WELCOME

Welcome by Frank Primerano, President, Local 92, Buffalo

Mr. Primerano noted that this was the first time the ICSOM Conference had been held in Buffalo in addition to his election being the first Buffalo Philharmonic member to be elected Local Union President. He read a proclamation from Erie County Executive Dennis Gorsky declaring the week of August 17-21, 1989 to be "ICSOM WEEK" in Erie County. Mr. Primerano

also invited the Conference to attend a cocktail party sponsored by the Local on Thursday evening and offered his assistance during the week.

#### Special Motion

A Motion (#1) carried that there be no smoking in the conference room during the week. (Motion #1, Baunton)

#### Martin J. Emerson, President, AFM, Opening Remarks

President Emerson indicated that he had just finished his first year in office. He said that he "came to talk about the union, the American Federation of Musicians, and what it means to us.", including "the whole galaxy of bands and orchestras in which Federation members perform. We perform, not play, and when we do we become an integral part of the work force."

Back in the 1860's musicians belonged to associations or clubs, eschewing the unions. However by the 1890's musicians had formed themselves into our national union. The organization grew over the years peaking in 1976 with over 600 locals and over 330,000 members. By 1988, membership has fallen to around 200,000 members. "Most of us with any age knows how and why we have come to fall upon such hard times." Factors affecting the decline include the new generation of musicians and the wave of non-unionism. Disc jockeys, tapes, and synthesizers are invading the profession causing more jobs to be lost. Even Symphony and Classical musicians are being challenged by such organizations as the New World Symphony and the proliferation of chamber festivals that pay little but room and board. "Are we an endangered species? I think not."

The union is charged with the responsibility to save live music in this country. The present difficulties are not the fault of one, so subsequently cannot be solved by only one person. President Emerson strongly believes that our greatest asset, resource and strength is in our membership. "But at that time when we are in desperate need of a well-trained army of union members and local officers to meet the challenges confronting us, we find a dispirited, debilitated and somewhat dissident membership with very little loyalty, dedication or response which in turn belong to locals that are sick, tired, languid, impotent, and burned-out." "Change is the order of the day. You may choose it or chase it. No one in the music industry is immune to it. . . . Business as usual is a good prescription for going out of business. Learning to love change is a prerequisite for survival. Organizations exist to enable ordinary people to do extraordinary things. Many can cite the problems of the union but few have solutions. If you are not part of the solution, then you are bound to be a part of the problem."

Emerson then cited some personal history regarding his participation in the union over the years particularly his empathy for symphonic musicians with his involvement in the affairs of the National Symphony starting in the 1950's. Emerson feels that history is a vital thing and that those who have no knowledge of their past have no future. Education is necessary and indispensable for those to avoid the failures of their predecessors and not wage the same battles as in the past. For there to

be progress, education is necessary. It helps us to raise the quality of our professions and that enables us to do a better job and gain a greater respectability within our union and also vis-a-vis our bosses and the state.

Many today are not aware of the union's objectives, its values, and its limitations. Marty cited some thoughts of Jack Gale (President of the NYC RMA division) saying that "As in most professions the economic power and independence of employers far outweighs that of any employee. Without contracts and collective bargaining, most people who need the work to live would be in a take it or leave it position in dealing with employers. The principal purpose of a union then is to equalize this situation by providing a balance of power between labor and management. By representing all of its members in collective bargaining a union can reduce management's opportunity to play one worker off against another. And in many cases it can close down or threaten to close down an employer's operation if necessary to secure an equitable contract."

No segment of the music business has demonstrated more fully the basics and fundamentals of unionism than our symphony musicians. It has been their unity of purpose and general solidarity which has brought about their success that many orchestras are currently enjoying. It has been a formidable challenge. The Federation has not always been in the forefront of that challenge. Instead the Federation Symphony Dept. for a long time was but a name on an office door. The dramatic change in symphonies and general progress came about with the establishment of the rapid communications center in Baltimore.

There are responsibilities involved with our successes. We do what we can to share, consolidate, ensure and stabilize our success, and that means keeping our union strong and viable as well as representative of our needs. Emerson wants democracy to flourish in our union. He wants each and every member to feel that he/she occupies an important place in the Federation and in the general scheme of things with a voice and a vote and an opportunity to shape the organization that represents him/her. He is looking for participation and involvement from everyone from the President's office down to the newest member. He has allowed the IEB to create more policy and assume more responsibility as it was meant to be and should be. He has challenged the IEB to be creative in finding solutions to the union's problems. Three permanent committees were formed including the Fiscal Review Committee, the Benefits and Services Committee, and the Committee on the future which will anticipate our needs and directions and make preparations for the future.

The IEB has worked hard. There is a new spirit and willingness to work. The new and improved attitudes at the top are trickling down to the membership. Many new programs have come from these meetings. These include the Orchestra Services Program (OSP), the new Regional Orchestra (ROPA) Emergency Relief Fund (ERF), a traveling musician Emergency Assistance Program, Limited Pressing contracts, and an on-site assistance program. Efforts have continued to pass the Performing Arts Labor Bill in Congress. There is new in-house legal counsel. There is a new conference organizational legislative activities program (COLA) which will establish procedures which would enable AFM Conferences to submit

project plans for organizational, legislative and recruiting purposes to benefit the Federation, its locals and members. Up to \$5000 will be available for accepted programs.

Mr. Emerson indicated he has worked hard to settle differences between orchestras and their locals. He has not turned down requests under Article 21, Section 14 of the AFM Bylaws. He has promoted progress and conciliation. Over \$300,000 has been spent on the Symphony Dept. and lawyers' fees for orchestra negotiations.

Our one failure has been the Seattle Symphony Orchestra. They have filed for decertification. I met with approximately 55-60 members of the Seattle Symphony on May 28, 1988 to answer questions. Emerson strongly wished the situation in Seattle was not a reality. "My obligation as Union President is to protect members' rights under the democratic process which we profess to play by." Marty quoted Jack Gale again saying, "Any orchestra which decertifies the AFM or their local would have to hope for ideal relations with management since in a strike situation the AFM would not be obligated to prevent its members from accepting jobs as replacements. The enormous number of unemployed, well-qualified, orchestral players are discouraged from taking such jobs now because the AFM could take actions against any member failing to honor a strike taken by an AFM orchestra. With the availability of large numbers of qualified temporary replacements management could more easily weather a long strike. It is in the best interests of us all to try and make our union work from the inside rather than to defy, sidestep or ignore its influence. During these difficult times we need more unity not less."

Many musicians dislike paying work dues especially when those musicians feel that they are not being levied equitably or proportionately over the membership. Many alternate ways of financing the Federation and our locals have been advanced. In June of 1988 I met with representative organizations, i.e. ICSOM, ROPA, etc., to discuss the concept of a trade division in the Symphony field. Following a long discussion I agreed to form a committee to look at trade division. It might work, it might not. The committee may find something else equally well or perhaps better.

For the past year the benchmarks of this administration have been expressed - communication and education along with involvement and participation. The members of the AFM must act in responsible ways to make the Federation the union it once was and can still be.

Discussion, questions, and suggestions from Delegates following Mr. Emerson's speech included such topics as potential Federation assistance for struggling smaller chamber music organizations, ongoing problems with the New World Symphony, potential Federation workshops on the importance of unionism for younger musicians, the importance of a strong union to prevent more non-union organizations from usurping union jobs, and the importance of ICSOM's assistance in these and other projects.



### ANNOUNCEMENTS

Melanie Burrell remarked that we had a very large agenda for the Conference and that we would need much Delegate expertise and diligence. Any motions and/or resolutions from the floor will need to be submitted in writing.

### MOTION #2

A Motion to approve the minutes of the 1987 Conference as submitted by Nancy Griffin carried (Decker).

### DELEGATE MANUAL UPDATE

Tom Hall spoke on the importance of keeping the ICSOM Delegate Manual current and up-to-date with the handout materials in the delegate's pack. New Materials this year include a guideline for new delegates on the Conference, a list of member orchestras by entry years, revised By-laws, an updated version of "Where Does All the Money Go?", officers' reports, and a new strike fund/ERF sample note for applying orchestras. Delegates were instructed to check the Model Manual for correct order and content of materials.

Melanie Burrell thanked Tom Hall for his work as Special Assistant to the Chair during the past year which position he assumed after the resignation of Lynn Larsen.

### Chairperson's Report

Chairperson Melanie Burrell opened her remarks with the observation that it has been a difficult year for many ICSOM Orchestras as she reviewed this past year's activities in ICSOM. New Orleans ceased operations, as did Oklahoma after an all-season strike. Phoenix announced the cancellation of the final two years of their contract. More orchestras may be lost through this pattern of cancellation or bankruptcy. Some orchestras will be resurrected with regressive contracts which is what we see in Phoenix and Nashville. Vancouver has achieved a contract settlement. On a more optimistic note, Detroit weathered a long lockout and brought about a successful conclusion to their negotiations. Added to this year's problems we have the past loss of the Oakland Symphony and major season losses in San Diego and San Antonio. We have seen a proliferation of concessionary bargaining, whether it be in wages, length of season, medical benefits, or working conditions.

Many have asked the important questions that need to be asked regarding the difficulties facing today's orchestras. However no one has come up with the answers that would bring us closer to understanding the chaos that we are experiencing. The Governing Board decided to investigate whether ICSOM could be instrumental in creating a study of orchestras in trouble. If there is a commonality of problems, we might learn to identify those danger signals. If there is not a commonality of problems, we might learn from that also. A report will be provided on this topic later in the Conference.

One of the major developments emanating from last year's ICSOM Conference was a resolution relating to orchestra relationships to both their Local unions and to the American Federation of Musicians. That resolution called for an exploration of ways to accomplish a more effective and cost-effective relationship between ICSOM orchestras and the AFM and between orchestras and their Locals. A major Structure Committee was created to investigate the possibilities and to look at the varied structures that exist in today's labor movement. A special session will be held this Friday at our Conference to discuss their recommendations.

Additionally, we created an official affiliation among the major working symphony, opera, ballet and recording musicians in this country and Canada. We called this confederation the "Summit" and have had at least one annual meeting with the leadership of ICSOM, OCSM (Canadian symphony musicians), ROPA (regional orchestra musicians), and the RMA (Recording Musicians Association). This "community of orchestras", as we are wont to call ourselves, is clearly not just ICSOM orchestras. Federation relationships, local union decisions, even projects and policies created by ICSOM affect all Federation orchestras. We were able to involve the three symphony organizations in meetings and discussions about Structure Committee topics among ourselves and with the Federation. Also we were able to have discussions with the recording musicians leadership this Spring. What is clear is that we must find a way to have major input into policies of the Federation that affect us. And we must find a way to have an equalization of treatment from our diverse Local unions, some of whom work superbly with their orchestras and some of whom work dismally and ineffectually. Discontent among our membership has been clear since 1980. We must find a creative way to constructively adjust our relationships within the Federation so that we can work effectively together for the welfare of all orchestral musicians and for the welfare of our union.

This past Spring we continued our practice of holding a meeting of negotiating orchestras. The seven participating orchestras this year met to talk about both their common and their unique circumstances in their upcoming negotiations. The meetings are designed to create an opportunity for orchestras to meet fellow negotiators, to give background information and appraisals of their Boards, managements and communities, and to create working relationships with other orchestras during that negotiation process. ICSOM is planning on continuing these meetings with an additional follow-up meeting to be held at the Annual Conference to update the progress of each negotiation. The Federation has regularly helped ICSOM to fund these meetings which would be impossible for ICSOM to finance alone.

Liaison meetings with the Major Orchestra Managers continue to be constructive and essential in dealing with orchestra issues that ICSOM cannot deal with alone. Three major projects are still being pursued by committees formed from the liaison of ICSOM officers and the major orchestra managers.

The first project concerns the medical questionnaire of 1986 which has been heralded as a unique and groundbreaking study of the medical

problems of the symphony, opera, and ballet musician. The data has been initially analyzed on computer at the University of Illinois and we are searching for additional funding in order to make the information in the database available to the most useful sources. Susan Middlestadt, one of our research analysts indicates that, "The database can be used to determine who experiences which type of problem, when the problem occurs, the impact of the problem on performance and the symptoms experienced, diagnoses received and treatments tried."

Project Two relates to our special concerns about the sound levels that we experience at the workplace and the possible effect on us, both physically and psychologically.

Project Three is the massive study of health care cost containment, involving orchestra managements, orchestra finance directors, actuarial consultants, William Hembree from the Health Research Institute, the American Symphony Orchestra League, and members from our liaison team. The study has evolved as a three-stage process. The initial stage now completed involved meetings with a steering committee to talk about organization, concepts and objectives, data and census gathering from thirty-three potentially interested orchestras; a meeting of finance directors with the consultant Hembree, and meetings in San Francisco with members of the steering committee, actuaries and consultants. Stage two of the project will involve getting proposals from potential vendors and selecting a vendor who would administer the health plans, and getting more detailed census, cost and utilization data from the most interested orchestras. Stage three of the project involves implementing the Plan and monitoring it, with the continued involvement of the steering committee that is now in place..

The bottom line is that health care costs increase monumentally year after year, and we must find ways to keep those costs to a minimum. Otherwise we shall find ourselves with higher and higher deductibles, and fewer services covered. If we can contain some of the cost increases to our employers there is a better chance that we will be able to hang onto better health plans and more cost-efficient health plans in our orchestras. This is a vital concern. The study process is a long and complicated one, but we do know that orchestra managements are as concerned as we are about escalating health care costs.

The final area of involvement with the MOMC Liaison Committee is one of major disappointment to ICSOM. This concerns the issue of tape use in auditions. Last year ICSOM delegates unanimously approved a resolution recommending that audition tapes be used only in conjunction with a written resume, not as a tool to sidestep live preliminary auditions.. At a follow-up liaison meeting we were unable to get agreement from the major managers that use of tapes as preliminary auditions be abandoned. They did agree that in conjunction with the audition code of ethics, that it was proper to use tapes for audition purposes only if they had so advertised that use of tapes in their audition advertisements. Following these meetings ICSOM was dismayed to learn that over half of the 27 ICSOM Orchestras who use audition tapes use them as audition tapes. Such a discrepancy in establishing ICSOM policy and actual orchestra practice

undermines efforts of the ICSOM Governing Board and has caused considerable discussion on all levels.

Additionally this year we participated in the Association for Union Democracy's West-Coast Conference. Although AUD's major thrust is to identify, publicize and help correct the injustices that occur regularly in some of the large labor unions in this country, Herman Benson (last year's ICSOM guest speaker), wanted his conference to hear from some union members who represent major progress in the democratic aspects of our relationships with our international unions. Our ICSOM Conference this week testifies to the fact that we may talk freely and be heard by our union officials, whether in controversy or in amiability. We do have an opportunity for change.

Melanie concluded that she will not be seeking the office of Chairman in this year's elections. She thanked the Governing Board for their hard work during the year.

#### Officers' Reports

Special Assistant to the Chair Tom Hall briefly reviewed the procedure undertaken to appoint him as Special Assistant to the Chair since ICSOM Bylaws do not allow for appointment of a new President upon resignation as occurred with Lynn Larsen's departure this past year. He indicated that he assumed many responsibilities that would normally have been completed by the President. Tom felt that serving in this capacity sensitized him to the ongoing problems of ICSOM, including communications among the organization. Tom thanked members of the Governing Board for their assistance particularly Nancy Griffin, ICSOM Secretary.

Treasurer Florence Nelson indicated that the ICSOM fiscal year has been adjusted to encompass June 1 to May 31 to better enable her to prepare financial reports. The ERF has been repaid with the dues increase voted last year. Florence reminded delegates to be sure and send in their dues in a timely manner during the year. Florence expressed concerns regarding dues payments due by ICSOM orchestras presently not working i.e. New Orleans, Oklahoma, and Oakland. Florence also reminded delegates that dues assessments are due in full from member orchestras and are the responsibility of the orchestra to collect in full and not the responsibility of the ICSOM Treasurer to collect. Major expenses for ICSOM include Legal Counsel, Communication System, Special Projects and Committee Meetings. Cost-effective measures to reduce expenses have been instituted to save ICSOM as much as possible in the area of communications and travel.

Questions and discussion from Delegates included topics such as CD maturity dates, orchestras who have not paid complete dues, clarification of ICSOM policy regarding payment of dues by orchestras who have individuals who do not pay individual orchestra assessments for ICSOM, and the possibility of other orchestras covering dues for out-of-work orchestras.

Motion #3. To concur with the recommendation of the Governing Board regarding forgiving 1987-88 Season ICSOM dues from orchestras that have not performed due to work stoppages resulting from bankruptcies or dissolutions, specifically the Oakland Symphony, Oklahoma Symphony, and the New Orleans Symphony. (Baunton). Passed unanimously.

Motion #4. That interest on the ERF loan to the Oklahoma Symphony be waived. (Angus). Passed unanimously.

Delegates from the New Orleans Symphony, Oakland Symphony, and Oklahoma Symphony, respectively Richard Erb, Cyrle Perry, and Nancy Nehring expressed gratitude and appreciation to the body for their continuing support financially. All are hoping for a return to active orchestra status as soon as possible.

Senza Editor Deborah Torch referred Delegates to her written report. She stressed to the Delegates the importance of address change notification, and her never-ending request for articles for Senza Sordino particularly those in a lighter vein.

Questions and discussions from Delegates concerned the decision-making process for article selection, involvement of Legal Counsel in Senza Sordino article selection and editing, availability of local critic complimentary copies, availability of subscriptions for cost, and present dissemination of complimentary copies of Senza Sordino.

#### Nominating Committee Report

Chairman Don Muggeridge (remaining committee members were Larry Bocaner (National) and Jim Clute (Minnesota)) placed the following nominations on the floor from the Nominating Committee:

Chairperson	Brad Buckley
President	Melanie Burrell
Secretary	Nancy Griffin
Treasurer	Florence Nelson
Senza Sordino Editor	Deborah Torch
Member-at-Large	Carolyn Parks

Don spoke on the strengths of the nominees as they were felt by the Nominating Committee. No further nominations were offered at this time. Nominations will remain open until Thursday late afternoon. Melanie expressed appreciation to the Nominating Committee for their hard work.

#### Structure Committee Report

Len Leibowitz spoke on behalf of Chairman Irving Segall regarding the Committee's activities. The Structure Committee evolved from the 1987 ICSOM Conference's desire to explore more alternatives to resolving the work dues problems that had started in the early 1980's. Committee members included Irving Segall (Chair)(Philadelphia), Jim Clute (Minnesota), John DeJarnatt (Seattle), Larry Bocaner (National), Tom Hemphill (San Francisco Symphony), Carolyn Parks (Kennedy Center), Kathy

White (Denver), Melanie Burrell, Len Leibowitz, and Liza Hirsch DuBrul. The written report of the Structure Committee was sent to delegates prior to the Conference. Few delegates had discussed the proposals with their home orchestras. A number of avenues were discussed by the committee to address work dues relief which efforts had not been successful in the recent past years. Several options such as Shop Locals, Trade Division, OSP were considered. Trade division was determined to be the best possibility by the Committee. As such the participation of OCSM and ROPA was determined to be crucial to the success of any trade division status. Leaders of both of these organizations expressed interest in these discussions. Preliminary discussions were held with Marty Emerson prior to the Conference to determine the Federation's interest in trade division status. Extensive discussions regarding the Committee's recommendations will be held during the Conference's special Friday evening session on the Structure Committee.

#### Role of the Delegate Presentation

Special Assistant Tom Hall presided over a wide-ranging session regarding the role of the ICSOM Delegate and some of the problems that have been encountered specifically this past year. Many of the problems are not new. Problems identified included breakdowns in the communication system, delegates not legally elected or representative of their orchestras, clarification of ICSOM dues structure, delegate's personal positions vs. home orchestras representative position and specifically the passage of the 1987 Conference Resolution regarding taped resumes which supported open auditions. Subsequent research indicated many ICSOM Orchestras had a policy directly contradictory to the Resolution passed. Delegates are chosen by default in some orchestras having little input into their own orchestra's attitudes and positions.

Extensive discussion followed on the role of the Delegate, the perception of ICSOM by ICSOM delegates which was generally positive, the difficulty in communicating Conference results to our home orchestras, the difficulty in conveying to ICSOM musicians the importance and activities of ICSOM, the difficulty of having to form instant decisions on Conference matters without the ability to consult with home orchestras, the problem of individual multi-year contracts that preclude conforming with ICSOM resolutions, ICSOM's lack of authority to impose decisions on individual orchestra committees, the importance of ICSOM Delegates accurately following up on Conference topics to their home orchestra committees, the difficulty of representing orchestra positions when orchestra committees oftentimes subvert ICSOM policy, the importance of educating orchestra members regarding ICSOM matters by posting ICSOM materials and regularly reporting to our home orchestras, the problems that occur when ICSOM policy may contradict an orchestra's own contract which may be in mid-term, the importance of ICSOM Delegates differentiating from personal opinion vs. home orchestra opinion when speaking on the Conference floor, the perceptions of ICSOM as a decision-making body vs. an organization that may only recommend policies. Suggestions included receiving the ICSOM Conference Agenda as soon as possible including materials that need orchestra input. Questions were asked regarding delegate status, alternate delegate status and correct

procedures for emergency replacements of ICSOM Delegates to the Conference.

Wednesday's meetings were adjourned at 6:00 p.m.

#### THURSDAY MORNING, AUGUST 18, 1988

The Conference was called to order by Chairperson Melanie Burrell at 10:55 a.m. Special Assistant Tom Hall called the roll of member orchestras and announcements were made. A Workshop with Richard Totusek, IEB member, was held prior to this session on Parliamentary Procedure, specifically on how to run a meeting.

#### Minority Affairs Committee Report

Committee appointed by Melanie Burrell included Michael Moore (Atlanta Symphony), Chairperson, Derek Francis (Detroit Symphony), Scott Anderson (Oakland Symphony) (resigned). The committee was formed as a result of a resolution passed at the 1987 ICSOM Conference which stated "be it resolved that the ICSOM Governing Board form a committee to explore all aspects of minority group membership in orchestras, including the history thereof and the avenues available for increasing that membership".

A written report from the committee was given to the Delegates. The main problem studied by the committee was that of the disproportionately low number of minority musicians, particularly black musicians, in symphony orchestras. The Committee also studied what has been done about it and what can be done about it, particularly as regards ICSOM.

The problem is become increasingly politicized around the country, most noticeably in Detroit. ASOL is very interested in the problem and has appointed Bill Terry as a consultant on the issue. Daniel Windham from the Music Assistance Fund is also involved in the issue. There is a serious lack of black classical musicians available from the Federation down to music schools. Only ninety-four black musicians were identified in the top 25 music schools on the undergraduate and graduate level in an informal survey. Even if all of these 94 musicians become members of ICSOM orchestras it still would only represent approximately two percent of ICSOM membership. Audiences also represent a low number of blacks. Agencies giving money to orchestras have expressed frustration on the low black involvement in the classical arts.

The Detroit Symphony presently receives approximately \$2.5 million annually from the State of Michigan. Each year the issue of black musicians, or lack of same, in the Detroit Symphony is raised by some black legislators. The Governor of Michigan appointed a Symphony Review Team which produced a report in 1987 dealing with all aspects of the Symphony operation. One of their conclusion was that in the last ten years the Symphony had not hired one black musician though some had performed as subs and extras. The Review Team did not deem the audition procedure unfair but felt it did not address the problem of hiring blacks. Following their report, a Detroit Symphony Affirmative Action Plan was produced. One of the changes involved removal of the discrimination clause in the contract. The Review Team recommended that

the Detroit Symphony management review its audition procedures so as to assure affirmative action in the hiring of black musicians without compromising artistic integrity. Pressure to remove the audition screens has been applied to the Symphony. It has been difficult to determine exactly what is needed. Should the orchestra have its own MAFOF or auditions for blacks only? Legislators are not concerned as much with the efforts the Symphony has made to identify and support black applicants as they are with having blacks in the orchestra regardless of how they acquire the position. Ironically the audition screen was instituted initially on a complaint by a black musician concerning discrimination in the early 1960's.

Daniel Windham, director of the Music Assistance Fund (MAFOF) spoke about the two-tiered nature of his program. They have provided scholarships to over 800 students over 23 years upon the recommendation of teachers and the schools involved. This method was determined by Dan not to be an effective system since it was not ultimately delivering the musicians to the orchestras. The affirmative action programs of the schools were being supported with very little effort to see results of post-graduation success. A new national audition procedure will be instituted over the next three years. The second part of the program is the Fellowship Program created ten years after the scholarship program (1975). The Orchestral Fellowship Program allows musicians to actually perform in symphony orchestras. A 1985 review of this program indicated that out of 24 fellows only 5 are in orchestras with the majority (17) freelancing now. The numbers need to be changed. Dan wants to "stop the fingerpointing". The perception of blacks regarding classical music must itself be changed. Dan feels the mindset of orchestra presence in the public is poor and in many cases non-existent.

What can ICSOM do? Dan feels we will not affect the numbers by only talking among ourselves. We must establish broad-based support for the Arts. Orchestras must work more closely with schools on all levels, college, high school and below. Orchestras must be involved in support for state funding for the schools since blacks are more dependent on public education.

On Sept. 16-18, 1988 at Arden House in New York a first-time event of bringing black musicians, managers, teachers, managers and arts councils will convene. It will be an attempt to create an infrastructure for black musicians to go back to their communities to provide communication channels to identify musicians. ICSOM must identify young musicians to give them the opportunity for development and to give the opportunity for young students to grow not just to guarantee them positions in future orchestras as a singular goal.

Questions and comments from delegates following the committee's presentation included discussion on the following topics:

- 1) Importance of attending to specific practical problems that occur with programs that bring professionals into the schools, i.e. preparation of students and staff and maintenance and follow-up of instruments provided for minorities.



- 2) The problem of encouraging young black musicians to enter a career path with such levels of competition when so few musicians of any race are successful.
- 3) The creation of more jobs which might give more opportunities for all musicians, including blacks.
- 4) The importance of ICSOM addressing concerns of funding organizations i.e. blacks that support symphony orchestras.
- 5) The need to devote our energies to diffusing situations like the present Detroit situation.

In response to delegate's comments Dan Windham expressed the following thoughts: There still exists a perception in this country of racial exclusivity as regards symphony orchestras. We must improve image so that blacks view orchestras and opportunities as positive, not only as participants but also as audiences. We have lost some of the support base that traditionally has supported symphony orchestras in the past. We must look at process of how musicians are selected for orchestras.

The morning session was adjourned at 12:15 p.m.

#### THURSDAY AFTERNOON, AUGUST 18, 1988

The afternoon session was called to order by Melanie Burrell at 1:30 p.m. Special Assistant Tom Hall called the role of member orchestras and announcements were made.

#### MEDIA COMMITTEE REPORT

The Media Committee report was presented by Florence Nelson, chairperson. The Media Committee had a relatively quiet year, due to the fact that it was between contract negotiations. Next year, it will begin to prepare for the phonograph agreement which will expire in January 1990. The audio-visual contract has just completed its first year of a three-year agreement, and the radio-television agreement expires in May 1989. However several issues arose during the year in the media area.

The Media Committee was formed as one of the first committees in ICSOM, and has remained as the longest standing committee within this organization. It is comprised of five delegates representing all sized orchestra budgets and all performing interests including symphony, opera, and ballet. This committee looks for guidance to the orchestras it represents, and makes policy decisions mandated by the consensus of all the orchestras within ICSOM. The committee acts for the benefit of all the orchestras, and does not act independently.

The Committee often receives requests from member orchestras to record a concert at a rate below the national contract scale and also service conversion possibilities. The Committee strongly feels that such actions undermine our collective strength. Managements have come to the bargaining table with information of orchestras working for less than

scale using it to pressure our orchestras to fall back to lower rates and less work.

In response to the requests for lower rates, however the Federation created the Limited Pressing Agreement. This contract allows for 5,000 pressings of a record. ICSOM, in the past, has rejected this contract, believing that the rate of \$40.00 per hour was too low. Nevertheless, numerous orchestras receive requests from their managements to record a concert of a particular piece, for local distribution, fund raising, or limited specialized sales promotion. The safety of this agreement lies in the fact that if the recording has 5,001 copies produced, the musicians must immediately be paid the appropriate, current fees as described in the Phonograph Record Labor Agreement. The Media Committee believes that this contract could possibly serve some orchestras, can certainly serve managements, but also could impact negatively on the larger orchestras in America who do the majority of recording. ICSOM should consider forming a subcommittee to study the impact of including symphonic music in this agreement. There is the possibility of accepting its use for a limited time, restricting its use to orchestras within a particular budget, or continuing to reject it.

Florence discussed a recently released NEA study on the current state of recording in the United States completed by Bronson. In this report, Mr. Bronson made a strong case for government subsidy of the recording business. Bronson did agree that the recording rates in the United States are higher than elsewhere, but he did not place the cost of the musicians as the reason for our poor showing in the recording industry. Bronson demonstrated that the cause much more likely was due to the fact that conductors are not identified with one particular orchestra, and therefore must divide their recording time with each of their orchestras. Bronson felt most strongly that marketing the product was a great reason, for European recordings, since virtually all of the music recorded there is familiar and popular music. Aiding that is the fact that government subsidies in Europe save their managements a lot of time and money in the backing of recording projects. Bronson strongly recommended more grant money and federal support, so that American orchestras and American music can properly be recorded.

Florence stressed the need for ICSOM to assume the responsibility of making our individual managements more accountable in reporting recording activities to our Locals, who in turn must report to the Federation any work in which we participate. Whenever media work occurs, a pension payment is supposed to be sent to the AFM-EPW fund in New York City. Although this pension check is due at the same time that the musicians receive their salary check, it is generally received late. As a result of this, payments sometimes arrive up to a year after the recording took place, and therefore affect ratification votes, accumulated interest received per member, and proper accountability of original ownership of the media project. It is essential that ICSOM follow up and be certain that this work is properly documented. The Media Committee would like to see a designated orchestra representative receive a copy of the pension check at the time that the orchestra members receive compensation. If that check is not submitted in a timely fashion, then the orchestra should develop some means of penalizing management, perhaps

contractually. With effective use of the Symphony Department Media Postcard report and our collective strength in insuring our contracts are fulfilled on both the local and national level, ICSOM can hope to have more control of their media products.

Florence also indicated the ratification of the Audio-Visual contract was delayed for several reasons. These included a change in personnel on the ICSOM Media Committee, a delay in identifying the signatories to the agreement, and the inadvertent temporary loss of the ballots to be sent to the twenty-three signatory orchestras. In the future the AFM Symphony Dept. will be assigning some of these responsibilities to the recording department with improved reliability it is hoped. In addition only eleven ICSOM orchestras had returned their ballots by the deadline date.

Delegate questions and comments following Florence's report included the following topics: present necessity of ICSOM delegates continuing to send in media cards to insure proper crediting of media services; lack of participation of New York Philharmonic in ratification vote which was appealed to the IEB for review; reminder that ICSOM orchestras that have done recordings in the last five years should have recently received individual checks from the Special Payments Fund (The check will vary depending on the years of recording and the amount of records sold); clarification of information that orchestras must have a minimum level of activity to qualify for ratification with recommendations to the Federation that ICSOM orchestras be made aware of minimum qualifications.

#### Conductor Evaluation Committee Report

Brad Buckley reported on the Conductor Evaluation Program for the past year. As Administrator of the Program, Brad reported that twenty-two orchestras sent in 192 evaluations this past season. Eight orchestras requested information on seventy-six conductors. Since 1982 forty ICSOM Orchestras have submitted 1,176 evaluations on 250 conductors. The average number of responses per orchestra is 36. Delegates were reminded to follow the guidelines outlined in the Delegate Manual particularly observing the legal cautions urged. Information must be used in a professional and confidential manner. Some earlier statistics on responses indicated that levels were much higher, averaging 55 with a maximum of 100% response from the Boston Symphony back in the days of the long 36-question form used. Delegates were also cautioned that any in-house evaluation forms used should be used under the same guidelines to avoid any potential legal problems.

Brad also discussed the activities of the Conductor Evaluation Subcommittee established following the 1987 Conference. Committee members included Brad, Marilyn Lauriente (Chicago Lyric), Don Muggeridge (Los Angeles) and Kathy White (Denver). The charge to the Subcommittee involved evaluating the form for possible reduction and specifically adding another question on conductor re-engagement. The subcommittee studied the previous four forms that orchestras have used. These include the lengthy 36-question form developed in Boston which later evolved in 1971 into the 13/14 question format from Los Angeles. Cathy Compton subsequently spearheaded the efforts to computerize the form which two years later was slightly revised for better legibility. The officials at

Wayne State University which monitor the program and do the statistical analysis for ICSOM feel that the present questionnaire presently qualifies as "expert opinion" and that any subsequent reduction in number of questions would result in "subjective opinion" and would probably result in their withdrawal from the program.

The subcommittee felt that the present form is readable and valid. It did not feel that reducing the number of questions would raise the response level. At the 1987 Conference the following motion was made to add the following question to the conductor evaluation form - "Would you hire him/her again , if so, for what position?". The ICSOM Conductor Evaluation Subcommittee recommended that a different question be added. This would be added to Section II and would read "Based on the above criteria this conductor should be considered for re-engagement." The committee's recommendation is based on the fact that there presently is no uniformity in conductor titles. Wayne State University feels the recommended addition is unnecessary since it statistically already exists but would not object to its addition.

A motion came from the floor to accept the conductor evaluation subcommittee recommendation that the following question be added to Section II of the ICSOM Conductor Evaluation Form - "Based on the above criteria this conductor should be considered for re-engagement (with usual option for answers)". (McGillivray) (Motion #6). Subsequent parliamentary procedures resulted in the McGillivray motion being voted on as an amendment to the 1987 motion. The amended motion passed as did the original 1987 motion as amended. The attendant result is that the new question "Based on the above criteria this conductor should be considered for re-engagement" will be added to the ICSOM Conductor Evaluation forms. Discussion and questions during the debate from the floor touched on the following points: necessity of adding question regarding re-engagement since it would probably be largely for internal use; usability and validity of old evaluation forms if new question is added; inability to tailor form to individual orchestras; and availability of optional questions for individual orchestra use.

#### ICSOM Computer Committee Report

Committee Chairman Tom Hall reported on the activities of the ICSOM Computer Committee which includes Dick Decker (Syracuse) also. The Committee's charge is to examine what ICSOM is doing with computers and to make recommendations. A roster of computer users in member orchestras has been maintained and distributed during the season including information on the individuals and their equipment. At least half of the ICSOM orchestras have at least one individual represented in the club in the total of approximately sixty musicians. Unfortunately the string seating rotation program is still not available.

Dick Decker reported on his activities on the Data Gathering Project which was initiated at the 1987 Conference in addition to efforts to secure our orchestra contracts on disk for electronic distribution. The Data Gathering Project was to identify existing sources of contract research material not necessarily already available in other compiled sources and was to determine what materials would prove valuable to

member orchestras. Delegates were polled during the year not only in regard to what materials they had compiled but what materials they would find useful if available in some type of ICSOM data base. Response from member orchestras was very poor and the delegates were informed that the project had been abandoned. However, delegates were informed of several existing sources of compiled contract information that is at their disposal. These include the AFM Wage Chart, the American Symphony Orchestra League Contract Survey Report (Two Books available divided into budget ranges), and the ICSOM Contract Settlement Bulletins. Delegates were informed that the ASOL Contract Survey, which has much contract compiled statistics, is available from their orchestra managements for the asking.

Efforts are continuing to acquire all ICSOM contracts on disk for distribution on the AFM Bulletin Board. Response to providing contracts has been slow with only six orchestras out of at least nineteen having provided them. Brief discussion followed in regard to providing contracts and methods to do so.

#### ICSOM Directory Report

Michael Nutt referred the delegates to his written report regarding the status of the ICSOM Directory. The change of address cards that Michael has sent to delegates have not been used as widely as expected. Ten orchestras have not submitted any change of address cards for up to three years. Subsequently the Directory is not up-to-date on his computer files. Discussion following Michael's comments included sending on orchestra lists if cards are not possible; establishing a late September/early October deadline date for submission of revisions; possibility of Locals providing information; possibility of using AFM Bulletin Board to send Michael messages of changes. Discussion indicated that Delegates wanted to continue printing of the Directory every two years. Motions to establish deadlines on delegate submissions were ruled out-of-order by the chair. Expense for the ICSOM Directory tends to run approximately \$5,000-\$6,000. Subsequently the following motion was passed:

(Motion #7) - That we print ICSOM Directory for the 1988-89 Season (Moran).

Conference took a 15-minute break at 3:25 p.m.

The meeting was reconvened at 3:40 p.m. Announcements were made from the Chair including information on the availability of the Beta Blocker Report as directed by the 1987 Conference and the availability of the instrument insurance for retirees report written by Cindy Lewis.

#### AFM Strike Fund Report

Brad Buckley, one of five trustees of the AFM Strike Fund (IEB has three with Melanie Burrell being the remaining trustee), reported on the activities of the Strike Fund. Brad reminded delegates that the strike fund premium payment is due by April 1 of each year. Some orchestras have been delinquent in their dues payment and technically can be

eliminated from strike fund payouts for the following year for the delinquent payments. Thirteen orchestras have not sent payments with four orchestras providing only partial payment as of a June 30, 1988 report. There have been some problems specifically with who is supposed to collect the dues and submit them. The correct procedure is for the Local to collect the money from the management (usually from a checkoff system) and then to send the funds to the Federation in New York City. It will also be necessary to acquire accurate numbers of musicians from each orchestra. Orchestras are eligible the second year of entering the Fund. Individual musicians later added to orchestra rosters can vest themselves in one year by providing double payment. Questions and comments included: Does Federation pay benefits to non-union members who are in striking orchestras?; methods to insure strike fund payments for extra musicians; procedures, methods and timetables to receive strike fund benefits; correct procedures for assessing musicians who only perform partial seasons; status of original \$250,000 AFM seed money. Orchestras were reminded that at the first sign of trouble in an orchestra with a potential work stoppage problem, that delegates should contact the AFM Strike Fund Trustees.

Benefits for orchestras from the Strike Fund this year included Vancouver which received the full fifteen weekly benefits and were refused further benefits because of their settlement.

#### Medical Conference Report

Debbie Torch, Senza Editor, reported on her attendance at the annual Symposium in Aspen at the "Medical Problems of Performers and Dancers" Conference. Significant information coming out of this Conference included facts that the Doctors will organize themselves into an Association for music doctor practitioners. It will be an attempt to regulate the quality of music medicine clinics and establish some criteria for standards. They will also work with research methodologists to adequately use data that has already been collected on musicians' medical problems. Presentations included sessions on pain, overuse syndrome, and tendonitis, fibrocystitis (new) (stage 4 sleep deprivation), ergonomics, and psychological/psychiatric presentations. Doctors were interested in perhaps another medical questionnaire which will be difficult to accomplish. Debbie indicated she had some medical abstracts available for perusal.

#### OCSM Conference Report

Debbie Torch reported on her ICSOM representation at the OCSM Conference. Debbie felt the Canadian Orchestras in this Conference were comparable to ROPA Orchestras in terms of salary levels and the focus of their issues. Many of the OCSM orchestras have small full-time cores of around thirty members; most have large government funding, no endowments. Most do not have instrument insurance, employer-sponsored health insurance, seniority pay, or pensions. Some do not have tenure. With the exception of Vancouver, there are Professional Associations and not Unions in the Local Orchestras.

Presentations and discussions at the OCSM Conference included Pension (AFM-EPW), new conductor evaluation form program being developed, attempts to develop a Canadian wage chart, orchestra roundtable concept, problems with musicians being appointed and not auditioned, orchestra splitting, troubled orchestra concerns, stress management and performance anxiety, structure committee, health and status of government funding. The union in Canada is not under comparable federal legislation in Canada. As such they do not fall under certain labor laws in Canada, though they perform the functions of unions. Every Province in Canada also has different labor laws governing them. There are no federal labor laws in Canada that would supercede provincial laws as happens in the United States.

#### Sound Level Committee Report

Debbie Torch reported that the activities of this committee were almost a year behind schedule. Activities were suppose to include extensive testing in the Chicago Symphony including dosimeter level readings and hearing tests. It presently is a subcommittee with the Major Manager's Liaison Committee. The issue is not dead and will hopefully be active during this coming Season.

#### Taped Resume Update Report

Kathy White reviewed the article in Senza Sordino that Kathy wrote regarding taped resume use. The subject of taped resume use had been discussed earlier in the Conference specifically in reference to the 1987 Resolution passed by the Conference. Approximately 27 ICSOM orchestras use taped resume tapes, with 15 orchestras using them as preliminary auditions on an irregular basis. Kathy recommended that our best efforts in eliminating taped resumes should be concentrated in securing contract language on a local basis that can be supported by a majority of that home orchestra. Without contract language, there is little that can be done.

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Announcements were made regarding Friday's scheduled agenda including the workshop on negotiations, Sam Hirsch's presentation, individual orchestra presentations (Settled orchestras include Louisville, Phoenix, Houston, and Kennedy Center. Negotiating orchestras include Chicago, Baltimore, Minnesota, Utah, Florida Orchestra, Rochester, and the New York Philharmonic. Troubled orchestras include Oakland, Oklahoma, New Orleans, and Seattle.)

#### Nominations Closed

No further nominations were offered for the ICSOM Officers and the one Member-at-large. Melanie Burrell closed the nominations for the offices. Clarification was made regarding replacement of officers during mid-term. Since the slate was running unopposed, questions were raised on the necessity of voting. Determination was made that since ICSOM By-laws require a voting procedure that voting will be necessary Friday morning.

Thursday's session was adjourned by the Chair at 5:00 p.m. Following the session, a brief meeting of negotiating orchestras was held.

FRIDAY MORNING, AUGUST 19, 1988

Chairperson Melanie Burrell called the Conference to order at 11:40 a.m. (A special workshop on negotiations presented by ICSOM Counsel had preceded this morning session.). Secretary Nancy Griffin called the roll of ICSOM member orchestras.

ICSOM Officer Elections

Balloting for the nominated ICSOM officer slate was held. A committee was appointed by the Chair which included Cindy Lewis (New Jersey), Debbie Moran (Houston), and Tom LeVeck (St. Louis) to run the elections. Secret ballots were turned in upon a roll call vote. After ballot counting, it was reported by the election committee that the unopposed slate had been elected. New officers for 1988-90 will be:

Chairman	- Brad Buckley
President	- Melanie Burrell
Secretary	- Nancy Griffin
Treasurer	- Florence Nelson
Senza Editor	- Deborah Torch
At-Large	- Carolyn Parks (to fill one-year vacancy)

AFM Symphony Department Report

Lew Waldeck, AFM Presidential Assistant, reported on the activities of the AFM Symphony Dept. Lew reported that the problems with the Seattle Symphony and its Local have been of great concern to all involved. Some have questioned why efforts have been made to retain Seattle as an AFM Orchestra. Lew feels that Symphony Orchestras have achieved their gains through a monolithic solidarity and that one would be doing a disservice to our orchestras if efforts were not made to retain Seattle. The Federation recognizes that there are problems in Seattle and would like to deal with those problems. Lew doesn't believe the solution is for the Seattle Symphony to leave the Federation.

Lew reported on the upcoming (Sept. 7, 1988) NLRB elections in Seattle to choose the bargaining units for not only the Symphony but also the Ballet and Opera organizations since there are three separate contracts involved. There was disagreement between the AFM and IGSOBM (Seattle-based Guild) on whom should be eligible to vote in these elections. In the decertification petition IGSOBM argued for a smaller unit and the AFM for a larger unit which would include extras and subs who they felt would be affected by a decertification vote. The NLRB ruled that extras and subs should be allowed to participate in the election.

Legal Counsel clarified the point that other orchestras should be aware that extra musicians who contribute a significant time to their orchestras will probably be considered as part of the bargaining unit should their status be challenged with the NLRB. They pass the tests that the NLRB regularly considers under standard labor procedures. While



this specific decision was limited to the determination of the Seattle Symphony bargaining unit and technically does not have any effect on orchestra contract ratification procedures, this case in Seattle would probably be cited in any future challenge to an orchestra's ratification procedure. Legal Counsel pointed out that there are also many more cases that could also be cited and that the Seattle case is not really new as regards labor decisions. It may be new to Seattle and ICSOM but actually only codifies what has been possible for years. There was some brief discussion from the floor regarding the percentages of services necessary to qualify for decertification voting. Legal Counsel stated that the NLRB usually will lean more toward comprehensive inclusion rather than exclusion, hence the low number of services (9) required to qualify in the Seattle vote on bargaining units.

Lew reported on the Orchestra Services Program (OSP) and its unilateral implementation this past year by the IEB. The IEB views the program as a technique to deliver services to orchestras particularly under Article 21, Section 14 of the AFM Bylaws which guarantee services to orchestras by the Federation if Locals fail to provide adequate services. The Federation was interested in developing a plan of assistance for those orchestras who are having serious irreconcilable differences with their Local. The Federation is interested in ICSOM's input into the OSP so that improvements can be made where necessary. The program is not viewed by the Federation as a substitute for Local services but it is to be used as a buffer when there is no other way to deal with a problem.

Two orchestras are presently in the OSP. Tampa has been placed in Trusteeship and therefore is in the OSP. The second orchestra in the OSP is Seattle which was volunteered by the Local to participate in the program. To date the Orchestra musicians have refused to participate in the program. The IEB felt that the situation between the Seattle Local and the Symphony musicians was indeed irreconcilable and that the orchestra should be in the program to have services provided for them.

Some other orchestras have received substantial financial assistance under the auspices of Article 21, Section 14 and these include Oklahoma, San Antonio, and Hartford. Money is there to be spent on the Orchestras if the Local cannot afford to pay. It is the Federation's opinion that it is the Local's responsibility to provide competent representation in negotiations and the day-to-day monitoring of orchestra contracts.

Lew indicated that there are still two or three orchestras that have not sent in their information for the 1987-88 AFM Wage Chart. Delegates were reminded to send in their information as soon as it is available. Information once received will be placed on the AFM Bulletin Board (1-800-223-6624) prior to publication. Clarification of the status of the Wage Chart as an archival tool vs. a negotiating tool was made.

The Symphony Department is also preparing a negotiation pack on computer disk that will be made available to negotiating orchestras. Several programs will be included in the materials. Negotiating orchestras should receive the materials six months prior to their contract expiration. Orchestras not receiving these materials should contract the AFM Symphony Department (1-800-ROADGIG).

The AFM Bulletin Board is operating with a toll-free phone number (1-800-223-6624) [not useable in New York State and Canada]. Efforts are being made to allow access with 2400 baud modems. Orchestra contracts are available along with other information including some sample contract clauses. Messages may be exchanged on the BBS and new Conference sections will be available.

Media cards have been more successful this year than in the past. A media report should be available following the Conference. Orchestras should check to see if their individual orchestra entries are complete.

The Symphony Department receives many requests during the year in regard to contract concessions. The resolution of the Vancouver Symphony provides us with one model of how one orchestra has dealt with the problems of a dispirited board and how they restructured a progressive contract. In other orchestras with whom the Symphony Department spent considerable time, most notably Oklahoma, Nashville, Windsor, and Thunder Bay, we have not fared as well. Strong positions have been taken about not returning to per service situations. There have been some successes and some failures.

The Symphony Department will be sending on the taped resume audition lists to ICSOM Delegates so that they will have copies along with the Locals.

A meeting of the AFM Strike Fund Trustees will be held in Fall 1988. Some changes are necessary in outmoded rules. Also some policy changes are necessary regarding the status of cancelled orchestras.

The Symphony Department also needs to meet with ICSOM's Media Committee. Numerous requests are received for exceptions to media contracts. The Symphony Department needs to discuss these issues with ICSOM to know what direction to head to eliminate the arbitrary decisions created by individual orchestras and the AFM. It is difficult to uphold existing scales with so many variances. The AFM will consider productive changes in whole but not on a piece-by-piece basis.

#### ICSOM Emeritus

ICSOM Emeritus coordinator Abe Torchinsky reminded delegates that the requirements for Emeritus status are as follows: 1) former member of ICSOM orchestra for ten years, and 2) must have reached the age of 60. Eligible Emeritus members will receive copies of Senza Sordino and will be listed in the ICSOM Directory. Any eligible and interested retirees should contact Abe Torchinsky to be placed on the mailing list. There are presently 300 members.

Discussion from delegates touched on such topics as automatic pension increases for retirees, retirement counseling on financial matters, special privileges regarding rehearsal and concert attendance for retirees, and maintaining social contact with retirees.

Reports on Negotiations and Special Situations

Delegates from negotiating orchestras provided written reports of negotiations in progress.

Reports were given by delegates from the following orchestras with negotiations in progress or with special information to report:

Chicago Symphony (Tom Hall)  
Baltimore Symphony (Charles Underwood)  
Minnesota Orchestra (Adelle Lorraine)  
Utah Symphony (Marion Albiston)  
Florida Orchestra (Tampa) (Warren Powell)  
Rochester Philharmonic (Dave Angus)  
New York Philharmonic (Report given by Liza DuBrul,  
ICSOM Counsel)

There was some discussion regarding the timing of potential letters and telegrams of support to get the most impact.

Marilyn Rife (San Antonio) thanked ICSOM for its support during San Antonio's difficult problems last year. The Orchestra now has new management, a new development director, and a new conducting staff.

As always, delegates were cautioned to keep all negotiating information confidential.

NEW ORLEANS

Dick Erb (New Orleans) reviewed the past year's situation in the New Orleans Symphony. The Orchestra ceased operations on Jan. 16, 1988. The Corporation did not file bankruptcy but suspended operations and cancelled the rest of the Season. Musicians were owed five weeks back pay at the time. Nineteen weeks of the Season were lost. The Orchestra had a debt position of \$3.5 million along with a budget of \$3.5 million. Dick discussed some of the root causes of the orchestra's problems and some of the actions that have taken place since the cancellation including the creation of a task force to evaluate the situation. Other topics Dick mentioned included the present status regarding back pay, local suggestions for orchestra affiliation with other New Orleans nonprofit organizations, the potential sale of their concert hall, the status of the musicians' benefit package, the status of payments for lost weeks, the restructuring of Board, the musicians' approach to the lost 19 weeks, and the difference between present existence of the organization along with the saved benefits as opposed to starting with a clean slate via bankruptcy.

Discussion from the delegates included questions on the lump sum payment for the lost 19 weeks, the denial of AFM strike fund benefits, and the method of season cancellation.

The morning session was adjourned at 12:30 p.m.

FRIDAY AFTERNOON, AUGUST 19, 1988

The session was called to order at 2:00 p.m. by Chairperson Melanie Burrell. Roll Call was taken by Nancy Griffin.

Seattle Symphony Report

Randolph Baunton and John DeJarnatt presented a report on the Seattle Symphony Orchestra. John DeJarnatt started with a brief overview of the historical problems that have led up to the current situation. These previous events included the Seattle Symphony musicians' attempts in 1985 for work dues relief. At that time an agreement was reached with the Local so that the Local would pay strike fund assessments, ICSOM dues, lawyer expenses for negotiations, and certain other negotiating expenses. In 1987 further conflicts occurred when some core non-members on the negotiation committee elected by the Orchestra were not recognized by the Local. Further problems involved the unilateral changing of the 1985 Agreement by the Local. In January of 1988 the Seattle musicians began attempts to separate themselves from their Local via decertification/deauthorization. During this time the Orchestra members rejected the option of joining the then-newly-created Orchestra Service Program into which the Local had volunteered the Orchestra. Several meetings were held with AFM Officials during this time. John indicated that there had been a serious lack of communication between the Local and the Orchestra for some time. He reported during this time there also was indifference to the AFM shown by orchestra members. John stated that "This is not an anti-union move. This is hardly that. The Orchestra has been very pro-union, very supportive of our colleagues in other orchestras."

Randy Baunton indicated that the International Guild of Symphony, Opera, and Ballet Musicians (IGSOBM) had filed a representation petition on June 2, 1988 on behalf of Seattle Symphony musicians for the Seattle Symphony, Opera and Ballet. Subsequent NLRB hearings heard arguments from both the AFM and IGSOBM on which musicians should be considered part of the bargaining unit for voting purposes in the decertification process. The NLRB decision that followed indicated that extras and subs should be included in the bargaining unit for all three votes. The actual election is scheduled for Sept. 7, 1988. The present contract which expired at the end of the 1987-88 Season, will remain in effect until after the election.

Questions from delegates involved discussions on the following topics: NLRB election process, reasons for Seattle Symphony musicians' rejection of the Orchestra Service Program, current contract expiration clarification, Seattle musicians involvement in the Local's activities, perception of core non-member status in relation to the union, definition of core non-member status, Beck vs. CWA court decision defining core non-members financial responsibilities, method of determination regarding number and status of eligible musicians for representational election including both the AFM's position and the Guild's position, reconciliation possibilities between Seattle musicians and the AFM/Local, AFM's position regarding core non-members on the negotiating committee.

### Oakland Symphony Report

Cyrle Perry indicated that ICSOM's continuing support has been important for the orchestra. In the Fall of 1987, the Orchestra did receive a \$52,000 grant from the City of Oakland for renewed activities, with only \$7,000 being available for musicians. A new marketing/development department discovered that there were many problems in regaining support for the orchestra. Some past funds were no longer available. Board support was minimal. There are now some indications of increasing support with new Board members being named and the hiring of a new Executive Director.

Brief discussion following Cyrle's report on the availability of the "Autopsy of an Orchestra" report completed on the Oakland Symphony, the severe problems with returning from bankruptcy, and some of the underlying reasons for Oakland's basic problems in 1985-86.

### Troubled Orchestras Report

At the February 1988 ICSOM Governing Board meeting, the subject of orchestras around the United States and Canada who have experienced financial problems severe enough to cause season disruptions, temporary or permanent, was discussed. Discussion centered around what ICSOM should and could do to better monitor, and hopefully prevent these situations from developing in the future.

ICSOM Counsel subsequently drafted a proposal regarding a possible independent study that would analyze many of our troubled orchestras to see if there are common elements to all, or if each one is so different from the other that very little can be learned or applied to other organizations. Governing Board member Dick Decker was directed to pursue the general feasibility and practicality of such a study. A very extensive study was completed in Oakland entitled "Autopsy of an Orchestra" which detailed the reasons for their problems. However it would be necessary to study other orchestras in trouble to apply industry-wide solutions.

Dick Decker reported that the concept of a troubled orchestra study met with general approval from arts consultants and foundation directors around the country. However several concerns were presented by individuals regarding ICSOM's capabilities to undertake such a large study both financially and practically. Much more than a simple statement of purpose would be necessary for such an effort. Specific goals, methodology, results dissemination, and projected intervention methods would have to be developed. Outside funding, perhaps extensive, would be involved in such an independent study.

As a result of the research, ICSOM presently has two alternatives. The first would involved ICSOM making a "request for a proposal" bidding procedure which would involve ICSOM in the determination of the nature and scope of the ultimate study and most aspects of research methodology and putting the project as defined out for bids from arts consultants. A second less involved procedure would be for ICSOM to commission a "position paper" from perhaps an arts consultant who would do substantial

research on the feasibility of such an extensive study in all its aspects.

The ramifications of such a potential study could be enormous. Identification of problems that cut across individual orchestra lines and that could be applied generically with solutions and preventions for all non-profit organizations could provide both musicians and managements with the tools for not only our survival but our growth.

"It is time to stop the hemorrhaging. It is time we not only in ICSOM but also our colleagues in OCSM and ROPA had the tools to identify the warning signs of failure. It is time that we develop the methods to prevent more failures. It is time to eliminate the concept that bankruptcy and dissolution is the answer to incompetence. It is time once and for all to dispel the attitude that it can't be done here in our town. Perhaps there will be more Nashville's, Vancouver's and Oakland's before we succeed. But if we are true to the spirit of purpose as defined in our by-laws then we should assume a leadership role in this issue and convince other representative bodies to join us in a new era of enlightenment regarding the Arts."

MOTION (#8) was forthcoming from the floor: To pursue a position paper on the issue of troubled orchestras as discussed in ICSOM's troubled orchestras report (Lauriente).

Discussion followed on what contact should be made with ASOL for possible financial assistance on this project; the responsibilities of ASOL and ICSOM; and the prospective impact of the study.

The motion passed unanimously.

A 15-minute recess started at 3:30 p.m.

#### SAM HIRSCH PRESENTATION

[Sam Hirsch is a member of Corporate Campaign. He is also co-chairperson of the New York City Labor/Religion Coalition]

Corporate Campaign is a consulting organization that provides technical support for unions and helps develop strategies in dealing with the Boards of Directors and the financial institutions that are key to each corporation's survival. Corporate Campaign was part of the J. P. Stevens boycott effort that ended with the Amalgamated Clothing and Textile Workers' Union victory in 1980.

The Labor/Religion Coalition is a loose network of people in unions and in the religious community, that works only on consensus. They support issues that help to build trust among themselves and concentrate on the social justice aspect of relevant issues and the needs of people. It is important for networks such as these to be supported. Such broad-based support is necessary when dealing with corporate boards as they often resist just demands and try to impose conditions that are economically and socially unjust. Since individuals who sit on Symphony Orchestra Boards are often the same individuals who sit on the Corporate Boards,

there is oftentimes present an inadequate understanding of the differences of a non-profit arts organizations and for-profit businesses besides the carryover of anti-union attitudes that some Corporate Executives bring to their other positions. "Human need, not corporate greed" is the key. By involving ourselves in the social justice issues, our lack of selfishness will win us the respect that we need to gain more respect as union members. For musicians to build support past their subscribers, they must go beyond that limited base.

Sam outlined a brief history of the labor movement in the United States. Labor's greatest moments coincided with the periods in which our nation found itself following an agenda for social and economic justice for all the people. Labor's fortunes have risen and fallen as relations between management and labor shifted. Until the 1930's workers had little impact through the union movement. Out of the Great Depression we saw the birth of organizations such as the CIO and the beginnings of union organizing of white collar, professional, public and service sector workers. Today when we read of the decline of union strength we should note that only in these sectors has union membership increased, somewhat offsetting labor's losses in industry. From the 1930's many gains were made. Wage and hour laws were passed. Social Security became a social contract with the American people. The growing militant labor movement was an important part of the birth of the Roosevelt New Deal.

The labor shortage during World War II and the post-war demand for consumer products not previously available led to another period of growth for labor. Our earlier experiences and the leadership that emerged during the 1930's contributed to these successes. In the 50's and 60's we saw the beginning of corporate America's offensive against unions. The Taft/Hartley and Landrum Griffin laws set the tone for the anti-union campaigns of the 70's and the 80's.

To understand why labor is taking such a beating in the last decade we need to understand how capital functions today. We have come a long way from the days of the Simon Legree boss breathing down the worker's back. Even the absentee managers in ivory towers no longer are the key players in industrial relations. It is the financial institutions with its growing army of business school graduates that are the real policy makers. The corporate raider is the real boss. With large pools of capital controlled by banks and insurance companies, they are able to finance runaway shops to low wage labor areas, here and abroad. Safety, health and environmental concerns are frequently ignored.

Labor solidarity has also suffered. For years workers elected leaders who became the union with little rank and file participation. The fighting arm of the union, the membership, became atrophied. After many decades, with the need to mobilize union members in the 1980's union busting decade, it's near impossible to do so. This is especially true with those new in the work force, mostly women and minorities, who were never part of labor's struggles. Most are in the service areas, white collar and public sectors, and not easy targets for labor in the best of times. Sadly, this picture exists in many unions with a democratic tradition.

Labor's political clout has diminished greatly since the 1930's when it was part of the New Deal of FDR. Labor PAC's, the Political Action Committees, have more money, but less influence. Part of the reason is that corporate America outspends us many times over, and they know how to use the media. In New York City, we have been unable to repeal the Cabaret law which restricts job opportunities for musicians. The Performing Arts Labor Relations Amendment should, by all logic, pass in Washington. It can be won, but it won't be easy in today's climate.

At one time we could count on liberals and social activists to support labor causes, economic and political. At one time scabs were not easy to find and most people would not cross a union picket line. It's less true today. In addition to the negative factors that unionists face, there also is the perception that labor serves only the narrow interests of its members, frequently at the expense of the public. A strong labor movement is vital for a healthy nation, for fairness in sharing the wealth of our nation.

However all is not hopeless. There is a growing trend of honest labor leaders sensitive to their rank and file emerging in many unions. Rank and file members and local leaders are helping others in serious situations. Cooperation, rather than selfishness, is again fashionable. Many unions are participating in coalitions that are emerging to fight corporations that poison and maim workers and who show little concern for the environment. The campaign to end childhood lead poisoning, led by the late Paul DuBrul, also educated workers on the danger of this toxic material.

Campaigns for pay equity, for human and minority rights and for day care programs have been gaining favor because of this cooperation. It is not unusual to find union leaders in campaigns for the poor and needy alongside of our religious friends.

Along with increased support for social justice issues, rank and file workers are taking over leadership where the established leaders have failed them. Unionists across the land are providing political, moral, and monetary support for many union struggles. There have been many victories for union democracy. Democracy is not just the right of each individual, but its greatest benefits are the involvement of the many.

This is very good. But unless you have the tools you won't get much done. One of these tools is the Corporate Campaign. "Tools to Confront Power with Power" is our slogan. It is a multi-faceted campaign not only with the traditional labor tools of a strike, along with organizing, media support and legal and political activities but also with extended efforts. These involve developing campaigns on different levels. Since it is the major financial institutions (banks, insurance companies and pension fund investors) who provide the credit needed to operate business, it is they who control in different ways, including holding key positions on the corporate boards. In-depth research and analysis is needed on these board members to identify what links they have with financial institutions and other corporations. Is it possible to mobilize pressure against them and their other corporate links? One must set realistic goals by realistic assessments based on your own situation.



Each campaign that is developed has several facets to it. Financial resources and people resources are important. Many can help with fund raising, media work, and boycott activity. They can help build support from others including religious groups, women's rights groups, environmental and human/minority rights groups. Each campaign must be built on the experiences and successes of earlier campaigns. Corporate Campaign provides some tools for help with organizing, media, publicity and research. Others have developed their own corporate campaigns, some comprehensive, most more limited. Even with limited resources you can do something.

You need to strengthen ties with others in the labor movement. Start with your own American Federation of Musicians. Then the other unions in the AFL-CIO of which your musicians are affiliated. Other unions in the arts, theater, music and television can assist. Then reach out to those who helped in the past. Then, the concerned groups, including religious, should be contacted. In spite of a decade of corporate greed over human need, morality is still in fashion. Musicians should do well if they don't stand alone. Unity is important. You should be part of the labor movement and help it to become a better labor movement. You must broaden your base past your immediate music background and areas including just your Symphony Board to combat tools established by management.

Discussion following Mr. Hirsch's presentation included comments on specific actions that orchestras can take in regard to their Board of Directors, clarification of secondary boycott status, and musicians' limited experience in corporate campaign and coalition activities.

#### New World Symphony Report

ROPA Vice-President Rosemary Estes presented a report on the status of the New World Symphony. The New World Symphony (NWS) is a training orchestra which was started in Miami in 1987 for the best trained and most talented musicians wishing career-entry opportunities. Since 1982 when Miami lost its own professional orchestra, there have been several attempts to establish a symphony orchestra based in Miami. Oftentimes these attempts have involved circumventing working with the union. Therefore Miami-based musicians were skeptical when the NWS was proposed. However an agreement was signed between the NWS and Local 655 in Miami based on the Music Educators' National Conference code of ethics limiting the NWS to "educational activities for the benefit of the participants" and further limiting the NWS from accepting any engagements which would deprive any local union professional musicians of employment opportunities.

Shortly after the establishment of the NWS inconsistencies with the agreed policies were noted. Promotions for the orchestra seemed more those of a professional orchestra than a training orchestra with advertisements for their concert series indicating it was "Miami's newest symphony orchestra". Employment ads were placed in professional journals. Newspaper articles indicated that the NWS might be the way for Miami to have its symphony orchestra back after the 1982 demise of the

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Miami Symphony. Regional Orchestra status with the ASOL was granted. Application was made to the Regional Orchestra Managers' Assn. Grants from the local Tourist Developmental Agency for the NWS involved monies that were originally intended for the Miami Ballet & Opera. In addition there were some problems with the NWS accepting jobs that had traditionally been performed by professional orchestras.

Rosemary feels that there is a serious national impact possible from the NWS activities. An NBC broadcast indicated that such a training orchestra may be a way for communities to have a symphony orchestra without the expense of a professional orchestra. The musicians themselves have no restrictions as to working conditions but several limitations imposed on their eligibility including age limits and length of participation.

The AFM has been involved with the NWS from its inception. Several meetings have been held with Jeffrey Babcock, Executive Director of the NWS, and representatives of the AFM and Miami-based musicians. A package of new proposals for the NWS has not been adopted as of this present time. Rosemary feels that the situation can no longer go on without some action being taken. Jobs are being lost not only to local orchestras but also some out-of-state orchestras. She indicated that a written report with more detail and documentation on the NWS is available at the Conference.

Questions and comments from the delegates were asked on how the NWS musicians are paid (\$300 stipend a week plus room and board), the basis of their educational status i.e. faculty participation, non-profit status of organization, what steps the AFM can take against NWS musicians (85% are AFM members) and the organization, the likelihood of this type of organization being established elsewhere, and why no action has been taken up to this time against the union musicians involved or the organization itself.

MOTION (#9) moved that the Governing Board prepare a resolution for consideration by the delegates expressing ICSOM's concern about the New World Symphony and urging the AFM to vigorously pursue a solution and resolution of the problems created by the New World Symphony. (K. White)

Motion passed unanimously.

Session adjourned at 5:40 p.m. following announcements.

### FRIDAY EVENING SESSION, AUGUST 19, 1988

Meeting was called to order by Chairperson Melanie Burrell at 8:12 p.m. Roll was taken by Nancy Griffin.

Irving Segall, Chairman of the Structure Committee, began by citing the motion passed at the 1987 ICSOM Conference which established the Structure Committee. The 1987 Motion (#20) stated "that ICSOM shall appoint a committee to study what paths are available and possible for ICSOM orchestras to take which will lead to more effective and cost-effective representation of ICSOM orchestras within the AFM. This

committee shall be made up of members representing various viewpoints. The committee shall ascertain what problems, if any, orchestras experience in the relationship with their locals." The Structure Committee had one meeting and many phone conversations in their research and deliberations. Their report has been submitted to the Delegates for their reaction.

ICSOM Counsel Leonard Leibowitz confirmed that the Delegates had read the distributed materials regarding the Structure Committee report. Len indicated that the purpose of this meeting will be to answer questions and to secure permission to continue pursuing the concept of trade division status. The formation of this Committee came about from problems many orchestras have had over the years with work dues and the level of services performed by our locals and the Federation. Orchestras pay a large percentage of income to the Federation and it was felt that adequate service levels had not been achieved in many instances. The problem is there is too much money being paid and not enough service being provided. Efforts over the last eight years have concentrated on reduction of work dues payments with little to show for results except for some individual local work dues reductions. Since efforts to reduce work dues have been so unsuccessful, then we need to get better guaranteed service levels from our locals including pension advice, grievance advice, and actuarial advice.

A Trade Division is one possible way to help solve these problems and guarantee us the kinds of services we think we want. It is not the only way but it is the direction the Committee recommends pursuing at this time. We have goals and expectations but whether a trade division would work is not known at this time. Meetings have been held with the Federation exploring the concept of a trade division. Federation response has been that they are interested in exploring the idea and have recommended a committee be established to discuss further details such as a proposed budget and structure for a trade division.

Discussion from the floor was wide-ranging on many aspects of a proposed trade division. These included: reasons why "shop local" (basically orchestra only) concept was not recommended; clarification that trade division status would mean orchestras and individual musicians still remain in locals; extent of constitutional changes necessary in AFM By-laws to create a trade division; envisioned membership in such a trade division i.e. to include ROPA, OCSM, & ICSOM; clarification that servicing of orchestras would occur through the trade division and not the locals even though we would remain members of the local; possibility of other segments of the AFM seeking their own trade divisions; possibility of OSP being used as a basis of trade division status; clarification that Committee's recommendation of trade division status does not envision dues increase from orchestra musicians to pay for a proposed trade division; clarification that trade division status would offer a minimum level of service to orchestras; probability of some level of orchestra activity used as cutoff for participation in a potential trade division; importance of trade division status providing a greater national impact on policies; necessity of maintaining status with larger federation organization to cover other work experiences of musicians such as national recording agreements; potential representation of a trade

division at a national union convention; importance of presenting some facets of a trade division to the 1989 AFM Convention including possibility of establishing 'enabling legislation' which will allow us to enact trade division status between AFM Conventions; necessity of trade division committee working on equalization of dues structure problem; clarification that present OSP does not guarantee total freedom of choice of negotiating attorney for individual orchestras; clarification that participation in OSP means that all symphony matters including contract grievance would be administered by the OSP not by the Local; concern from delegates over loss of local control.

MOTION (#10) was presented that "ICSOM Governing Board pursue the establishment of a committee to formulate working model demonstrating the governing structure, budget, services and other features of a symphony, opera and ballet trade division within the AFM" (Hall).

Discussion on the motion included comments and recommendations passed at the OCSM Conference recently held.

Motion (#10) passed. Meeting was adjourned at 9:45 p.m.

Saturday Morning, August 20, 1988

The Conference was called to order by Chairperson Melanie Burrell at 10:15 a.m. Roll was taken by Secretary Nancy Griffin. Announcements included a reminder by ICSOM Legal Counsel that any arbitrations should be sent to them for their files. Any orchestra seeking information on past arbitrations should ask Legal Counsel for past cases.

Oklahoma Symphony Report

Karen Schnackenberg and Nancy Nehring presented the report on the status of the Oklahoma Symphony. The Oklahoma Symphony Orchestra after a year-long strike was officially dissolved by the Board in June. A "rap" tape produced by the musicians of the OSO during their strike was played for the delegates. Nancy Nehring outlined some of the recent history of the organization. The Symphony was doing well in the early 1980's under the direction of Patrick Alexander. Subsequent bank failures and the decline of oil revenues resulted in several years of financial problems. These financial problems resulted in wage freezes and some very modest increases during contract years in the 1980's. Arbitrations over not filling vacant principal positions preceded the year-long strike. Any comeback of the Orchestra at this point would be dependent on the community and the ability of responsible citizens to assist in its survival.

Karen Schnackenberg thanked ICSOM for their support including financial support from individual orchestras and the ERF fund. Negotiations with management over the past year had included offered cuts of weeks and musicians. Orchestra musicians refused to consider cuts which prompted the strike. When the Governor of Oklahoma became involved in March, some movement in negotiations occurred. However, management's insistence on an unacceptable contingency clause prevented a settlement from happening.

In recent weeks, attempts have been made to form a new orchestra called the Oklahoma Philharmonic. It appears that it is intended to be a per-service night-time orchestra. There has been some indication that some local union officials are supporting this new organization. A recent meeting of the Local Union supposedly called to discuss the Oklahoma Philharmonic, resulted in the Local union's dismissal of the OSO's negotiating committee and announcement that they would not be allowed to negotiate with the Oklahoma Philharmonic. The Oklahoma Symphony musicians have protested the Local's actions to AFM President Marty Emerson. Attorney John Schulman who had been representing the musicians in the OSO was also dismissed.

John Schulman indicated that the public and elected leadership of Oklahoma responded positively to the Symphony. Increased funding became available to the OSO during the past year. The Commission established to study the OSO indicated lack of communication and a lack of commitment were as much of a contributory problem as were the general financial conditions present in Oklahoma City.

Questions and discussion from the delegates centered on the makeup of the new Board of the Oklahoma Philharmonic in terms of similarity with the OSO Board, whether all OSO musicians had received information on the August union meeting, what role the Local Union President is playing in the present contacts with the new Oklahoma Philharmonic organization, the information that the OSO Management had refused an offer to accept an ASOL Swat Team to assist them, information that the OSO folded with not only a surplus but an endowment, comments that this is more a trade union issue than a legal issue regarding OSO's demise.

(MOTION #11) - That the Governing Board create a resolution to the effect that ICSOM in the strongest possible terms denounce the situation in Oklahoma regarding its Local Union (White). Passed unanimously.

Later in the morning session, Lew Waldeck indicated that a telegram had been sent by the Federation to the Oklahoma Local indicating that they should not represent musicians until representation can be clarified. An AFM delegation will be sent to Oklahoma to deal with the matter.

#### Retirement Planning Presentation

Gordon Boles from California presented a session on retirement planning. Extensive materials were given to delegates during this session. Those wishing more information on this session should ask the local ICSOM Delegate for the materials.

Mr. Boles stressed the importance of retirement planning to improve prospective financial conditions, better health conditions, and a better psychological attitude. His program objectives were 1) to aid us in achieving a satisfactory life in retirement; 2) to stimulate positive thinking about retirement; 3) to supply factual information on matters which will help to insure a successful retirement and 4) to urge action on plans before retiring including income budgets, health information, legal affairs, leisure time activities, and mental adjustment to retirement.

Saturday Afternoon, August 20, 1988

Melanie Burrell called the Conference to order at 2:07 p.m. Roll was taken by Nancy Griffin. Announcements included information on the procedures for updating the ICSOM Directory prior to publication this year., earplug display information, and the names of orchestras who had not received the ASOL Contract Survey.

New World Symphony Resolution

The resolution regarding the New World Symphony (see motion #9) was presented for action to the delegates.

WHEREAS, the New World Symphony ("NWS"), while purporting to be an advanced training orchestra and educational in nature, is nonetheless promoting itself in a manner suggesting that it is a professional orchestra, has applied for grant monies designated for performance and cultural institutions, has applied to the ASOL for regional orchestra listing, has appeared or will appear on local arts series or festivals at which professional orchestras perform, and

WHEREAS, 85% of the musicians in the NWS are AF of M members, yet these and all NWS musicians are limited in participation by age requirement, have no contractual protections regarding job security, working conditions, service limitations, restrictions on recording, or rights of self-organization, and,

WHEREAS, efforts by the AF of M to reach a satisfactory agreement with the NWS regarding its activities have not succeeded,

NOW, THEREFORE, BE IT RESOLVED, that ICSOM express its serious concern about the actions of the NWS and their ramifications for professional symphony musicians and urge the AF of M to take appropriate legal and trade union action to bring about a swift and satisfactory resolution of the problems caused by the NWS.

(MOTION #12). To adopt the resolution concerning the New World Symphony (Lauriente). Passed unanimously. It was suggested that the Resolution be sent to the NWS Board of Directors.

Oklahoma Symphony Resolution

The resolution regarding the Oklahoma Symphony (see motion #11) was read to the delegates for their consideration.

WHEREAS, the musicians of the Oklahoma Symphony have been engaged in a courageous struggle to preserve the status of the OSO as a major cultural institution, and

WHEREAS, that struggle has cost those musicians over a year's worth of salary, benefits, etc., and

WHEREAS, it has come to our attention that Local 375, AF of M, the union to which these musicians belong, has been attempting to undermine this effort by engaging in negotiations with a "new" organization which will not retain the services of all the musicians who have lost their jobs and made the above noted sacrifices,

NOW, THEREFORE, BE IT RESOLVED that ICSOM urge, in the strongest possible terms, that the AF of M take immediate action against Local 375, AF of M, to terminate these negotiations, including the imposition of a trusteeship, if necessary, and to assure that any orchestral organization, either the former corporate entity, or any alleged "new" entity, must offer employment to all the members of the OSO, Inc.

(MOTION #13). To adopt the resolution concerning the Oklahoma Symphony (Angus). Passed unanimously. The Resolution will be sent to the AFM and members of the Oklahoma Local.

#### New Business

Mark Schubert presented the following motion for consideration.

(MOTION #14). To adopt the following resolution to be effective January 1, 1989. (Schubert).

WHEREAS, the current By-Laws of ICSOM fail to require that voting delegates to the annual Conference be members of the American Federation of Musicians ("AF of M"), and

WHEREAS, ICSOM is an official conference of the AF of M, and

WHEREAS, the delegates to the 1988 Conference have determined that all voting delegates should be members of the AF of M,

NOW, THEREFORE, BE IT RESOLVED that Section 2a of Article VI of the ICSOM By-Laws be amended by inserting the following sentence just before the last sentence of that provision, which would read as follows: "The voting delegate shall be a member of the American Federation of Musicians."

(MOTION #15). To Postpone Schubert motion until after action on McGillivray resolution (McGillivray).

Discussion on the motion to postpone included comments on the relevance of the motion, clarification of last year's similar motion status. Motion to postpone motion #14 passed (motion #15).

(MOTION #16) Mike McGillivray then moved to adopt his resolution listed below (McGillivray).

WHEREAS, the Seattle situation threatens the well-being of orchestral musicians everywhere; and

WHEREAS, the Seattle Symphony musicians are entitled to full and fair representation by their local union; and

WHEREAS, the International Executive Board of the AF of M ("IEB") has means at its disposal to enforce the rebuilding of an effective Local in Seattle capable of building a new and productive relationship with its orchestral musicians;

NOW, THEREFORE, BE IT RESOLVED that ICSOM urge the Seattle orchestral musicians to reconsider the destructive path of leaving the AF of M; and be it further

RESOLVED that ICSOM call upon the IEB to take all steps possible to force the internal reform of the Seattle Local, including trusteeship if necessary; and be it further

RESOLVED that ICSOM call upon the IEB to do all in its power to satisfy the just demands, needs, and concerns of the Seattle symphonic musicians and their Players' Organization, including a guarantee that, in the event that the AF of M's status as bargaining representative is retained, no recriminations or retaliatory actions be taken or permitted against any members for activities connected with the current or any prior confrontation or resultant NLRB election.

Questions from the floor included the question of enforceability, intent of motion, position of some present IEB members in regard to resolution, subject of recriminations by the AFM. The question was called and Motion #16 passed.

Upon completion of the vote, Randy Baunton was recognized and stated "The Seattle Delegation would like to thank you".

Action was then taken on motion #14 (Schubert). Questions from the floor included clarification on who may attend ICSOM Conference, clarification of alternate delegate status, how the Seattle Symphony delegates are or would be affected, and original intent of motion in 1987 (housekeeping). There was a call for the previous question. This action to close debate was passed by the required 2/3 vote.

Motion #14 (Schubert) was then subsequently voted on and passed.



(MOTION #17) Tom Hemphill (San Francisco alternate delegate) was recognized by the Chair and presented the following resolution for consideration.

WHEREAS, it is generally agreed that ICSOM is foremost a community of orchestras, and

WHEREAS, this sense of community plays a major role in improving ICSOM orchestras' working conditions and salaries, and

WHEREAS, it is in ICSOM's best interest to continue to develop and encourage our community of orchestras in order to foster the vitally important communication and support mechanism resulting from such a community,

THEREFORE, BE IT RESOLVED, that Article II of the ICSOM By-Laws be amended in such a way that the Seattle Symphony can retain an association with ICSOM in the event the International Guild of Symphony, Opera, and Ballet Musicians is selected as the Seattle Symphony musicians' bargaining representative.

Chair reminded the body that Article II (Purpose) can only be changed by a vote of members of all ICSOM Orchestras and can not be changed by ICSOM Delegates at this Conference. Comments from delegates included concerns about diluting the intent of the organization, and what type of relationship is envisioned by such a change.

(MOTION #18) Michael Moore moved that the Hemphill resolution be postponed indefinitely.

Tom Hemphill moved that his motion/resolution be tabled until after Sept. 7, 1988 which is the date set for the Seattle certification vote. Motion was ruled out of order since there would be no body to act on the motion after Sept. 7, 1989.

(MOTION #19) Tom Hemphill then moved to refer to the Governing Board for appointment of a committee to study. Discussion was held and the question was called. The motion to refer to committee was DEFEATED.

Action was then taken on the motion (#18) to postpone indefinitely the original Hemphill motion (#17). Discussion was held and the question was called. The motion to postpone indefinitely passed. Upon completion of the vote, Randy Baunton was recognized by the Chair and stated "the Seattle delegation thanks you."

#### New Orleans Strike Fund Payments

(MOTION #20) Marvin Topolsky presented the following motion. It was moved to instruct Governing Board to create a resolution instructing the trustees of the AF of M Strike Fund to reconsider the case of the musicians of the New Orleans Symphony in regard to their denial of strike

fund benefits by the trustees and explore the possibilities of retroactive strike fund benefits to help these musicians. (Topolsky).

The motion was adopted by unanimous consent. Some clarifications were offered as to the original decision as to why New Orleans musicians were not approved for AFM strike fund benefits. Factors influencing the original decision were the consideration that they had received a settlement on the unfinished portion of their season and the fact that they were neither on strike or locked out but suspended. AFM Strike Fund By-laws require that an orchestra must be on strike or lockout to be eligible. Dick Erb (New Orleans) then clarified the positions of the New Orleans Symphony musicians that had been taken during their struggles and his position on how strike fund trustees determine how benefits are awarded.

WHEREAS, the members of the New Orleans Symphony have been out of work for many months as a result of the cancellation of their season by their management, and

WHEREAS, the Trustees of the AF of M Strike Fund determined that notwithstanding this loss of work, salary, benefits, etc., that they were not entitled to Strike Fund benefits, and

WHEREAS, ICSOM believes that said determination was erroneous, and caused great harm to the musicians of the New Orleans Symphony,

NOW, THEREFORE, BE IT RESOLVED that ICSOM urge the Trustees of the AF of M Strike Fund to reconsider their determination, and upon such reconsideration, grant retroactive benefits in the appropriate amounts, to all eligible members of the New Orleans Symphony.

#### ICSOM By-law Proposed Changes Regarding Elections

(MOTION #21) Chairperson Melanie Burrell then offered the following motion to adjust ICSOM By-laws to expedite the process of unopposed nominations for officers and to add members-at-large into the election process.

WHEREAS, the current By-Laws lack specific reference to the election of members-at-large of the Governing Board, and

WHEREAS, the 1988 Conference has shown an example of unopposed candidacy in all offices without any means being provided to save the conference from the obviously unnecessary formality of an election by ballot;

NOW, THEREFORE, BE IT RESOLVED that the current Article IV, Section 3 of the By-laws be struck in its entirety and be replaced by the following:

Section 3. All officers and members-at-large of the governing board shall be elected for two-year terms at regular meetings of ICSOM. Officers shall be elected in even-numbered years, and members-at-large in odd-numbered years. Election shall be by a majority of the votes cast for any office, with all voting delegates eligible to vote. Elections shall be conducted by secret ballot with the exception of any position for which only one candidate is nominated, in which case the candidate so nominated shall be declared elected by acclamation.

Motion #21. To amend by-laws as proposed (IV-3)(Levine) was passed by unanimous consent.

#### ICSOM Conference Expansion Proposal

(MOTION #22) Tom LeVeck presented the following motion. He moved to expand 1989 ICSOM Conference to six days to facilitate a more thorough assimilation of materials and issues presented, thereby allowing delegates to perform their duties more effectively. (LeVeck).

Discussion was held including suggestions on how to streamline the Conference. The motion was DEFEATED.

#### Legal Counsel Retainer

Chairperson Burrell asked Legal Counsel to leave temporarily so consideration on ICSOM Counsel legal fees could be considered. She indicated that Legal Counsel was requesting an increase to \$24,000 annually. Melanie indicated that Legal Counsel has been involved in many more issues this year and that we have had increasing needs for their advice. The Governing Board recommends that we increase their fee to \$24,000, as a retainer.

(MOTION #23) To retain Leibowitz & DuBrul as ICSOM Counsel for the coming year at an increased fee of \$24,000 (McCarty) was passed unanimously.

The meeting was adjourned at 4:15. Announcements were made regarding the night's dinner at Niagara Falls with bus departure times.

#### Sunday Morning, August 21, 1988

Brad Buckley called the meeting to order at 10:17 a.m. Nancy Griffin called the roll.

A new ICSOM Delegate/Governing Board address list was distributed to delegates. Corrections for incorrect and/or incomplete entries were made from the floor.

Limited Pressing Resolution

Florence Nelson presented the resolution regarding limited pressings.

WHEREAS, the issue of limited pressing of recordings of symphonic music is complicated and perhaps controversial, and

WHEREAS, the issue is currently under consideration by the International Executive Board of the AF of M ("IEB") and may even be on the agenda of the September 1988 IEB meeting, and

WHEREAS, ICSOM and its constituents believe that the issue needs further study and analysis,

NOW, THEREFORE BE IT RESOLVED that ICSOM communicate immediately with the IEB to urge that the IEB maintain the status quo, and be it further

RESOLVED that ICSOM immediately form a committee for the purpose of studying and analyzing the issue of Limited Pressings of recordings, and to make a report with recommendations as soon as reasonably possible.

Discussion was held including questions on necessity of a separate committee from media committee.

(MOTION #24) was made to adopt the resolution (Segall). The motion was passed by unanimous consent. The sub-committee appointed consists of Brad Buckley, Florence Nelson, Brian McCarty, Michael McGillivray, Cindy Lewis, Michael Nutt, Irving Segall and a member of the Chicago Symphony.

Summit Committee Report

Brad Buckley reported on the newly formed (from 1987 ICSOM Conference) Summit Committee consisting of representatives of ICSOM, OCSM, ROPA, and RMA. Discussions have been held on areas of mutual interest and how we can use these areas of mutual interest in our own behalf.

Melanie Burrell continued the report with information on the meeting the committee has held during this Conference. Common problem areas were identified first by the Committee. Some of these included Federation staffing problems in the Symphony and Recording Departments. Access to the AFM Convention floor for debate was also identified along with access to sub-committee meetings at the AFM Convention. The Summit Committee will be requesting a presence at the Sept. 7, 1989 IEB meeting to speak specifically on the Federation staffing problems. The Summit Committee would also like to use Kelly Castleberry's new offered column in the International Musician to help educate the AFM Membership as to orchestra concerns, advocacy, and actions. Discussions were held regarding expanding the Summit Committee to include other professional musicians with similar goals. Joining the RMA in its goals of accurate record-

keeping are also a Summit Committee concern. The Summit Committee feels that it can have an impact and some results in effecting some important gains. The Committee has enormous potential for success.

#### 1989 ICSOM Conference Date and Site Selection

Dates of the next Conference were discussed including conflicts with any orchestras on tour (Chicago Symphony). Following discussion there was a (MOTION #25) to establish the dates of the 1989 ICSOM Conference for August 23-27, 1989 (Nelson). Motion passed.

Tentative invitations included offers from the Denver delegation for Aspen, and the Florida Symphony for Orlando. Discussions were held on the possibility of setting Conference sites for three years in advance. A poll of delegates indicated a preference for Aspen for the 1989 Conference. ICSOM will also consider the possibility of meeting in Buffalo again in 1991 to coincide with the OCSM Conference.

#### Good and Welfare

Richard Totusek, IEB Member, asked for ICSOM's support for the Performing Arts Legislation now before Congress. He indicated its passage would help the work dues ratio in the Federation and would be in ICSOM's best interest.

Tom Hall, who will be leaving the Governing Board following this Conference, received several tributes for his generous efforts on behalf of ICSOM not only this year, but in years past. In response, Tom expressed some thoughts on what we are all about, what we try to accomplish and what we get accomplished. Tom felt that we all leave here physically tired, but spiritually rejuvenated. One must attend an ICSOM Conference to truly understand it and what we accomplish. It is a wonderful experience in collegiality and we have accomplished much in dealing with our problems. Tom hopes that the same spirit that motivated the Conference in its infancy in 1962, still motivates us here in Buffalo in 1988. This spirit needs to be reaffirmed the same way the music we perform needs to be recreated. We need to find time to refreshen it. Tom spoke on the importance of continuity and observed the many delegates with long-standing ties to ICSOM Conferences. Tom read a note left by Gino Raffaeli (Cleveland), one of ICSOM's original 1962 delegates. who expressed his appreciation for attending such a fine Conference. The body gave Gino's sentiments as expressed a round of applause.

Nancy Griffin expressed appreciation to all the delegates for all of their efforts with special thanks to Melanie Burrell and Tom Hall who carried much of the work load this past year.

Melanie Burrell expressed her appreciation for Tom Hall's contributions this past year. Tom will be the Presidential Assistant in charge of Conductor Evaluations for the coming year. Melanie also thanked the Governing Board for their efforts during the past year.

Brad Buckley, incoming Chairman, spoke on the expectations that others have of him, and of his own expectations for the organization. Brad

feels that his priority is to represent the interest of the organization to the best of his ability. The Governing Board will assist him in this regard greatly. The number one responsibility for delegates is to be sure that you have the time to do the responsibilities that are required. Those that don't should make arrangements to find a delegate that can provide the necessary time. Brad identified two major problems/issues that ICSOM faces. One is our relationship with the Union, the other being our troubled orchestras. Our major efforts should be in these areas. Brad feels we have lots of good advice and assets to use in our efforts. ICSOM is a people institution that can and has been successful in the past and Brad is confident that it will in the future. Brad concluded by saluting Melanie Burrell for her outstanding efforts over the years. The Conference responded with a standing ovation for Melanie.

The Conference expressed its appreciation for host Lois Carson for all her efforts in making the Conference run smoothly. In addition, thanks were given for all the Buffalo Symphony members who assisted in her efforts.

Irving Segall expressed his strong feelings for the effectiveness of the organization despite its problems which sometimes have not changed over the years. Its effectiveness over the years has been extraordinary. Irving felt congratulations were in order for what has been accomplished over the whole past quarter century.

(MOTION #26) A motion was made to adjourn the 1988 ICSOM Conference (Baunton). Motion passed. The meeting was adjourned at 11:30 a.m.

Richard Decker  
ICSOM Secretary  
June 1, 1989

## MOTIONS AND RESOLUTIONS

1988 ICSOM CONFERENCE  
Buffalo, New York

The following motions and amendments carried unless otherwise noted:

1. That there be no smoking in the conference room (Baunton).

2. To approve the minutes of the 1987 ICSOM Conference as submitted by Nancy Griffin (Decker).

3. To concur with the recommendation of the Governing Board regarding forgiving 1987-88 Season ICSOM dues from orchestras that have not performed due to work stoppages resulting from bankruptcies or dissolutions, specifically the Oakland Symphony, Oklahoma Symphony, and the New Orleans Symphony. (Baunton).

4. That interest on the ERF loan to the Oklahoma Symphony be waived (Angus).

5. Motion carried over from 1987 Conference to add to ICSOM Conductor Evaluation Form the following question: "Would you hire him/her again, if so, for what position?". ICSOM Conductor Evaluation Subcommittee recommended that new question (amendment) be added so original motion was voted on with the following amendment added.).

6. Amendment - To accept conductor evaluation subcommittee recommendation that the following question be added to Section II of the ICSOM Conductor Evaluation Form - "Based on the above criteria this conductor should be considered for re-engagement (with usual option for answers)". (McGillivray)

7. That we print an ICSOM Directory for the 1988-89 Season (Moran).

8. To pursue a position paper on the issue of troubled orchestras as discussed in ICSOM's troubled orchestras report (Lauriente).

9. That the Governing Board prepare a resolution for consideration by the delegates expressing ICSOM's concern about the New World Symphony and urging the AFM to vigorously pursue a solution and resolution of the problems created by the New World Symphony. (K. White)

10. That "ICSOM Governing Board pursue the establishment of a committee to formulate working model demonstrating the governing structure, budget, services and other features of a

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symphony, opera and ballet trade division within the AFM" (Hall).

11. That the Governing Board create a resolution to the effect that ICSOM in the strongest possible terms denounce the situation in Oklahoma regarding its Local Union (White).

12. To adopt the resolution concerning the New World Symphony (Lauriente).

WHEREAS, the New World Symphony ("NWS"), while purporting to be an advanced training orchestra and educational in nature, is nonetheless promoting itself in a manner suggesting that it is a professional orchestra, has applied for grant monies designated for performance and cultural institutions, has applied to the ASOL for regional orchestra listing, has appeared or will appear on local arts series or festivals at which professional orchestras perform, and

WHEREAS, 85% of the musicians in the NWS are AF of M members, yet these and all NWS musicians are limited in participation by age requirement, have no contractual protections regarding job security, working conditions, service limitations, restrictions on recording, or rights of self-organization, and,

WHEREAS, efforts by the AF of M to reach a satisfactory agreement with the NWS regarding its activities have not succeeded,

NOW, THEREFORE, BE IT RESOLVED, that ICSOM express its serious concern about the actions of the NWS and their ramifications for professional symphony musicians and urge the AF of M to take appropriate legal and trade union action to bring about a swift and satisfactory resolution of the problems caused by the NWS.

13. To adopt the resolution concerning the Oklahoma Symphony (Angus).

WHEREAS, the musicians of the Oklahoma Symphony have been engaged in a courageous struggle to preserve the status of the OSO as a major cultural institution, and

WHEREAS, that struggle has cost those musicians over a year's worth of salary, benefits, etc., and

WHEREAS, it has come to our attention that Local 375, AF



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of M, the union to which these musicians belong, has been attempting to undermine this effort by engaging in negotiations with a "new" organization which will not retain the services of all the musicians who have lost their jobs and made the above noted sacrifices,

NOW, THEREFORE, BE IT RESOLVED that ICSOM urge, in the strongest possible terms, that the AF of M take immediate action against Local 375, AF of M, to terminate these negotiations, including the imposition of a trusteeship, if necessary, and to assure that any orchestral organization, either the former corporate entity, or any alleged "new" entity, must offer employment to all the members of the OSO, Inc.

14. To adopt the following resolution to be effective January 1, 1989. (Schubert).

WHEREAS, the current By-Laws of ICSOM fail to require that voting delegates to the annual Conference be members of the American Federation of Musicians ("AF of M"), and

WHEREAS, ICSOM is an official conference of the AF of M, and

WHEREAS, the delegates to the 1988 Conference have determined that all voting delegates should be members of the AF of M,

NOW, THEREFORE, BE IT RESOLVED that Section 2a of Article VI of the ICSOM By-Laws be amended by inserting the following sentence just before the last sentence of that provision, which would read as follows: "The voting delegate shall be a member of the American Federation of Musicians."

15. To Postpone Schubert motion until after action on McGillivray motion (McGillivray).

16. To adopt McGillivray statement (McGillivray).

WHEREAS, the Seattle situation threatens the well-being of orchestra musicians everywhere; and

WHEREAS, the Seattle Symphony musicians are entitled to full and fair representation by their local union; and

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WHEREAS, the International Executive Board of the AF of M ("IEB") has means at its disposal to enforce the rebuilding of an effective Local in Seattle capable of building a new and productive relationship with its orchestral musicians;

NOW, THEREFORE, BE IT RESOLVED that ICSOM urge the Seattle orchestral musicians to reconsider the destructive path of leaving the AF of M; and be it further

RESOLVED that ICSOM call upon the IEB to take all steps possible to force the internal reform of the Seattle Local, including trusteeship if necessary; and be it further

RESOLVED that ICSOM call upon the IEB to do all in its power to satisfy the just demands, needs, and concerns of the Seattle symphonic musicians and their Players' Organization, including a guarantee that, in the event that the AF of M's status as bargaining representative is retained, no recriminations or retaliatory actions be taken or permitted against any members for activities connected with the current or any past confrontation or resultant NLRB election.

17. To adopt following resolution: (Hemphill) (see #18)

WHEREAS, it is generally agreed that ICSOM is foremost a community of orchestras, and

WHEREAS, this sense of community plays a major role in improving ICSOM orchestras' working conditions and salaries, and

WHEREAS, it is in ICSOM's best interest to continue to develop and encourage our community of orchestras in order to foster the vitally important communication and support mechanism resulting from such a community,

THEREFORE, BE IT RESOLVED, that Article II of the ICSOM By-Laws be amended so that the Seattle Symphony can retain an association with ICSOM in the event the International Guild of Symphony, Opera, and Ballet Musicians is selected as the Seattle Symphony musicians' bargaining representative.

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18. To postpone Hemphill motion indefinitely (Moore).

19. To refer to the Governing Board to appoint a bylaw or membership committee for considering appropriate language (Hemphill) DEFEATED.

20. To instruct Governing Board to create a resolution instructing the trustees of the AF of M Strike Fund to reconsider the case of the musicians of the New Orleans Symphony in regard to their denial of strike fund benefits by the trustees and explore the possibilities of retroactive strike fund benefits to help these musicians. (Topolsky).

WHEREAS, the members of the New Orleans Symphony have been out of work for many months as a result of the cancellation of their season by their management, and

WHEREAS, the Trustees of the AF of M Strike Fund determined that notwithstanding this loss of work, salary, benefits, etc., that they were not entitled to Strike Fund benefits, and

WHEREAS, ICSOM believes that said determination was erroneous, and caused great harm to the musicians of the New Orleans Symphony,

NOW, THEREFORE, BE IT RESOLVED that ICSOM urge the Trustees of the AF of M Strike Fund to reconsider their determination, and upon such reconsideration, grant retroactive benefits in the appropriate amounts, to all eligible members of the New Orleans Symphony.

21. To amend by-laws as proposed (IV-3)(Levine).

WHEREAS, the current By-Laws lack specific reference to the election of members-at-large of the Governing Board, and

WHEREAS, the 1988 Conference has shown an example of unopposed candidacy in all offices without any means being provided to save the conference from the obviously unnecessary formality of an election by ballot;

NOW, THEREFORE, BE IT RESOLVED that the current Article IV, Section 3 of the By-laws be struck in its entirety and be replaced by the following:

Section 3. All officers and members-at-large of the governing board shall be elected for two-year terms at

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regular meetings of ICSOM. Officers shall be elected in even-numbered years, and members-at-large in off-numbered years. Election shall be by a majority of the votes cast for any office, with all voting delegates eligible to vote. Elections shall be conducted by secret ballot with the exception of any position for which only one candidate is nominated, in which case the candidate so nominated shall be declared elected by acclamation.

22. To expand 1989 ICSOM Conference to six days to facilitate a more thorough assimilation of materials and issues presented, thereby allowing delegates to perform their duties more effectively. (LeVeck).

DEFEATED

23. To retain Leibowitz & DuBrul as ICSOM Counsel for the coming year at an increased fee of \$24,000 (McCarty).

24. To adopt the resolution on limited pressings (Nelson).

WHEREAS, the issue of limited pressing of recordings of symphonic music is complicated and perhaps controversial, and

WHEREAS, the issue is currently under consideration by the International Executive Board of the AF of M ("IEB") and may even be on the agenda of the September 1988 IEB meeting, and

WHEREAS, ICSOM and its constituents believe that the issue needs further study and analysis,

NOW, THEREFORE BE IT RESOLVED that ICSOM communicate immediately with the IEB to urge that the IEB maintain the status quo, and be it further

RESOLVED that ICSOM immediately form a committee for the purpose of studying and analyzing the issue of Limited Pressings of recordings, and to make a report with recommendations as soon as reasonably possible.

25. That the dates of August 23-27, 1989 be set for the 1989 ICSOM Conference. (Nelson)

26. That the 1988 ICSOM Conference be adjourned (Baunton).