

OFFICIAL MINUTES
1997 ICSOM CONFERENCE
August 20-23, 1997
Vail, Colorado

Wednesday Afternoon, August 20, 1997

The Conference was called to order by Chairperson Robert Levine at 1:00 p.m.

INTRODUCTIONS AND WELCOMES

Chairperson Levine welcomed the delegates to Vail and introduced and welcomed the members of the Governing Board, American Federation of Musicians [AFM] officers, and guests, including the following:

GOVERNING BOARD OFFICERS

President David Angus
Secretary Lucinda-Lewis
Treasurer Stephanie Tretick
Senza Sordino Editor Marsha Schweitzer

MEMBERS AT LARGE

James Clute, Michael Moore, Charles Schlueter, Mary Plaine

LEGAL COUNSEL

Leonard Leibowitz

AMERICAN FEDERATION OF MUSICIANS

SYMPHONIC SERVICES DIVISION

Chris Durham
Shari Hoffman
Nathan Kahn
Florence Nelson
Jeff Tomberg

ADDITIONAL AFM GUESTS

Tom Lee, Vice President, AFM, Secretary/Treasurer, Local 161-710, Washington, D.C.
Barbara Nielsen
Tim Shea, IEB
Ken Shirk, IEB

Ed Ward, IEB

Steve Young, President, AFM

LOCAL OFFICERS

David Brewer, Cleveland Local 4

Hal Espinosa, Los Angeles Local 47

Motter Forman, Seattle Local 76-493

Mark Jones, Buffalo Local 92

Bill Moriarity, IEB/New York Local 802

Richard Totusek, Los Angeles Local 47

REGIONAL ORCHESTRA PLAYERS' ASSOCIATION [ROPA]

Andrew Brandt, President

RECORDING MUSICIANS' ASSOCIATION

Dennis Dreith, President

OTHER PARTICIPANTS, GUESTS, AND SPEAKERS

William Bauer [Louisville Orchestra]

Melanie Burrell [Colorado Symphony]

David Everson [Kansas City Symphony]

Bob Docs [Louisville Orchestra]

Dale Gosa [Jacksonville Symphony]

Ernie Gross [Louisville Orchestra]

Doug Fisher [Columbus Symphony]

Tom Hall [Conference Coordinator, Chicago Symphony]

Sara Harmelink [Milwaukee Symphony]

Michael Hartt [Indianapolis Symphony]

Brooke Hicks [Louisville Orchestra]

Lee Hipp [San Antonio Symphony]

Frances Jeffery [San Francisco Symphony]

Clara Markham [Louisville Orchestra]

Stuart MacDonald [Florida Philharmonic]

Emanuel Olivieri [Puerto Rico]

Scott Reed [organizer, Seattle Local]

Phil Sipser [attorney]

Fred Zenone [National Symphony]

ROLL CALL

Secretary Lucinda-Lewis called the roll of the 45 ICSOM member orchestras. Delegates were present to represent the following orchestras:

Atlanta Symphony	Michael Moore
Baltimore Symphony	Mary Plaine
Boston Symphony	Charles Schlueter
Buffalo Philharmonic	Robert Hausmann
Chicago Lyric Opera	Eva Carol Beck
Chicago Symphony	Rob Kassinger (attending for William Buchman)
Cincinnati Symphony	Martin James
Cleveland Orchestra	Scott Weber
Colorado Symphony	Paul Naslund
Columbus Symphony	Michael Buccicone
Dallas Symphony	Bruce Wittrig
Detroit Symphony	Glenn Mellow
Florida Orchestra	Warren Powell
Florida Philharmonic	Stuart MacDonald [attending for Geoffrey Hale]
Grant Park Symphony	Eva Carol Beck
Honolulu Symphony	Mark Schubert
Houston Symphony	Frederick Edelen
Indianapolis Symphony	Nancy Agres
Kennedy Center Orchestra	Nancy Stutsman
Los Angeles Philharmonic	Lyndon Taylor
Louisville Orchestra	Trevor Johnson
Metropolitan Opera Orchestra	Marvin Topolsky
Milwaukee Symphony	Helen Reich
Minnesota Orchestra	James Clute
National Symphony	Rick Barber
New Jersey Symphony	Robert Wagner
New York City Ballet Orchestra	Jay Blumenthal
New York City Opera Orchestra	Bruce Revesz
New York Philharmonic	Bill Kuyper
North Carolina Symphony	Bruce Ridge
Oregon Symphony	Fred Sautter
Philadelphia Orchestra	John Koen
Pittsburgh Symphony	Stephanie Tretick
Phoenix Symphony	Blythe Tretick
Rochester Philharmonic	Douglas Prosser
St. Louis Symphony	Jan Gippo
St. Paul Chamber Orchestra	Herb Winslow
San Antonio Symphony	Beth Stoppels
San Diego Symphony	Richard Levine
San Francisco Ballet Orchestra	Peter Wahrhaftig
San Francisco Opera Orchestra	David Ridge
San Francisco Symphony	Stephen Tramontozzi

Syracuse Symphony
Utah Symphony

Edward Castellano
Marion Albiston

The Dallas Symphony and the Florida Philharmonic did not attend the 1997 ICSOM Conference.

Chairman Robert Levine read letter of greeting from Beverly Spotten, the newly elected president of OCSM.

Levine introduced keynote speaker Phil Sipser, former general counsel of ICSOM, who spoke of the origins of ICSOM. In early 1960s, thirteen orchestras organized a resistance movement which became ICSOM. He described ICSOM as a rank-and-file organization with no parallel in trade unionism. Sipser felt that the current financial condition of the AFM may impact upon the union services ICSOM had fought to establish but criticized those who suggest leaving the AFM.

Sipser said that the last two years of symphonic negotiations as the worst he had seen in his thirty years of negotiating contracts and felt that musicians needed to create a defensive mechanism to counter future problems. He acknowledged the Atlanta Symphony musicians in the way they handled their strike and spoke about some of the issues surrounding the San Francisco Symphony strike and the Houston contract negotiations where he predicted there would be a strike. He felt that the Houston Symphony Association was trying to break the union.

Sipser had asked the AFM for statistical data about orchestra endowments. The aggregate national endowment figure for orchestras was over one billion dollars. He said that a true endowment is when a donor gives money for a restricted purposes; however, a substantial amount of money is contributed to orchestras without restriction, leaving the board to designate the contributions as endowment monies. The Houston Symphony had an accumulated deficit of \$7,000,000 but had \$10,000,000 in non-restricted endowment money which could have been used to pay off its debt. Most symphony boards and managements believe that they cannot touch any of their endowment funds. Sipser recommended that it be suggested to managements use non-restricted endowment funds to pay off organizational debts.

He stated that the AFM-EP [American Federation of Musicians-Employer Pension] Fund was better than any orchestral pension plan and urged orchestras switch their self-run plans to the AFM-EP Fund. In conclusion, Sipser said that musicians have to fight for government support for the arts and pointed out that the arts generate thirty-six billion dollars in revenues and pays out about four billion dollars in federal taxes.

A motion to make the conference a non-smoking room carried [Motion#1/Schlueter]

There were brief reports by the Secretary and Treasurer of ICSOM.

Chairman's Report

Robert Levine reported that ICSOM has been able to increase member services without increasing dues. The ICSOM Directory is printed annually. ICSOM's web site [www.icsom.org] has received a great deal of traffic. ICSOM's new CD-ROM contains all Senza Sordinos, contracts on file, ICSOM settlement bulletins and is intended to assist orchestra activists.

Levine indicated that Strike Fund benefits had been increased substantially during the year and changes in the Strike Fund bylaws would allow smaller orchestras to join. The other important issue ICSOM dealt with this year was the ongoing problem between the Louisville Orchestra and its local. The Louisville local had been trusted by the AFM, but, later the orchestra was placed in the Orchestra Services Program [OSP].

Levine reported on ICSOM's contacts with the Seattle local and the Seattle Symphony. A member of the Seattle Symphony had been invited to attend the conference but was unable to attend due to a scheduling conflict.

ICSOM had been in contact with the new CEO of the American Symphony Orchestra League, Charles Olton. Olton is from an academic background and is concerned about why orchestras are in trouble and what can be done about these problems. Levine had discussed some possible joint ICSOM/ASOL projects with Olton.

Counsel Report

Leonard Leibowitz's written report was provided for inclusion in the Delegate Manual. He spoke briefly about orchestras converting their self-run pensions to the AFM-EP Fund.

Symphonic Services Division Report

Florence Nelson stated that 135 orchestras had received services from SSD this past year. She reported on the efforts of SSD to increase its budget to provide better and more expanded services to orchestras. All such requests were voted down at the AFM convention. Instead, the SSD budget was cut. She reported that the AFM Media Book is about ready for distribution and SSD has compiled a strike manual for orchestras.

A motion to approve the 1996 ICSOM conference minutes carried [Motion #2/Governing Board]
A motion to retain Leonard Leibowitz as ICSOM's legal counsel and continue his retainer at \$30,000 carried. [Motion #3/Governing Board]

ICSOM Directory Report

Issues involving updating the Directory data were discussed. Mary Plaine [ICSOM Member at Large/Baltimore Symphony] will now be responsible for compiling the ICSOM Directory.

Conductor Evaluation Report

Bill Buchman [Chicago Symphony], program administrator, was unable to attend the conference. Tom Hall [Chicago Symphony] reported that usage of the Conductor Evaluation Program had increased from past years. Hall explained the conductor evaluation procedures which are outlined in the Delegate Manual.

ICSOM Emeritus Report

Abe Torchinsky [Philadelphia Orchestra, retired], program administrator, was unable to attend. Marsha Schweitzer [Honolulu Symphony] Senza Editor, made the Emeritus report and explained the rules for eligibility for entering the Emeritus program.

Strike Fund Report

David Angus [ICSOM President/Rochester Symphony] explained the new changes in the Strike Fund. The changes included a new method for selecting player trustees and language which would allow orchestras with a minimum of 25 full-time members to join the fund. The Strike Fund has five new member orchestras Edmonton, Nova Scotia, Jacksonville, Tampa, and the San Francisco Ballet. Strike Fund monies are being invested more effectively and are separate from other AFM monies. He spoke of the possible need to increase the \$75 premium if the drain on the fund continues. New orchestras have to wait until after they have paid their second premium before they are eligible to receive benefits.

Membership Committee Report

Lucinda-Lewis [ICSOM Secretary/New Jersey Symphony] reported on the membership application of the Jacksonville Symphony Membership Committee. The other committee members were, David Angus, and Michael Moore [ICSOM Member at Large/Atlanta Symphony]. Jacksonville had met all membership eligibility requirements of the ICSOM bylaws with the exception of the 60-player minimum. Jacksonville had 52 full-time players. Lewis explained that ICSOM had previously admitted orchestras with fewer than the minimum player requirement. The Membership Committee felt the Jacksonville Symphony was moving in the direction of meeting that requirement and membership in ICSOM would assist the orchestra in furthering its collective bargaining goals.

It was asked whether Jacksonville would eventually have to meet the 60 player requirement. Lewis responded that other ICSOM member orchestras which were admitted with less than 60 players have never come up to the minimum requirement and are still members in good standing. Further discussion covered the issue of whether part-time players would be required to pay

ICSOM dues. Leibowitz responded that ICSOM bylaws have traditionally be interpreted to require only contracted players to pay dues.

After a brief discussion, a motion to admit the Jacksonville Symphony as a member of ICSOM with all rights and privileges of membership carried. [Motion#4/Membership Committee]

Nominating Committee Report

Tom Hall reported on the activities of the Nominating Committee. The other members of the committee were Michael Borschel [Indianapolis Symphony] and Camile Avallano [Los Angeles Philharmonic]. The four positions of ICSOM Members at Large were to be filled. Hall explained the history of the nominating process and explained the problem with the perception of the Nominating Committee's recommendation automatically excluding or discouraging all other potential candidates. The Nominating Committee recommended the following four candidates: Michael Moore [Atlanta Symphony], Jim Clute [Minnesota Orchestra], Charles Schlueter [Boston Symphony], and Mary Plaine [Baltimore Symphony] Levine asked for further nominations from the floor. Nominations remained open.

Thursday morning, August 21, 1997

After the roll call of orchestras, Levine introduced the participants of the striking orchestra panel: Frederick Edlen [Houston Symphony], John Koen [Philadelphia Orchestra], Fred Sautter [Oregon Symphony], Frances Jeffrey [San Francisco Symphony], Michael Moore [Atlanta Symphony] Leonard Leibowitz, Phil Sipser, and Scott Reed [Seattle Local] acted as moderator. Reed began by discussing the strategy employed by the local during the Fifth Avenue theater strike in Seattle and introduced the brief video on that strike which was shown.

Each panelist described the issues surrounding his/her orchestra's strikes and strike strategies. There had been a joint New York Philharmonic/Philadelphia Orchestra concert to benefit the Philadelphia Orchestra. A health benefit brass concert was presented in Philadelphia with brass players from several ICSOM orchestras. The San Francisco Symphony musicians leafleted concerts during their European tour. The Atlanta Symphony developed a war chest, and the orchestra's musicians leafleted fans at the 1996 World Series. The orchestra also presented a joint benefit brass concert performed by players from several ICSOM orchestras. Federal mediation had been used by several orchestras. Fred Edlen [Houston] discussed the collective bargaining problems of the Houston Symphony.

Negotiation preparations and tactics included institutional financial analysis, health consultants, orchestra surveys, communication hotlines; public relations consultants/media spokespersons, community outreach, labor rallies, organized concerts. Letters and financial assistance from ICSOM orchestras also helped. Strike Fund benefits were very important in each strike.

In critiquing the negatives of each situation, Sautter suggested that the Oregon Symphony went on strike too late, without enough preparation, and without knowing how the players felt. Jeffery and Koen felt that their players in San Francisco and Philadelphia became less committed as the strikes went on. Moore felt a better public relations firm should have been hired by Atlanta.

Reed advised that player leadership should never allow dissidents within the group to divert their attention. Sipser and Leibowitz emphasized that no orchestra should ever go out on strike without at least 75 - 80% support for the strike. Reed suggested that the orchestra negotiating committee should make assessments of individual players to determine whether there is support for a strike. He also stated that it is essential for everyone to understand from the beginning why the group is on strike and to have a plan to sustain and win it.

Leibowitz said that the musicians in San Francisco and Philadelphia had eventually accepted management offers each had rejected two weeks before.

Fred Zenone stated that the preparation by the players for negotiations is critical and that a negotiating attorney can not be effective unless the orchestra is prepared.

Sipser and Leibowitz stated that it was important for all striking employees to participate in a picket line. Reed stated that orchestras need to have a strategy of picketing.

Thursday afternoon

Robert Levine introduced the early settlement panel which included David Ridge [San Francisco Opera], Robert Wagner [New Jersey], Sara Harmelink [Milwaukee], Bruce Revez [New York City Opera], Clara Markham [Louisville], Lee Hipp [San Antonio], Leonard Leibowitz. Herb Winslow [St. Paul Chamber Orchestra] moderated.

Each panelist gave a brief history of his/her recent collective bargaining and how each orchestra's positive relationship with its management assisted in the early settlement. In each situation, mutual respect, open communications, and sharing of information significantly contributed to the success of early contact settlements. Some of these orchestras had musician representation on their boards. Every orchestra had input with its board. Media blackouts during negotiations were also very helpful.

Leibowitz summed up these relationships as trust, although he felt that it might be argued that settling early would not obtain the best settlement.

Levine asked for further nominations for ICSOM Members at Large. The nominations remained open.

Friday morning, August 22, 1997

Levine introduced AFM President Steve Young.

Young stated that ICSOM had always been a positive influence on the AFM. He felt that although there were some things which had come out of the AFM convention where were not good, there had been some good things which had passed. He said that the delegates to the 1997 AFM convention believed that the AFM had been fiscally irresponsible. Young characterized the AFM as being completely out of money because the AFM has not been allowed to do what is necessary to solve its problems. He asked ICSOM delegates to become more involved in lobbying their locals to support future AFM legislation which would allow it to restructure and secure its future. Young felt the AFM spent too much time in crisis management and dealing with small conflicts for which there was often no solution.

The AFM had removed the charter of the San Juan Puerto Rico local and chartered a new local in its place. He stated that the overall relationship between locals and working musicians had greatly improved. He asked ICSOM delegates to lobby Congress for funding for the NEA and to urge their representatives to block independent contractor legislation. In the discussing restructuring the AFM, Young indicated that per capita and work dues were not adequate to fund the AFM. He said that he was creating a restructure advisory committee which would be charged with the responsibility of defining a restructure plan for the AFM.

Panel discussion restructuring the AFM.

Panel members included Dennis Dreith [RMA], Robert Levine [ICSOM], Andy Brandt [ROPA], Ken Shirk [IEB], Bill Moriarty [Local 802], and Leonard Leibowitz. Richard Totusek acted as moderator.

Totusek gave a twenty-year history of player conference relationships with the AFM. Lacking services and high dues caused symphony orchestras to demand better local union services. The OSP grew out of that era of change. In the late 1980s, ICSOM and the other player conferences established a joint study committee call ad hoc trade division study committee which looked at a long list of areas needing change. The recommendations of that committee were adopted by the IEB. Bill Roehl was hired by ICSOM to advise the structure committee and to examine the existing structure and function of the AFM. The resulting Roehl Report made recommendations which were also adopted by the AFM.

Levine described an ideal union and what symphony musicians need as working musicians such as to organize non AFM organizing non-union orchestras and musicians, professional assistance with prestrike organizing and public relations, universal strike fund for all orchestras, professional contract administration, assistance in financial data of symphonic institutions. He said the a new singular accounting system was needed for the AFM and discussed the possibility of direct elections for international officers.

Leibowitz define a union as a political entity created to organize and solicit employees before their employer for the purpose of collective bargaining.

Moriarty felt the unions should be able to organize, negotiate, and administer at the bare minimum.

Shirk felt that a union should provide collective action benefitting musicians beyond what they can accomplish individually and which gives them as much control over their workplace as possible.

Brandt described a union as working in a unified direction to accomplish a set of common goals.

Dreith said unions exist to bargain collectively, administrate, and organize. He felt a union had to understand what a bargaining unit needed from it and continue to govern and administer the collective bargaining agreement after it has been negotiated. He said the AFM needs not only to organize non union players but also to organize employers which are non union.

Leibowitz said that the current structure of the AFM is much the same as that of other international unions and felt the obstacles to restructuring the AFM had to do with its current lack of money. He stated that there had to be a new way of generating funds and an idea of how and upon what that money should be spent.

Moriarty stated that working musicians are outnumbered by casual and part-time and nonworking musicians. The dues generated by working musicians cannot pay for the services they need .

Shirk said that the change in the union would have to come from those who pay the dues. He also felt the union doesn't have enough money because it doesn't have enough members.

Brandt asked if the local union structure was the best way to deliver services to the union.

Dreith said the union cannot deal with current problems using old methods-- that the Union needs to address technology and change with the times. He felt the AFM had to fix the work dues structure.

Levine stated that the AFM had always dealt with its financial problems by cutting and then expanded without increasing the dues to pay for it. He asked whom the IEB represent. Instead of patching the problems with small solutions, the union needs to go back to the basic reason unions exists. Levine suggested a nongeographic symphonic local as a replacement for the current structure.

Totusek asked if the AFM would be better off as a smaller organization with only working

musicians or as a larger, more inclusive union.

Moriarty felt that creating a smaller union would result in the part-time musicians becoming competition for full-time musicians.

Shirk felt that an inclusive union was a stronger union.

Levine pointed out that the membership of the AFM had dropped almost by half but had not necessarily affected working musicians

Moriarty disagreed that nonunion musicians have hurt musicians through competition.

Levine responded that these musicians left the AFM because they were not getting services from the Union.

Moriarty disagreed that lack of service might have been a consideration for members leaving in the past but not currently.

Young pointed out that loss of AFM membership mirrors the loss of membership in the AFL-CIO.

Brandt stated that the most successful unions historically were the ones which were the most inclusive.

Dreith asked how the AFM should deal with the musicians it already has. Said that the AFM cannot be a one-size-fits-all organization any longer. Stated different segments of the AFM need different services from the union.

Friday evening

A motion to appoint Richard Totusek conference parliamentarian [governing board/Motion #5]

Levine introduced Barbara Neilsen (title) who described the programs available through the AFM's Union Privilege program, including special rate credit cards, mortgages, loans, legal assistance, hearing, and dental plans. The AFM provided handouts which offered more detailed information about the program.

Shop Steward Workshop

Florence Nelson and Leonard Leibowitz discussed shop stewards in orchestras. Committees are serving as union stewards. Orchestra committees are the union representatives in the workplace. Orchestra committees are responsible to report what goes on in the orchestra to the union. Committees should be aware of any grievances, especially during negotiating year and should

meet regularly with the local executive board. Nelson felt the shop steward should handle grievances.

In discussing grievances, Leibowitz stated that past practice only comes into play when the interpretation of the contract language is ambiguous. The committee should document details of each complaint and make note of the time limits in the grievance process. Leibowitz cautioned that committees are responsible as union representatives under the law doctrine of Duty of Fair Representation. He advised that the committee keep xerox copies of anything given to management.

Committees must thoroughly investigate all grievances. Step one of grievance procedure is fact finding and obtaining as much information as possible about why management violated the contract. Settlement discussions are excluded from evidentiary proceedings.

Union stewards are not utilized in every orchestra. Orchestra committees are tantamount to stewards. If an orchestra has both, the orchestra has to work out how each functions.

Leibowitz said that musicians should always respond to letters of artistic complaint or discipline, otherwise, the employer can use the failure to respond as an acceptance of the written complaint. He also recommended that committees keep members involved in grievances; to allow the attorney to select the arbitrator; to keep notes about all grievances; and to avoid giving fast answers.

Sexual Harassment Workshop

Leibowitz explained that the concept of sexual harassment rose out of the 1964 Civil Rights Act. He described the two kinds of sexual harassment: quid pro quo, where employer or supervisor threatens employment or promotion if sexual favors are not performed and a hostile work environment, where continuous, unwelcome sexual conduct interferes with job performance. He indicated that sexual flirtation or innuendo do not qualify as sexual harassment. Employer can ban such behavior. Sexual harassment does not have to involve sex. An employee who receives advancement from submitting to sexual advancement can result in a charge of sexual harassment against employer. Repetitive sexual advances become harassment when such advances are unwelcome even if the grievant delays making a complaint. An employee may engage in unwelcome sexual activity if the employee was fearful of losing a job or retaliation. Sexual harassment must be judged based upon the gender of the victim. What may be judged as unoffensive to a man may be perceived as offensive to a woman. The victim has a choice of forum for adjudicating his/her complaint.

Leibowitz mentioned the New York City Ballet case of sexual harassment which involved rude and hostile behavior toward a female orchestra player.

Gippo [St. Louis Symphony] spoke of the case of sexual harassment in the St. Louis Symphony

in which a musician was eventually fired.

Union is obligated to investigate all complaints including player/against player. Employer's responsibility to deal with sexual harassment cases. An employer's liability is determined by how the employer responded to a sexual harassment case.

Saturday morning, August 23, 1997

Levine asked for further nominations for positions of ICSOM Members at Large. Nominations remained open.

Restructure panel discussion (part two)

The panel members began by discussing whether the AFM would be better off as a smaller union or a larger, more inclusive union.

Clute [Minnesota Orchestra] suggested a "no work/no vote" policy. Totusek stated that locals have the right to establish with its life members an inactive status where they do not vote. In such cases, life members pay a lower membership fees and can neither vote nor hold union office.

Leibowitz asked what kind of voting was being referred to and what would be gained by no work/no vote. Clute responded that it was intended to allow the decision-making process to be in the hands of the working musicians. Leibowitz felt such a concept was not legally possibly.

Clute mentioned the historic problem of the small locals blocking a sensible restructure plan.

It was agreed that levels of union membership should be examined.

Totusek related that local 47 was able to change its bylaws to restrict voting rights of lifetime members and recommended that other locals consider adopting the same policy. He pointed out that change cannot happen unless there is involvement of the rank and file.

Blumenthal [New York City Ballet] stated that the large locals are at a disadvantage in casting votes at the AFM conventions because of the long-established voting policy which favors the smaller locals and questioned federation finances and whether the AFM had a comptroller. He felt that before SSD could be better funded, the AFM needed a clearer institutional budget.

Levine stated that one resolution from the 1988 Blue Ribbon panel was that symphonic and electronic work dues would fund those respective departments of the AFM. In the case of EMSD [Electronic Media Service Division (of the AFM)], the work dues had to be raised to fully fund that department. However, the current SSD budget had eroded from 1.2million, the amount of symphonic work dues revenue, to \$1million dollars.

Shirk stated that 50% of the federation's funding comes from per capita [the amount paid on each member to the AFM by the local] and felt that if the amount of per capita was unable to sustain the AFM, the union should increase its membership. Shirk felt restructure needed to be more philosophical than institutional reorganization.

Young pointed out that symphonic work dues account for 13.5% of the AFM's total revenues [1.277 million dollars]. The total amount spent on SSD was 11.1% of AFM budget. Young predicted that the new accounting system of the AFM would demonstrate that even more money goes to symphonic musicians through funding of the SSD.

Moriarty stated that the dues paid to any union had to work for the aggregate membership, not necessarily give dollar-in-dollar-out services to a section of the local.

Weber [Cleveland Orchestra] stated that if the union promotes the idea of gender and race diversity within the union that we should not try to silence the political diversity within the union. Also stated that the big money in the music industry is in the rock music interest. Asked why symphony musicians are the target for increased dues and the union does not go after the rock musicians.

Levine pointed out that symphonic media work dues are not included in the symphonic work dues amount, although symphonic media issues are handled by ssd. He further stated that the best estimate of dues contributions to the AFM range from 6 to 8 million dollars but symphony musicians get only about \$2million of direct services. He indicated that in most cases, symphonic work dues comprise the greatest portion of a local union's budget.

Moriarty stated that an ideal restructure plan allowed local unions to represent their memberships properly.

Agress [Indianapolis] asked about the non-geographic local concept. Levine explained the basis of the non-geographic idea as having begun with the traveling folk musician Local 1000.

Dreith said that EMSD acts as a non-geographic local within the AFM.

Lyndon Taylor [Los Angeles Philharmonic] stated that SSD acts as a non-geographic local. He went on to say that Los Angeles Philharmonic received good service from Local 47 and rarely used SSD.

Gippo [St. Louis Symphony] said that restructure had to improve the smaller locals where the orchestra provides the majority support of the local. He asked whether player conference chairs should not be part of the IEB.

Shirk responded that the delegates to the convention would have to approve such a change and that would only happen with a grass-roots effort from working musicians.

Levine pointed out that the IEB is elected by the delegates to the AFM Convention, not elected by the rank and file.

The panelists agreed that having representatives of constituent conferences would be a productive move.

Shea felt that presence doesn't equal influence. He thought that the player conferences would have greater influence without membership on the IEB.

Saturday afternoon

Levine asked for further nominations for the four positions of ICSOM Members at Large. There being no further nominations, Michael Moore, Jim Clute, Mary Plaine, and Charles Schlueter were elected by acclamation.

Levine Introduced former ICSOM Chairman Fred Zenone.

Zenone spoke of the Symphony Orchestra Institute [SOI], describing it is a foundation set up to examine ways of making symphony orchestras stronger. SOI was set up and funded by Paul Judy, former chair of the Chicago Symphony board of directors. The current emphasis of the organization is to underwrite and publish research. Although the institute was well funded, it did not have the financial resources to fund the extensive research needed. It implemented action programs which would generate information.

Harmony is the official publication of the SOI and is published by Paul Judy. Zenone described two doctoral studies funded by the institute. One had to do with economic problems in symphony orchestras, and the other had to do with player stress. There was also an ICSOM committee which was looking at the efficacy of the conductor evaluation program.

Discussed the issue of participatory management [where employees are involved in the management and governance of an organization]. Zenone had consulted with a representative of the AFL-CIO about participatory management and learned that there were several companies which had them. The AFL-CIO realized that if the union did not respond to industry and develop a different approach to labor/management relations, many jobs would be lost. The SOI had been very interested in learning more about participatory labor/management relationships and wanted to install three scholars to observe how such relationships work.. The institute is prepared to assist an orchestra on site with a consultant to help with crisis management. He felt these projects were important for all symphony organizations and was enthusiastic about the potential of the Institute although he thought participatory management would not be rushed into by every organization.

Scott reed reported on the Seattle Symphony. Reed and Seattle Local Secretary, Motter Forman,

had been trying to create relationships within the Seattle Symphony. Although there are no guarantees that Seattle would respond by recertifying the Seattle Local, there were efforts to encourage it.

IEB Member Tom Lee spoke about TEMPO. Last year, special individualized AFM mailing labels were sent out to all members. and \$44,000 was raised.

Levine followed up on Paul Judy and the SOI and reminded the delegates that Judy was not a trade unionist.

Levine described a language change in the AFM bylaws adopted this summer. ICSOM was concerned that the language change, which called for ratification by "all affected members," needed to be reviewed and clarified.

Reported on the New World Symphony [NWS]. The NWS has a 50 million dollar endowment, a regular subscription season, and makes recordings. Its conductor, Michael Tilson Thomas earns \$500,000, and its executive director earns \$200,000, but it is called an educational institution, paying its "students" a small weekly stipend. The AFM was finally able to negotiate a fence agreement with the NWS, which obligated the NWS not to engage in certain kinds of activities. The new agreement set monitoring mechanisms in place and also dealt with electronic media.

Richard Levine reported on the San Diego Symphony's ongoing attempts to reorganize. He indicated that there is a good chance the orchestra would start up again in the fall although the funding was not yet in place. The new agreement calls for approximately \$25,000 annual wage, lower health benefits, and pension contributions.

A motion to forgive the 1996 ICSOM dues for San Diego carried. [Motion #6/Blythe Tretick]

A report was made by Emmanuel Oliveri on the Puerto Rico Symphony negotiations.

Michael Moore reported on the computer committee survey.

The following resolution recognizing the efforts of Abe Torchinsky on behalf of the ICSOM Emeritus Program was adopted. [Motion #7/Governing Board]

Whereas, Abe Torchinsky encouraged ICSOM to initiate a program to provide services to retired members of ICSOM orchestras, including sending them Senza Sordino and the ICSOM Directory; and

Whereas, Abe Torchinsky has served as the administrator of the ICSOM Emeritus Program since its inception in the early 1980s; and

Whereas, Abe Torchinsky is unable to attend the annual ICSOM conference for the first time in many years; therefore, be it

Resolved, That the ICSOM Governing Board and the delegates to the 1997 ICSOM conference express their profound gratitude to Abe Torchinsky for his service as founder and administrator of the ICSOM Emeritus Program and for the service this has provided to retired orchestra musicians; and, be it further

Resolved, That the ICSOM Governing Board and the delegates to the 1997 ICSOM conference express their deep regret that Abe Torchinsky cannot be with them at the 1997 ICSOM conference and extend him their warmest regards and best wishes.

The following resolution recognizing the efforts of former OCSM Chairperson Evelyne Robitaille was adopted. [Motion #8/Governing Board]

Whereas, The International Conference of Symphony and Opera Musicians has long respected and admired the hard work, dedication and leadership of Evelyne Robitaille; and

Whereas, She has faithfully served the Organization of Canadian Symphony Musicians as President for eight years; and

Whereas, She has been a key representative and spokesperson on an international level for symphonic musicians in Canada and the United States; and

Whereas, She has always been willing and able to speak truth to power, therefore, be it

Resolved, That the Officers and Delegates of ICSOM hereby express their profound gratitude and admiration to Evelyne Robitaille for her dedication, humor, and devotion to furthering the goals and interests of symphony musicians worldwide, and extend their best wishes to her in all her future pursuits.

The following resolution urging the AFM International Executive Board to increase the staffing and funding levels of the Symphonic Services Division in the New York office and to maintain the minimum levels in the Canadian office was adopted. [Motion #9/Governing Board]

Whereas, The budget of the Symphonic Services Division (SSD) has decreased significantly since 1995 while symphonic work dues steadily increased; and

Whereas, The need for services to symphonic musicians is greater than ever; therefore, be it

Resolved; That ICSOM urge the AFM International Executive Board to increase the staffing and funding levels of the Symphonic Services Division so that those levels support the 1994 staffing and funding levels for the New York office of the Symphonic Services Division, and at least

maintain, as a minimum, the current level of staffing and funding for Symphonic Services Division, Canada.

The following resolution urging the AFM International Executive Board to fund the development and maintenance of a database of current and past financial information for all symphonic institutions that employ AFM members was adopted. [Motion#10/Governing Board]

Whereas, Symphonic musicians are all too often faced with demands for concessions or threats of bankruptcy; and

Whereas, Financial information, and impartial professional analysis of that information, is critical to successful bargaining; and

Whereas, An increasing number of musicians are serving on management boards and committees, in which capacities they need information and assistance, therefore, be it

Resolved, That ICSOM urge the IEB in consultation with the SSD and its Steering Committee to fund the development and maintenance of a database of current and past financial information, together with professional analysis of that information, for all symphonic institutions that employ AFM members; and

Resolved, That this project employ the services of Ronald J. Bauers, recognized as the preeminent expert on American and Canadian orchestra finances, working in conjunction with a Canadian chartered accountant; and be it further

Resolved, That the AFM continue funding financial analyses of orchestras during the development of this database.

The following resolution calling for the ICSOM Governing Board to be authorized to appoint two Strike Fund trustees was adopted. [Motion#11/Governing Board]

Whereas, The 92nd Convention of the American Federation of Musicians amended Article 20, Section 13, of the Federation Bylaws to add a third player Trustee to the American Federation of Musicians Symphony-Opera Orchestra Strike Fund; and

Whereas; The amended Article 20, Section 13, provides that ICSOM select two Trustees to the American Federation of Musicians Symphony-Opera Orchestra Strike Fund, therefore, be it

Resolved, That the ICSOM Governing Board be authorized to select those two trustees.

The following resolution encouraging all ICSOM orchestras to seek inclusion of their orchestra librarians in their collective bargaining unit was adopted. [Motion#12/Governing Board]

Whereas, Orchestra managements often view an orchestra librarian as just another clerical employee, hired for low wages and poor benefits and without consideration for his/her training and experience; and

Whereas, Orchestra librarians are an integral part of any symphonic orchestra and are professional musicians; and

Whereas, Orchestra librarians must have special skills to successfully service the needs of performing musicians; and

Whereas, It is in the best interests of these performing musicians to have representation in the hiring and dismissal procedures of its orchestra librarians; therefore, be it

Resolved, That the delegates to the 1997 ICSOM conference encourage member orchestras to seek the inclusion of all orchestra librarians in their collective bargaining units.

There was a motion to amend the language from "all orchestra librarians" to "all qualified librarians." [Motion #13/Koen]

After a brief discussion, Motion #13 was withdrawn.

The following resolution calling for ICSOM to join with the other Player Conferences in forming and funding an Investigative Task Force was adopted. [Motion #14/Governing Board]

Whereas, Most of the recommendations of the AFM's Restructure Committee were not adopted by the 1997 AFM Convention; and

Whereas, The problems of the AFM are profound and could threaten its very existence; and

Whereas, The AFM must address its problems with modern tools and techniques within the principles of solidarity and union democracy; therefore be it

Resolved, That ICSOM join with the other Player Conferences in forming and funding an Investigative Task Force to study ways to enhance the AFM's services, efficiency and resources so that the AFM can better serve professional musicians.

A motion to amend language from "to better serve all professional musicians" to "better serve our members" was defeated. [Motion #15/Kuyper]

The following resolution urging ICSOM, in conjunction with OCSM, ROPA, and the RMA to create a Unity Conference for the summer of 1998 was adopted. [Governing Board/Motion #16]

Whereas, The present scheduling of Player Conferences annual meetings at different time and

locations is an impediment to effective interaction among the Player Conferences; and

Whereas, The 1997 AFM Convention resulted in an unprecedented unity among the Player Conferences, and

Whereas, It is crucial to build on that unity for the 1999 AFM Convention and for the future; therefore, be it

Resolved, That ICSOM, in conjunction with OCSM, ROPA, and the RMA, create a Unity Conference for the summer of 1998, at a time and place to be mutually decided, in lieu of the present separate meetings.

The following resolution urging the trustees of the AFM-Employers Pension Fund to allow participants the option of choosing joint survivor (husband/wife) benefits for their surviving domestic partners was adopted. [Motion #17/Koen, Wagner, Plaine, Powell, and Stutsman]

Whereas, The delegates to the 1995 ICSOM passed a resolution encouraging all ICSOM orchestras to provide domestic-partner benefits and urged the Symphonic Services Division to make available to orchestras appropriate contract language and documentation; and

Whereas, Many member orchestras have successfully negotiated domestic-partner benefits into their collective bargaining agreements, thereby reducing the disparity of employers' benefits packages to their constituent musicians; and

Whereas, A comparable disparity still exists within AFM-Employers Pension Fund benefit plans; therefore, be it

Resolved, That the delegates to the 1997 ICSOM conference urge the trustees of the AFM-Employers Pension Fund to allow the participants the option of choosing joint survivor (husband/wife) benefits for their surviving domestic partners.

The following resolution recognizing the efforts of Maestro Neeme Jarvi for his participation in the joint New York Philharmonic/Philadelphia Orchestra strike concert was adopted. [Motion #18/ Keon/Kuyper]

Whereas, Conductor Neeme Jarvi displayed unusual courage in contributing his services to the striking musicians of the Philadelphia Orchestra, conducting a concert for One Maestro, Two Orchestras; and

Whereas, Neeme Jarvi undertook this engagement despite recommendations by leading managers of American symphony orchestras that he not do so; and

Whereas, Neeme Jarvi generously donated his fee for this concert to the strike fund of the

musicians of the Philadelphia Orchestra; and

Whereas, The performance under his direction was remarkable for its artistic excellence, with only a single rehearsal in preparation; therefore, be it

Resolved, That the delegates to the 1997 ICSOM conference express their most profound gratitude and admiration to Maestro Neeme Jarvi for his recognition that, in the end, orchestra musicians and conductors stand on the same side.

The following resolution congratulating the rank-and-file membership and the locals of the International Brotherhood of Teamsters and its president, Ron Carey, for their successful strike was presented. [Motion #19/Governing Board].

Whereas, The International Brotherhood of Teamsters, at great cost to themselves, won a tremendous victory for the entire American labor movement in their recent struggle with United Parcel Service; therefore, be it

Resolved, That the International Conference of Symphony and Opera Musicians extend its congratulations to the rank-and-file membership and the locals of the International Brotherhood of Teamsters and to its president, Ron Carey.

After a brief discussion, a motion to amend the language "to the rank and file membership and the locals of the international brotherhood of teamsters" carried. [Motion #20/Moore]

After a brief discussion, a motion to amend the language to remove reference to Teamster president Ron Carey was defeated. [Motion #21/Gippo].

Motion #19 carried as amended.

The following resolution urging the International Executive Board of the American Federation of Musicians to retain the AFM's toll-free telephone line passed. [Motion # 22/Governing Board]

Whereas, The toll-free telephone line of the American Federation of Musicians is a valuable service to AFM members; and

Whereas, Elimination of the toll-free telephone line would serve as a disincentive for rank-and-file AFM members to ask their union for help with their legitimate trade union needs; therefore, be it

Resolved, That the International Conference of Symphony and Opera Musicians urge the International Executive Board of the American Federation of Musicians to retain the AFM's toll-free telephone line.

The following resolution recommending that Article VI, Section 2. (a), of the ICSOM Bylaws be

amended to add the following (italicized) new language was presented. [Motion #23/Beck]

Section 2.(a) ICSOM delegates shall be selected by secret ballot by American Federation of Musicians members in each member orchestra. A member orchestra may send more than one delegate to meetings of ICSOM, but only one delegate shall be the voting delegate. The voting delegate shall be a member of the American Federation of Musicians and must be either a member of that orchestra's Orchestra Committee or another member of that orchestra who has the right of access to all Orchestra Committee meetings. Each member orchestra will determine for itself the authority its voting delegate may assume.

A motion to amend motion #23 to "has the right of access to all orchestra committee meetings and/or all information therefrom" carried. [Motion #24/Topolsky]

After considerable discussion, motion #23 was defeated as amended.

The following resolution urging ICSOM to create a form to evaluate orchestra managers for job performance was presented. [Motion #25/Gippo]

Whereas, Managers, general managers, and/or executive directors of symphonic orchestras are the chief financial administrators, negotiators, and employers of the musicians; and

Whereas, These managers interact with the musicians through committees of the orchestras on a daily basis; and

Whereas, These managers make policy that directly influence the workplace; and

Whereas, These managers, from time to time, change jobs within the symphonic community; therefore, be it

Resolved, That ICSOM create an evaluation form to be distributed to those musicians that have direct, working relationships with these managers (including, but not be limited to, player committees) in order to evaluate these managers' job performance, personnel interaction, and effective management of orchestras.

After a brief discussion, a motion to amend the language to read "ICSOM governing board will determine policies governing distribution of information collected from these evaluations" carried. [Motion#26/Gippo].

A motion to refer Motion #25 to the governing board carried. [Motion #27/Clute].

The following resolution pledging the support of ICSOM, its Governing Board, and its 1997 Conference Delegates to the musicians of the Puerto Rico Symphony, Local No. 555, American Federation of Musicians, in their efforts to win a fair and just Collective Bargaining Agreement

was adopted. [Motion 28/Governing Board]

Whereas, The management of the Puerto Rico Symphony has chosen to lock out the musicians of the Orchestra rather than engage in serious labor negotiations; therefore, be it

Resolved, That the Governing Board and delegates to the International Conference of Symphony and Opera Musicians pledge their support to the musicians of the Puerto Rico Symphony, Local No. 555, American Federation of Musicians, in their efforts to win a fair and just Collective Bargaining Agreement and to return to performing for the citizens of Puerto Rico.

The following resolution calling upon the Houston Symphony Society offer the Houston Symphony musicians a decent, fair, and competitive contract was adopted. [Motion #29 /Governing Board]

Whereas, The musicians of the Houston Symphony have been playing without a contract since June 1, 1997; and

Whereas, The Houston Symphony Society has illegally implemented a unilateral wage cut and hiring freeze; and

Whereas, The Society, through its actions, has shown it has no intention of bargaining in good faith but instead threatens to undermine the artistic achievements of the Houston Symphony of the past decade; therefore, be it

Resolved, That the Governing Board and delegates to the 1997 International Conference of Symphony and Opera Musicians call upon the Houston Symphony Society to desist this destructive and unnecessary course of action; and, be it further

Resolved, That the Society offer the Houston Symphony musicians a decent, fair, and competitive contract which will ensure the continued artistic growth of the Houston Symphony.

The following resolution calling upon the International Executive Board of the American Federation of Musicians created a task force to report on ways of effectively organizing rock-and-roll, jazz, R&B, and alternative music musicians was adopted. [Motion #30, /Weber]

Whereas, It has been recognized that rock-and-roll, jazz, R&B, and alternative music musicians have not been effectively organized; and

Whereas, All musicians, including symphony musicians, should be concerned with the well-being and effective representation of rock-and-roll, jazz, R&B, and alternative music musicians by the American Federation of Musicians; and

Whereas, A most significant portion of potential revenue is being lost to the union by not

organizing these groups of musicians; therefore, be it

Resolved, That the International Conference of Symphony and Opera Musicians recommend to the International Executive Board of the American Federation of Musicians that a task force be created to report on ways of effectively organizing these groups of musicians.

New Business

A motion to have a supplement to the ICSOM Directory for the next two years and print a new Directory in three years was presented. [Motion #31/Gippo]

After a brief discussion Motion #31 was defeated.

Preliminary site locations for the 1998 Unity Conference being examined were Atlanta, Chicago, Denver, Toronto, Montreal.

A motion to refer site selection to the governing board carried. [Motion #32/Sautter]

Stephanie Tretick stated that a policy on dues collection would be established by the ICSOM governing board at a later date.

Houston Symphony delegate Frederick Edelen thanked the conference for its support

Michael Moore congratulated Robert Levine on his first year as chair.

Robert Levine asked if there was any further new business.

There being no further business, the 1997 ICSOM Conference was adjourned.

Submitted by ICSOM Secretary Lucinda-Lewis
November 22, 1997