

OFFICIAL MINUTES of the ICSOM CONFERENCE
August 14-17, 2002
Ottawa, Canada

Wednesday morning, August 14

INTRODUCTIONS AND WELCOMES

Robert Levine [ICSOM Chair/Milwaukee Symphony] called the meeting to order at 10:00 a.m. He welcomed the delegates to Ottawa 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 [Rochester Philharmonic]
Secretary Lucinda-Lewis [New Jersey Symphony]
Treasurer Stephanie Tretick [Pittsburgh Symphony]
Senza Sordino Editor Marsha Schweitzer [Honolulu Symphony]

MEMBERS AT LARGE

Jay Blumenthal [New York City Ballet Orchestra]
Michael Moore [Atlanta Symphony]
Mary Plaine [Baltimore Symphony]
Fred Sautter [Oregon Symphony]

LEGAL COUNSEL

Leonard Leibowitz [Unable to attend due to illness]

OTHER PARTICIPANTS, GUESTS, AND SPEAKERS

Brad Buckley [ICSOM Chair Emeritus/St. Louis Symphony, ICSOM Media Committee Chair]
Paul Frankenfeld [Cincinnati Symphony]
Lois Gosa [Jacksonville Symphony]
Tom Hall [Nominating Committee Chair/Chicago Symphony]
David Lennon [Assistant Director and Concert Supervisor, New York City Local 802]
Stephen Lester [Chicago Symphony Orchestra]
Tom Mansbacher [Cleveland Orchestra]
Don Muggeridge [Los Angeles Philharmonic (retired), former delegate, host of 1982 conference]
Janelle O'Brien [Kansas City Symphony]
Laura Ross [Nashville Symphony]
Maralee Sautter [Oregon Symphony]
Eric Wicks [Chicago Symphony Orchestra]

Tom Hall introduced ICSOM's special guests

SPECIAL GUESTS:

Gino Raffaelli - Delegate from the Cleveland Orchestra to all four conferences in 1962 and 1963, and ICSOM's first treasurer, serving from 1963 to 1970. Now retired from the Cleveland Orchestra.

Wayne Barrington - Delegate from the Chicago Symphony to the meetings in May 1962 and June 1963 and acting secretary in May 1962. Now retired from the Chicago Symphony.

George & Olive Rhodes - George was the Delegate from the Indianapolis Symphony to the meetings in May 1962 and June 1963. Olive also served as a delegate from Indianapolis. Both are retired from the Indianapolis Symphony.

Brad Buckley - ICSOM vice-chairman from 1982 to 1984, and ICSOM chairman from 1988 to 1996; attending as ICSOM Media Committee chair and alternate delegate from the Saint Louis Symphony.

Nancy Page Griffin - ICSOM secretary from 1980 to 1988, from the Seattle Symphony Orchestra.

Penny Anderson Brill - ICSOM treasurer from 1984 to 1987, from the Pittsburgh Symphony; also a conference speaker.

Secretary Lewis read the roll call of ICSOM's 51 member orchestras (*not attending in italics*):

Alabama Symphony Orchestra	Lisa Wienhold
Atlanta Symphony Orchestra	Michael Moore
Baltimore Symphony Orchestra	Mary C. Plaine
<i>Boston Symphony Orchestra</i>	<i>Scott Andrews</i>
Buffalo Philharmonic Orchestra	Robert Prokes
Charlotte Symphony Orchestra	Bob Rydel
Chicago Lyric Opera Orchestra	Linda Baker
Chicago Symphony Orchestra	Rachel Goldstein
Cincinnati Symphony Orchestra	Paul Frankenfeld [for Martin James]
Cleveland Orchestra	Scott Weber
<i>Colorado Symphony Orchestra</i>	<i>Greg Harper</i>
Columbus Symphony Orchestra	Andy Millat
Dallas Symphony Orchestra	Bruce Wittrig
Detroit Symphony Orchestra	David Everson
Florida Orchestra	Warren Powell
Florida Philharmonic Orchestra	Jay Bertolet
Fort Worth Symphony Orchestra	Gary Whitman [for John Michael Hayes]
Grant Park Symphony Orchestra	Eva Carol Beck
Honolulu Symphony Orchestra	Mark Schubert
Houston Symphony Orchestra	David Waters
Indianapolis Symphony Orchestra	Nancy Agres
Jacksonville Symphony Orchestra	Dale Gosa
Kansas City Symphony	Brian Rood
Kennedy Center Orchestra	Nancy Stutsman
<i>Los Angeles Philharmonic</i>	<i>Meredith Snow</i> [proxy: Scott Weber (Cleveland)]
Louisville Orchestra	Trevor Johnson
<i>Metropolitan Opera Orchestra</i>	<i>Marvin Topolsky</i>
Milwaukee Symphony Orchestra	Helen Reich
Minnesota Orchestra	Julie Ayer
Nashville Symphony Orchestra	Bruce Christensen [for Matt Walker]
National Symphony Orchestra	Jeff Weisner
New Jersey Symphony Orchestra	Robert Wagner
New York City Ballet Orchestra	Jay Blumenthal
New York City Opera Orchestra	Bruce Revesz
<i>New York Philharmonic</i>	<i>William Kuyper</i>
North Carolina Symphony	Bruce Ridge
Oregon Symphony Orchestra	Erin Furbee
Philadelphia Orchestra	John Koen [for Robert Grossman]
<i>Phoenix Symphony Orchestra</i>	<i>John Lofton</i>
Pittsburgh Symphony Orchestra	Chris Allen
Rochester Philharmonic Orchestra	David Angus
Saint Louis Symphony Orchestra	Jan Gippo
Saint Paul Chamber Orchestra	Daryl Skobba
San Antonio Symphony	Dan Zollars [for Beth Stoppels Girko]
San Diego Symphony Orchestra	Thomas Morgan
San Francisco Ballet Orchestra	Brian Lee
San Francisco Opera Orchestra	Leslie Ludena [for David Ridge]
<i>San Francisco Symphony Orchestra</i>	<i>Cathy Payne</i>
Syracuse Symphony Orchestra	Angel Sicam
Utah Symphony Orchestra	Lynn Maxine Rosen
Virginia Symphony	John Paul Lindberg [for Rebecca Gilmore Shoup]

Boston was in negotiations. The Metropolitan Opera Orchestra was on tour.

The 2001 Minutes were approved.

Officers' reports

President's Report

David Angus reported on ICSOM's role in the Detroit-based Sphinx Competition that provides scholarships

to promising young African-American and Latino musicians. Last year the Governing Board agreed that dues designated for minority scholarships [\$4,500 per year] be awarded to Sphinx Competition winners.

President Angus also reported that the AFM Strike Fund had grown over the last year, despite a downturn in the stock market. He also reported that a recommendation had been made during the meeting of the Strike Fund trustees that a requirement to participate in strike activities be tied to collecting benefits.

Directory

Mary Plaine reported on the directory and on changes in data collection and publication. She apologized for the failure to publish a 2001-2002 directory.

Treasurer's Report

Stephanie Tretick gave a brief report on finances.

Editor's Report

Marsha Schweitzer announced that ICSOM had purchased a new digital camera.

Nominating Committee Report

Tom Hall reported on the activities of the Nominating Committee. The committee chose not to nominate any candidates.

Nominations:

Chair - Fred Sautter

President - Stephanie Tretick

Secretary - Lucinda-Lewis

Treasurer - Scott Weber

Senza Sordino Editor - Marsha Schweitzer.

Robert Levine announced that a member-at-large position could become vacant as a result of the election. Nominations remained open.

A motion to retain Leonard Leibowitz as ICSOM Counsel and continue his retainer at \$36,000 carried [Motion #1/Governing Board]

Robert Levine reminded delegates to be sure to send any arbitration awards their orchestras have received to ICSOM counsel.

Conductor Evaluation Report

Conductor Evaluation Program Administrator Bill Buchman was not in attendance. A written report was submitted. Rachael Goldstein [Chicago Symphony] gave his report. She stated that Bill Buchman had decided to step down as administrator. She also related Bill Buchman's reminder that delegates fill out the cover sheets when submitting evaluations.

Brad Buckley rose to a point of personal privilege. He described how he discovered a box of original ICSOM conductor evaluations that date back to 1970.

The Governing Board recommended an *ad hoc* committee study the conductor evaluation process during the conference and offer recommendations at the end of the week.

Emeritus Report

Emeritus Program Administrator Abe Torchinsky was not present. Marsha Schweitzer gave the emeritus report and explained the benefits.

Strike Fund Report

David Angus made a further report about the Strike Fund and Strike Fund dues. He recommended that delegates refer to the Delegate Manual Strike Fund entry. Robert Levine added that Strike Fund dues are mandatory and reminded the delegates that locals have the ability to collect Strike Fund dues under the union security clauses of collective bargaining agreements.

Media Committee Report

Brad Buckley gave the Media Committee report. He recognized and thanked past Electronic Media Forum

(EMF) participants: Laura Ross [Nashville], Joe Anderer [Met], Tom Mansbacher [Cleveland], Paul Frankenfeld [Cincinnati], Bill Foster [National], Hampton Mallory [Pittsburgh], Tom Hemphill [San Francisco], Robert Levine [Milwaukee], David Angus [Rochester], Fiona Simon [New York Philharmonic], Ira Weller [Met], Scott Andrews [Boston], Steve Lester [Chicago], Jay Blumenthal [New York City Ballet], and John Koen [Philadelphia].

Orchestras will be sent ballots for the Internet Media Agreement extension in the fall from the AFM. Orchestras will also be sent an advisory from the National Internet Oversight Committee (NIOC) regarding the Digital Millennium Copyright Act (DMCA). Buckley explained that there were unresolved issues with the DMCA and the Copyright Arbitration Royalty Panel (CARP). CARP established royalty rates for material broadcast on the Internet but has so far not established symphonic rates.

The NIOC advisory regarding simul-streaming of radio broadcasts has been changed, and Buckley recommended all contracts include language that would not waive any rights due under the DMCA. Issues concerning who is the principal artist, and who receive royalties have yet to be determined.

Following the report, Buckley announced that he would step down as Media Committee chair in order to allow the new Executive Committee to make its own appointments. He spoke of the controversy and the stress associated with serving.

Robert Levine recognized Buckley's more than 30 years of service to ICSOM and his considerable expertise in media.

The Governing Board requested permission to suspend the rules in order to offer a resolution regarding the distribution of the fact report.

A resolution directing the Media Committee to distribute the survey to the orchestra committees of all ICSOM orchestras, with instructions to the orchestra committees to fill out the survey on behalf of their orchestras was presented. [Motion #2/Governing Board]

Whereas, ICSOM has always depended on orchestra committees to represent the views of individual orchestras; and

Whereas, The ICSOM Media Committee—in consultation with ROPA, OCSM, and the AFM—has decided to meet the requirement for “input from the field,” contained in Motion #17 of the 2001 ICSOM Conference by producing and distributing a survey on the relevant topics; therefore, be it

Resolved, That the delegates to the 2002 Conference direct the ICSOM Media Committee to distribute the survey to the orchestra committees of all ICSOM orchestras, with instruction to the orchestra committees to fill out the survey on behalf of their orchestra, after consultation with their orchestra.

There was a motion to postpone the resolution until the afternoon session. [Motion #3/Goldstein]

After a brief discussion, the motion carried.

Afternoon session

A motion was made to amend the resolution by deleting the first “Whereas” and modifying the “Resolved” to read: Resolved that the delegates to the 2002 Conference direct the ICSOM Media Committee to distribute the survey to the orchestra members of all ICSOM orchestras with instructions to the members to fill out the survey on their own behalf. The orchestra committee shall collect the surveys and forward them to SSD within 45 calendar days of postmark. [Motion #4/Frankenfeld]

Discussion ensued with comments that included points in favor of the original motion as well as the new amendments. Some felt having all members of the orchestra fill out the survey would produce a more democratic result. Others felt that orchestra committees would be qualified to fill out the survey if they held meetings that solicited the opinions of orchestra members. Concerns were also expressed about the results if some orchestras returned a higher number of surveys than some other orchestras. It was pointed out that there was nothing in the original resolution that precluded each orchestra's committee from distributing the survey

to all members, tabulating the results, and reporting the results to SSD.

After further discussion, a vote was taken on Motion #4.

There was a request for division of the house. The yeas were 17 and the nays were 28. Motion # 4 was defeated.

Motion #2 [Resolution #1] was adopted as originally presented.

Chairman Levine called for additional nominations. Jan Gippo was nominated for treasurer. Nominations remain open.

Chairman's Report

Robert Levine reported on the disposition of the 2001 resolutions: internships in ICSOM orchestras (task force appointed - no progress); Mellon Foundation (to include union representation in meetings with orchestras); the Sphinx Competition awards (David Angus already addressed this); a database on orchestras finances (no progress); Unity Conference (occurring now), and raising TEMPO through payroll deductions (no progress). He recognized Member-at-Large Fred Sautter, who reported that after Alfonso Pollard left the AFM, work on the TEMPO issue stopped but will begin again with the new AFM Legislative Director. Mr. Sautter reported on his work for TEMPO this past season and Cindy-Lewis gave a brief report about the "work-hardening" resolution.

There was a meeting with Local 802, AFM leadership, Len Leibowitz, and the American Symphony Orchestra League (ASOL) about health care costs.

Phoenix was the most troubled situation in ICSOM this year. Robert Levine and Janice Galassi visited the orchestra to offer support.

He attended the ASOL convention in June and participated in panel discussions about media. He also attended a seminar in Salzburg on critical issues affecting the performing arts and made a presentation on the development of labor relations in orchestras. American managers reported that the next three years of labor negotiations will be very difficult but that the long-term future of orchestras looked positive.

The chairman reported on his participation on the EMF and briefly discussed the fact report and survey to be presented the next day. He felt it should not have taken so long, and would have been distributed much sooner had it been a project given solely to the ICSOM Media Committee. He then read a portion of an e-mail he had received from EMF member Tom Hemphill [San Francisco] explaining Hemphill's resignation from the EMF.

Chairman Levine went on to report on Concert-Works. This is a nonprofit organization with a board of AFM and orchestra conference appointees, elected participant musicians, and orchestra managers that will provide Internet streaming services to orchestras. Concert-Works is currently seeking funding.

The chairman went on to reflect upon the things that had been accomplished during his tenure. The Strike Fund benefit increased. ICSOM joined the Internet age with a web site and mailing list. The Investigative Task Force (ITF) addressed important issues concerning the AFM. ICSOM advocated the election of symphonic delegates to the AFM Convention. ICSOM made progress on media issues. The Internet Audio Agreement, AV Agreement, and Concert-Works will help orchestras get their performances on the Internet. Chairman Levine characterized ICSOM as a union reform movement that came about as a response to a lack of democracy in the field. He expressed disappointment over the continuing lack of SSD funding and staffing, even with ICSOM's frequently urging the AFM to adequately fund and staff SSD. ICSOM's relationship with the ASOL is more productive. He felt that ICSOM was more democratic than ever before and cited the increase in contested elections and more open discussions. He mentioned the conflicts on the Governing Board about the role of the board in decision-making, and he stated his belief that this was an issue the current Governing Board was unable to resolve.

Chairman Levine said he was proudest of ICSOM's work helping the Louisville Orchestra musicians get the services they needed from the AFM and their local, and acknowledged the accomplishments of the Louisville committee and orchestra.

He stated that our profession has evolved over the last 40 years into a mature industry where unionization is

accepted by our employers. As a result, labor-management relations have dramatically changed, and ICSOM needs to have more discussions on our relationships with our employers.

He mentioned his concern about internal union politics and cited the need for a more productive relationship with managers and the ASOL. He said we need to recognize that our economic well-being is inextricably tied to the economic health of our orchestras.

In closing, Robert Levine recognized Brad Buckley, Fred Zenone, Tom Hall, and David Angus and thanked them for their input and counsel over the years. He concluded by thanking the delegates for the chance to serve ICSOM and orchestra musicians.

Thursday, August 15 – Plenary Session

Rob McCosh, president of the Organization of Canadian Symphony Musicians (OCSM), chaired the meeting and made introductions.

Tom Hall spoke about the history of ICSOM and its impact on the creation of the other two symphonic player conferences. Tom introduced the former officers and delegates of ICSOM who were in attendance.

Rob McCosh offered a few remarks about the efforts of the player conferences to work together.

AFM President's Address

AFM President Tom Lee explained that the AFM-Employers Pension Fund has survived the market downturn. The Fund only lost \$5.5 million as a result of major corporate bankruptcies. As a result of a major arbitration decision, vesting requirements remained the same but some death benefits were cut up to 50%.

President Lee spoke about building closer relationships with the AFL-CIO. The AFM also needs to work with its artist members who can help us increase the AFM's exposure and improve public relations. He spoke of working for better communication with members and local officers, lobbying, and of successfully convincing the five largest Hispanic recording companies to sign the AFM Sound Recording Labor Agreement. He asked for more support in lobbying efforts from rank and file. He mentioned non-union recording work occurring in Seattle, and he spoke about the media survey, saying he felt that every player in every orchestra should have the opportunity to participate.

Other Addresses

American Symphony Orchestra League (ASOL) President Charles Olton talked about Music Alive, a program that provides short-term residencies with an orchestra for composers. Twenty-two orchestras and 24 composers have participated. The League has developed a conductor program to help train and provide conducting experience to young conductors. He spoke of the issue of artistic leadership and said that the mission of the League is to strengthen our industry.

AFM Vice-President from Canada David Jandrisch spoke about the activities of SSD-Canada, the Canadian Broadcast Company (CBC) and Canadian broadcast issues.

Orchestras Canada Executive Director Elisabeth Whitlock explained that Orchestras Canada is a service organization and advocate for Canadian orchestras, comparable to the ASOL. She discussed the Soundings Project that is gathering information about orchestral life in Canada.

AFM Secretary-Treasurer Florence Nelson spoke of the consolidation of the recording and film industry and how it is controlling entertainment. She also spoke about the EMF, orchestra-wide health insurance, election of orchestra members to their local boards and the need for improved lobbying and grass-roots support for union-friendly legislation.

AFM-Symphonic Services Division Director Janice Galassi spoke about the activities of SSD during the last year. They worked to assist with memorial concerts and broadcasts related to the events of September 11, 2001. She spoke about her experiences on the EMF and about facilitated bargaining. She reminded delegates not to take working conditions and salaries for granted; they resulted from the hard work of others who came before us. She also warned that some mismanaged orchestras could use the post-September 11 economic downturn as a reason to ask for concessions. She thanked the SSD staff.

AFM-SSD Canada Supervisor Laura Brownell spoke on the condition of the symphonic field in Canada.

Major Orchestra Librarians' Association President Karen Snackenber spoke about MOLA and its activities. MOLA is the collective voice for improving performance materials. She reminded the delegates that librarians are musicians too, and librarians should be part of the bargaining unit.

Afternoon Session – Plenary Session

Electronic Media

Handouts were provided to attendees.

Laura Ross [Nashville Symphony/EMF member], Brad Buckley [ICSOM Media Chair] and Debbie Newmark [AFM-SSD Electronic Media Supervisor] presented a history of the EMF and an overview of the EMF Fact Report and Survey. It was clarified that the Fact Report uses figures that are the best available; this is acknowledged in the report.

An Electronic Media Forum panel answered questions about process, the Fact Report and the EMF Survey. Panelists were EMF members: Robert Levine [ICSOM Chair], Francine Schutzman [OCSM], Ann Drinan [ROPA President], David Angus [President/Rochester], Brad Buckley [ICSOM Media Chair], Paul Frankenfeld [Cincinnati], Steve Lester [Chicago], John Koen [Philadelphia], and Laura Ross [Nashville].

A breakout session was held for small orchestras to discuss multiple-local membership and discretionary pay.

Town meeting –

This was a closed session and was not documented for the minutes other than additional nominations. Laura Ross was nominated for secretary and Brian Rood was nominated for president.

Friday, August 16 – Plenary Session

Robert Levine introduced Gino Raffaelli [Cleveland Orchestra, retired], who offered some observations about the advances made by symphonic musicians and spoke about the upcoming Rolling Requiem, a worldwide memorial activity on September 11.

Panel discussion: *Artistic Decisions – Who Decides What?*

Panelists were Nathan Kahn, AFM-SSD negotiator; Robert Wagner, New Jersey Symphony ICSOM delegate; Neal Gittleman, Dayton Philharmonic music director; Henry Fogel, Chicago Symphony Orchestra Association president; Bill Moriarity, Local 802 (NYC) president; and Richard Hackman, moderator.

Artistic leadership was defined as conducting staff and principal players. The panel discussed the role of musicians in American and European orchestras in making artistic decisions. The panel also discussed how labor laws affect musicians' involvement in artistic decision-making; unions in Europe are more like clubs, and the orchestras' focus is more on music-making and less on working conditions. In the US, the union is concerned about certain aspects of musicians making artistic decisions. There was a general discussion of musicians' involvement in artistic decisions, responsibility and accountability, the role of the board of directors, the role of principals, dismissal procedures and artistic advisory committees.

Afternoon Session – Plenary Session

Panel discussion: *Troubled Orchestras in the New Millennium*

Panelists were Jan Gippo, St. Louis Symphony; Brad Buckley, St. Louis Symphony; Carla Johnson, vice-president and general manager, St. Louis Symphony; Susan Lipchak, Toronto Symphony; Pam Hakl, San Jose Symphony; Ron Bauers, financial analyst; and Robert Levine, moderator.

Following descriptions of the problems in St. Louis, Toronto and San Jose, discussion centered on identifying the markers and problems that could lead to trouble down the road for orchestras; determining the responsibilities of musicians, managers, and board members in such situations, and finding out if these problems can be predicted. Concerns were voiced about weak boards, board recruitment, knowing and understanding management personnel's history when hiring them, and building trust. Ron Bauers stated that financial data on many of these orchestras exists and needs to be analyzed to predict problems.

Presentation by Penny Anderson Brill: *Music and Wellness*

Penny Brill, a violist with the Pittsburgh Symphony, discussed how her experience with cancer showed her the power of music and led her to use music as therapy for hospital patients. She demonstrated ways in which she works with patients.

Saturday, August 17

Breakout Sessions:

Janet Horvath – Twenty Years of Performing Arts Medicine; Playing (less) Hurt: A Panoply of Challenges
Marshall Chasin – Musicians and the Prevention of Hearing Loss
Ron Bauers – How to Read a Bauers Audit
Pit Orchestra Caucus

Afternoon Session

Additional nominations were made. Jan Gippo's name was withdrawn as a candidate for treasurer and was placed as a candidate for chairperson.

Nominations were closed.

Per ICSOM Bylaws, Scott Weber and Marsha Schweitzer, running unopposed, were declared treasurer and editor, respectively.

Until resolutions were presented, the afternoon session was closed and was not documented for the minutes.

New business

The following Resolution to authorize a health insurance study group was unanimously adopted. [Motion #5/Governing Board]

Whereas, Health insurance premiums for employers in the United States have been rising rapidly and are projected to continue to do so; and

Whereas, Such increases inevitably impact local collective bargaining to the detriment of the musicians; and

Whereas, The leadership of ICSOM, ROPA, Local 802, and the AFM have met with representatives of orchestral employers to discuss forming a joint union-management task force to investigate the problem and explore the possibility of an industry-wide initiative to ameliorate the increases, as was done during the 1980s; therefore, be it

Resolved, That the delegates to the 2002 ICSOM Conference authorize and direct the Governing Board to appoint ICSOM representatives to such a task force, with the goal of providing a report on the problem and proposals for possible solutions to the 2003 ICSOM Conference.

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The following Resolution to authorize the Governing Board to assist Dr. Mark Grant in identifying participants for his aging study was unanimously adopted. [Motion #6/Governing Board]

Whereas, ICSOM has been approached by Dr. Mark Grant, a specialist in the fields of geriatrics and epidemiology, who wishes to study the impact of musical activity on the development and incidence of certain illnesses associated with aging; and

Whereas, Dr. Grant's proposal includes standard protocols, required by the US government and all reputable medical research institutions, governing the study of human subjects, including stringent privacy protections for volunteer participants, and

Whereas, Dr. Grant's proposal requires a pool of volunteer participants who will agree to provide answers to a survey and to be interviewed by him or his assistants; and

Whereas, It is the interests of ICSOM, its member orchestras, and their member musicians to more fully understand the impact of a lifetime spent in the performance of music on musicians' health and well-being; therefore, be it

Resolved, That the delegates to the 2002 ICSOM Conference authorize the Governing Board to

assist Dr. Grant in locating musicians who might wish to participate in his study.

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The following Resolution to urge the AFM to design and implement a financial program with Ron Bauers' assistance was unanimously adopted. [Motion #7/Governing Board]

Whereas, Ongoing collection and analysis of data regarding individual orchestras' financial and organizational condition are essential if musicians are to be able to prevent their employers' financial and organizational problems from threatening gains in compensation and working conditions achieved by musicians through collective bargaining; and

Whereas, The proper organization and funding of a project to collect and analyze such data for all AFM orchestras is beyond the resources of the three Symphonic Player Conferences; and

Whereas, Prevention of situations of financial crisis, such as those described in plenary sessions of the Unity 2 Conference held in August 2002 in Ottawa, is far cheaper for the union and better for the musicians' well-being than is dealing with those situations once they have become full-blown crises threatening musicians' livelihoods; therefore, be it

Resolved, That the delegates to the 2002 ICSOM Conference urge the AFM to institute such a comprehensive program under the auspices of the Symphonic Services Division; and be it further

Resolved, That the AFM be urged to involve Ronald Bauers in the design and implementation of such a program; and be it further

Resolved, That the delegates to the 2002 ICSOM Conference authorize the Governing Board to work with AFM leadership to ensure that such a program is fully implemented.

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The following Resolution to increase Honorarium for Chairperson, President, Secretary, Treasurer and Editor of Senza Sordino [Motion #8/David Angus, Robert Levine] with an additional amendment [Motion #9/Robert Wagner] to increase Secretary recognition from \$500 to \$700 and Senza Sordino Editor from \$100 to \$150 was unanimously adopted.

Whereas, The honoraria for ICSOM officers has not increased for many years; and

Whereas, Most other ICSOM expenses, as well as the Consumer Price Index, have risen substantially since the last increase in officers' honoraria; therefore, be it

Resolved, That the following amendments to the ICSOM Bylaws be adopted by the 2002 ICSOM Conference and referred to ICSOM member orchestras for ratification as required by Article XI, Section 2, of the ICSOM Bylaws.

ARTICLE VIII - DUES AND FINANCES

Section 7. The Chairperson, President, Secretary, Treasurer, and Editor of *Senza Sordino* shall each receive a yearly honorarium of ~~\$1,500~~ \$2,000. The Secretary shall also receive an additional ~~\$500~~ \$700 in recognition of his/her efforts in compiling, preparing, and distributing the minutes of the Annual Conference. The Editor of *Senza Sordino* shall also receive an additional honorarium of ~~\$100~~ \$150 per edition of *Senza Sordino* in recognition of his/her efforts in the preparation and distribution of said publication.

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The following Resolution to replace all references to the Executive Committee in the bylaws with the words Governing Board was (with a few housekeeping edits) unanimously adopted. [Motion #10/David Angus, Robert Levine]

Whereas, ICSOM Bylaws specify a more active role in the governance of ICSOM for the Executive Committee than for the Governing Board as a whole; and

Whereas, It is in the interests of ICSOM that Members-at-Large participate in all governance decisions made by ICSOM's elected leadership; therefore, be it

Resolved, That the following amendments to the ICSOM Bylaws be adopted by the 2002 ICSOM Conference; and be it further

Resolved, That the ICSOM Governing Board be directed to bring to the 2003 ICSOM Conference any further amendments to the Bylaws necessary to expunge all references to the Executive Committee and to transfer any remaining authority of the Executive Committee to the Governing Board.

ARTICLE IV - OFFICERS

Section 1. The officers of ICSOM shall consist of Chairperson, President, Secretary, Treasurer, and Editor of Senza Sordino and four Members-at-Large.

Section 2. The officers and Members-at-Large of ICSOM shall constitute its ~~Executive Committee~~ Governing Board. The Governing Board shall meet during the Annual Conference and otherwise as necessary.

Section 5. In the event of a vacancy in the office of Chairperson or President, the remaining Chairperson or President shall assume the duties of both offices until an election is held at the next regular meeting of the organization. In the event of a vacancy in the office of Secretary, Treasurer, Editor of *Senza Sordino*, or Governing Board Members-at-Large, a replacement will be selected by the ~~Executive Committee~~ Governing Board to serve until an election is held at the next regular meeting of the organization. Persons elected to fill these vacancies shall serve out the unexpired terms of office, if any, of officers originally elected.

ARTICLE V - DUTIES OF OFFICERS

Chairperson

Section 1.(a) The Chairperson shall be the chief executive officer of the organization and shall preside at all meetings of ICSOM and of the ~~Executive Committee~~ Governing Board. S/he shall appoint all committees not otherwise provided for, subject to the approval of the ~~Executive Committee~~ Governing Board, and shall be an ex-officio member of all committees.

Section 1.(b) The Chairperson shall call meetings of the ~~Executive Committee~~ Governing Board when necessary. If other members of the ~~Executive Committee~~ Governing Board are not able to meet for a special matter, s/he shall be empowered to appoint a member of any member orchestra to help him/her on the specific matter, such appointment to terminate at the completion of the mission.

Section 1.(c) The Chairperson and the ~~Executive Committee~~ Governing Board are given full power to draw on the ICSOM treasury when deemed necessary to further the interests of ICSOM.

Section 2.(b) The President shall be advised by a President's Council composed of members of individual member orchestras selected by the ~~Executive Committee~~ Governing Board.

Section 4.(c) The Treasurer shall be the bookkeeper of ICSOM and shall submit at each regular meeting of ICSOM a complete statement of all receipts and disbursements during his/her term of office. His/her books shall be open to examination by the ~~Executive Committee~~ Governing Board at any time.

Executive Committee

Section 6.(a) The Executive Committee shall carry out the mandates of the voting delegates as determined at any duly convened meeting of ICSOM.

Section 6.(b) Matters not covered by the bylaws shall be in the discretion of the Executive Committee during the period between duly convened meetings of delegates from member orchestras. The disposition

~~of such matters shall be in keeping with Section 6.(a) above and with the purpose of ICSOM as defined in Article II of these bylaws.~~

~~Section 6.(e) The Executive Committee shall determine the agenda before each regular or special meeting of the organization. The Secretary shall send, not later than thirty (30) days prior to the meeting, a copy of the agenda to each member orchestra so that the voting delegate may be prepared to adequately express the views of his/her orchestra.~~

Governing Board

~~Section 7.(a) The five officers of ICSOM and four Members-at-Large shall constitute the Governing Board. The Governing Board shall meet during the Annual Conference and otherwise as necessary.~~

~~Section 6.(a) The Executive Committee Governing Board shall carry out the mandates of the voting delegates as determined at any duly convened meeting of ICSOM.~~

~~Section 6.(b) Matters not covered by the Bylaws shall be in the discretion of the Governing Board during the period between duly convened meetings of delegates from member orchestras. The disposition of such matters shall be in keeping with Section 7.(b) 6.(a) above and with the purpose of ICSOM as defined in Article II of these bylaws.~~

~~Section 7.6.(c) At the time of the election of Governing Board Members at Large, the voting delegates shall also select one of the said Members-at-Large to be a delegate to the AFM convention. In the event that said Members-at-Large is unable to attend the AFM convention, the Governing Board shall designate another Members-at-Large to attend.~~

~~Section 7.6.(bd) The Governing Board shall appoint a Nominating Committee which may, at its discretion, nominate candidates at each annual conference for those offices which are to be filled that year. Additional nominations may be made from the floor.~~

~~Section 6.(e e) The Executive Committee Governing Board shall determine the agenda before each regular or special meeting of the organization. The Secretary shall send, not later than thirty (30) days prior to the meeting, a copy of the agenda to each member orchestra so that the voting delegate may be prepared to adequately express the views of his/her orchestra.~~

Membership Committee

~~Section 8.7. The Membership Committee shall be composed of the President, the Secretary, who shall chair the committee, and one Member-at-Large selected by the Executive Committee Governing Board. The Membership Committee shall meet at such times as may be necessary from time to time to perform its responsibilities hereunder.~~

ARTICLE VI – MEETINGS

~~Section 6. A special meeting of ICSOM shall be called by the Executive Committee Governing Board upon receipt of a petition stating the purpose of such meeting and signed by the chairpersons of not less than a majority of member orchestras. In such an event, the special meeting shall be held during the months of May or June following. A special meeting of ICSOM may also be called by the Executive Committee at any such time as may be required pursuant to Article X hereof.~~

ARTICLE X – INDEMNIFICATION

~~Section 1.(a) ICSOM shall indemnify, to the fullest extent permitted by applicable law as the same currently exists or hereafter may be in effect, each person involved in, or made or threatened to be made a party to, any claim or any actual, threatened, pending or completed proceeding, whether civil or criminal or investigative, or whether formal or informal, and including an action by or in the right of ICSOM or any other entity or enterprise, whether profit or non-profit (any such entity or enterprise, other than ICSOM, being hereinafter referred to as an “Enterprise”), and including appeals therein (any such process being hereinafter referred to as a “Proceeding”), by reason of the fact that such person, or such person’s testator or intestate (i) is or was an officer of, or a member of the Executive Committee or Governing Board of,~~

ICSOM, or (ii) is or was serving, at the request of ICSOM, as an officer, or in any other capacity, on behalf of any Enterprise, against any and all judgments, fines, penalties, amounts paid in settlement and expenses (including, without limitation, attorneys' fees) actually and reasonably incurred as a result of or in connection with, any Proceeding, except as otherwise provided in Section 1.(b) below. The right to indemnification conferred in this Section shall be a contract right and shall include the right to be paid by ICSOM the expenses incurred in defending any such Proceeding in advance of its final disposition; *provided, however*, that if so required by the New York Not-for-Profit Foundation Law ("NPCL"), as in effect at the time of such payment, the payment of such defense expenses in advance of the final disposition of a Proceeding shall be made only upon receipt by ICSOM of an undertaking, by or on behalf of such indemnified party, to repay all amounts so advanced if it shall ultimately be determined that such indemnified party is not entitled to be indemnified under this Section or otherwise.

Section 1.(b) Anything herein to the contrary notwithstanding, no indemnification shall be made to or on behalf of any person if such person has not met the standard of conduct necessary to such indemnification set forth in Section 722 of the NPCL or established pursuant to Section 721 of the NPCL or imposed by any other applicable law. The termination of any Proceeding by judgment, settlement, conviction or on a plea of *nolo contendere*, or its equivalent, shall not in itself create a presumption that any person seeking indemnification under this Article did not meet the standard of conduct necessary therefore under the NPCL or any other applicable law. In addition, no indemnification shall be made with respect to any Proceeding initiated by any such person against ICSOM or an officer of ICSOM or a member of its Governing Board, other than to enforce the terms of this Section, unless such Proceeding was authorized by the ~~Executive Committee~~ Governing Board. Further, no indemnification shall be made with respect to any settlement or compromise of any Proceeding unless and until ICSOM has consented to such settlement or compromise.

Section 3. ICSOM may, to the extent authorized from time to time by the Executive Committee, provide indemnification to employees or agents of ICSOM who are not officers of, or members of the Governing Board of, ICSOM with such scope and effect as shall be determined by the ~~Executive Committee~~ Governing Board. Nothing in this Section 3 shall be understood to limit or restrict any right to indemnification under Section 1.(a) of this Article.

Section 4. The indemnification and other rights conferred by this Article shall not be exclusive of any other right permissible under applicable law that any person may have or hereafter acquire under any applicable law or upon the authorization thereof by resolution of the ~~Executive Committee~~ or the Governing Board or pursuant to the terms of an agreement providing for such rights.

• • •

The following Resolution to replace reference to the Executive Board with the words Governing Board (with first paragraph removed) was unanimously adopted. It is separate from the above motion as it requires ratification by ICSOM orchestras. [Motion #11/David Angus, Robert Levine]

Whereas, It is in the interests of ICSOM that Members-at-Large participate in all governance decisions made by ICSOM's elected leadership; therefore, be it

Resolved, That the following amendments to the ICSOM Bylaws be adopted by the 2002 ICSOM Conference and referred to ICSOM member orchestras for ratification as required by Article XI, Section 2, of the ICSOM bylaws.

ARTICLE VIII - DUES AND FINANCES

Section 4.(d) The ICSOM ~~Executive Committee~~ Governing Board may borrow from the ERF such amount as it deems necessary. It shall repay such loan(s) on the same terms and conditions as any ICSOM orchestra, except that the term of the loan shall be no longer than one year from the date it is made.

• • •

The following Resolution recommending a change in bylaws to impose term limits was tabled indefinitely [Motion #12/David Angus, Robert Levine]

Whereas, It is essential for the vitality of any democratic organization that its leadership

periodically change; and

Whereas, It is in the best interests of ICSOM that its leadership should consist both of individuals with experience in their positions and individuals without such experience who, by virtue of serving on the Governing Board, can develop familiarity with the policies and practices of ICSOM so as to be able to provide experienced leadership in the future; and

Whereas, The best way to achieve such a combination of experience and education is to provide regular and frequent opportunities for individuals to move into leadership positions; and

Whereas, Such regular and frequent opportunities to move into leadership positions have not always been available to ICSOM delegates and other eligible individuals; therefore, be it

Resolved, That Article IV, Section 3, of the ICSOM bylaws be amended by the addition of the following language:

No Officer or Member-at-Large who has served three or more consecutive terms in the same position shall be eligible for nomination or re-election to an additional consecutive term in that position.

Robert Levine clarified that the language was not intended to apply to this election and that the fourth clause should be stricken.

Concern was expressed about filling the positions of secretary and *Senza Sordino* editor.

Motion #13 [maker unidentified] to table discussion of resolution. After further discussion, the vote was, in a division of the house, 28 yeas to 13 nays to table indefinitely.

• • •

T recognizing ICSOM's founding members was unanimously adopted as amended by the author [Motion #14/Julie Ayer, Minnesota.]

Whereas, The grassroots musicians' movement which became ICSOM was formed to demand basic union rights, including ratification, committee recognition, and representation; and

Whereas, The networking organization that became ICSOM transformed the symphony profession and is unique in labor history; therefore, be it

Resolved, That the founding members of ICSOM be honored at this 40th anniversary ICSOM Conference and recognized for their vision for their vision and determination in empowering themselves by establishing a network of communication and mutual support.

• • •

The following Resolution to dedicate the 2002 ICSOM Conference to ICSOM's first Chairperson, George Zazofsky and to explore a more permanent memorial in his honor was unanimously adopted. [Motion #15/David Angus for Tom Hall]

Whereas, The 2002 Conference of the International Conference of Symphony and Opera Musicians marks the fortieth anniversary of ICSOM, a meeting distinguished by the presence of persons present at the formative conferences in 1962 and 1963 and by the publication of materials related to the history of ICSOM; and

Whereas, It is especially appropriate on this occasion to remember and honor the founders of ICSOM; and

Whereas, One of the most dynamic forces in the formation and success of ICSOM was ICSOM's first chairman, George Zazofsky, now deceased; and

Whereas, No memorial currently exists in the name of George Zazofsky; therefore, be it

Resolved, That the 2002 ICSOM Conference be dedicated to the memory of George Zazofsky; and, be it further

Resolved, That the ICSOM Governing Board explore, and be prepared to recommend to the

delegates to the 2003 ICSOM conference, ways to more permanently honor the memory of George Zazofsky.

• • •

The following Resolution to urge the AFM president to confer with the heads of the three symphonic player conferences when appointing an acceptable SSD director in the future was approved with technical changes. [Motion #16/John Koen, Philadelphia]

Whereas, The International Executive Board adopted elements of the Roehl Report in 1989; and

Whereas, That action established a Symphonic Services Division (SSD) Steering Committee and the principle of consultation by the AFM President with the heads of the three symphonic player conferences on issues of SSD direction and policy; and

Whereas, The most important issue of SSD direction is who is to serve as Director of SSD; therefore, be it

Resolved, That the 2002 ICSOM Conference urges the AFM President to consult with the heads of the three symphonic player conferences prior to making future appointments to the position of Director of SSD; and be it further

Resolved, That the 2002 ICSOM Conference urges the AFM President not to appoint individuals to the position of Director of SSD who are not acceptable to the heads of the three symphonic player conferences.

Local 72-147 President Ray Hair clarified that the Roehl Report mentioned in the Resolution was considered by IEB in 1989. The only part of that report that was adopted at that time was changing of the names of the departments. Other portions of the report had to be referred to the convention. Amendments inserted “elements of the” in paragraph one and changing “Whereas, The Roehl Report established..” to read “Whereas, That action established..”

Motion #17 to delete second Resolved section. Motion defeated. Resolution adopted with technical changes.

• • •

The following Resolution directing the Governing Board to submit legislation at the 2003 AFM Convention that would change the policy for AFM-EPF trustee appointments to include one symphonic musician was unanimously adopted. [Motion #18/Nancy Agres, Indianapolis]

Whereas, A significant and growing number of ICSOM orchestras have the AFM-EP Fund as their primary pension plan; and

Whereas, The AFM-EP Fund is also the primary pension plan for numerous ROPA orchestras; and

Whereas, The AFM-EP Fund also serve[s] symphonic musicians who do electronic media work under AFM collective bargaining agreements; and

Whereas, The interests of symphonic musicians would be better addressed by the inclusion of a rank-and-file symphonic musician as one of the Trustees of the Board of the AFM-EP Fund appointed by the AFM President; therefore, be it

Resolved, That the 2002 ICSOM Conference directs the Governing Board to submit legislation to the 2003 AFM Convention that establishes, as a new policy of the AFM, the inclusion of a rank-and-file symphonic musician, selected in consultation with the Players’ Conference Council, among the Trustees appointed by the AFM President to the Board[s] of the American Federation of Musicians and Employers’ Pension Fund.

AFM bylaws, Article 27, Section 11 (Current language)

As a matter of policy, at least one rank-and-file musician, selected in consultation with the Players’ Conferences Council, shall be included among the Trustees appointed by the President to the Board of the

American Federation of Musicians' and Employers' Pension fund (U.S.). Board of the American Federation of Musicians' and Employers' Pension Fund (U.S.).

There was a question about adding member since the Pension Fund is covered under the Taft Hartley Act. It is not an issue.

• • •

The following Resolution expressing appreciation of for Philadelphia Delegate Robert Grossman's 40th Anniversary Commemorative Beer was adopted unanimously with edits. [Motion #19/John Koen, Philadelphia]

Whereas, Robert Grossman, Master Homebrewer and ICSOM Delegate from The Philadelphia Orchestra, discharged with great distinction the commission given him by the 2001 ICSOM Conference by creating the 40th Anniversary Commemorative Beer, *Esprit de boire* (Spirit of Drink); and

Whereas, Robert Grossman spent a great amount of personal time, from November 2001 to June 2002, crafting, blending and bottling *Esprit de boire*; and

Whereas, Robert Grossman was unable to attend the conference in person to receive the congratulations of the conference; therefore, be it

Resolved, That the delegates of the 2002 ICSOM Conference express its gratitude and appreciation to Robert Grossman and bestow upon him the title "ICSOM Bräumeister."

Edits include changes to Resolved section – expresses and the insertion of the words "the delegates of the 2002 ICSOM Conference".

• • •

The following Resolution to appoint a committee to explore the creation of a financial network was unanimously adopted. [Motion #20/John Lindberg, Virginia]

Whereas, The financial strength and security of ICSOM is paramount to the overall health of our industry; and

Whereas, Communication among ICSOM member orchestras is essential in this period of extreme economic uncertainty; therefore, be it

Resolved, That the ICSOM Governing Board appoint a committee to explore the feasibility of the creation of a financial network within ICSOM to assist member orchestras during times of labor unrest and to identify new areas in which symphonic musicians may interact to create new economic opportunities for their mutual benefit.

• • •

The following Resolution identifying the site of the 2003 ICSOM Conference was adopted as amended. [Motion #21/ Governing Board]

Whereas, The annual ICSOM conference is a valuable tool for sharing, organizing, and experiencing trade union values; and

Whereas, Recent hosted conferences have proved valuable to the host orchestra; therefore, be it

Resolved, That the delegates to the 2002 ICSOM Conference authorize the ICSOM Governing Board to appoint a committee to identify all member orchestras interested in hosting the 2003 ICSOM conference and to submit such information to the Governing Board by mid-October, 2002; and be it further

Resolved, That if no orchestra is interested in hosting the 2003 ICSOM conference, or if such proposals are deemed unacceptable to the Governing Board, the 2003 ICSOM conference will be held in Vail, Colorado.

Amendment to insert words “ICSOM conference, or if such proposals are deemed unacceptable to the Governing Board,..”

• • •

The following Resolution to report all business communications in a timely manner was defeated. [Motion #22/Rachel Goldstein, Chicago]

Whereas, Timely communication among the members of the ICSOM Governing Board is essential to their ability to discharge their duties in a responsible way; and

Whereas, It is the nature of the Chairperson’s office that he or she constantly deals with ICSOM business as an individual; therefore, be it

Resolved, That Article V, Section 1(c), of the ICSOM bylaws be amended as follows:

Section 1.(c) The Chairperson shall report all his business dealing, meetings, and correspondence on behalf of ICSOM to all the other officers (by telephone and/or e-mail when necessary) in a timely manner and shall ~~report~~ present a summary of his or her official activities at each duly convened meeting of ICSOM.

• • •

Election Results

Chairperson: Jan Gippo, St. Louis Symphony
President: Brian Rood, Kansas City Symphony
Secretary: Laura Ross, Nashville Symphony
Treasurer: Scott Weber, Cleveland Orchestra
Editor, *Senza Sordino*: Marsha Schweitzer, Honolulu Symphony

Good and Welfare

During Good and Welfare, former officers were thanked for their years of service.

The 2002 Conference was adjourned at approximately 7:15 PM.