

# Senza Sordino

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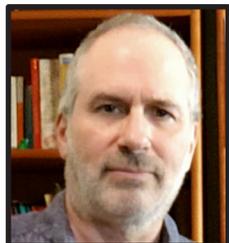
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## The Sleeping Beauty: Torpor and Hibernation at City Ballet

By Ethan Silverman and Sara Cutler

How does an orchestra committee know when it's time to say enough is enough? For the New York City Ballet Orchestra Committee, it took a series of actions, some of them more properly called inactions, by the Ballet management.



The current orchestra committee has had the reputation of being the "let's all get along" committee. For many years, that worked. We had a reasonably good working relationship with the Ballet; not quite "warm and fuzzy," but mutually respectful and with no significant labor disputes. But over the course of the past year it became clear to us that the focus of the Company has shifted away from maintaining a good relationship, and instead has become about saving money and "beating down" the union. It's as if the Coronavirus infected the very relationship between the musicians and the Ballet.



### Part I: Why Wouldn't City Ballet Bargain with the Union?

A little background: On March 12 of last year, Governor Cuomo issued an executive order that shut down live performances in venues with over five hundred seats. So City Ballet was effectively closed down. At that time, it was unclear how long the shutdown would last.

Then, on March 24, the parties entered into a new memorandum of agreement (MOA), essentially extending the terms of the existing CBA—set to expire on August 31, 2020—for one year. The preamble to the MOA says, "In light of the extraordinary circumstances resulting from the COVID-19 pandemic . . . the parties agree to the following modifications of their collective bargaining agreement . . ."

In June, it became clear that the shutdown would be  
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## Sharing a Stage and an Audience: A Big Texas Show of Solidarity for the MET Orchestra Musicians

By Barbara Jöstlein Currie and Stephanie Mortimore

Members of the MET Orchestra recently returned from Dallas, where they participated in an unprecedented collaboration with the Dallas Symphony Orchestra under the baton of DSO Music Director, Fabio Luisi. In addition to two historic performances of Mahler's "Titan" Symphony



No. 1, MET and DSO musicians gave several free masterclasses and chamber music concerts throughout the Dallas community.

Having been furloughed for over 13 months, it was the first time that many of the MET musicians—50 of whom were part of the project—have had the opportunity to perform for a live audience in more than a year. Throughout the pandemic, the MET Orchestra Musicians have done everything in their power to remain engaged with their audiences, presenting ticketed chamber music concerts on their live-streaming platform, Spotlight.METOrchestraMusicians.org, and raising money through tax-deductible donations. However, they have been deprived of bringing the joy of music to live audiences—the very reason many of them became artists to begin with. It was soul-stirring for the MET musicians to again be able to share their talents for a live audience. With an audience of over 500, it was the first large-scale performance in North America since the start of the pandemic.

The project came together quickly and organically. Maestro Luisi was eager to help the struggling musicians from the Metropolitan Opera Orchestra, where he served as Principal Conductor for seven years between 2010 and 2017: "During my time with the Metropolitan Opera, I became close to many

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## Chairperson's Report

By Meredith Snow

### Beyond Covid

After 14 months of stasis and isolation, our orchestras are on the move. The quick nationwide rollout of vaccines by the Biden administration is creating the possibility of a near-normal summer season and the probability of a genuine opening and full return for our upcoming 21/22 season. In the aftermath of our pandemic year there is much to take stock of, and even more to do, as we navigate the reopening of our concert halls and go back to work.



Diana Alencastro/Photography

First, a look back at the bad and the ugly.

It is unconscionable that a handful of our managements and boards chose to take remorseless advantage of this crisis at the expense of their musicians. Imposing the long-desired agendas of "right-sizing" and union-busting under cover of this crippling pandemic was a ruthless and callous tactic. I believe in the long run this will cost these institutions, and their standing in the community, much more than was saved in musician expenses.

The scars and dysfunction left in the wake of these actions will not simply evaporate with the next Gala Opening. It takes years to build the mutual respect and trust needed to cultivate the relationships that make our orchestras thrive. It will take at least as long to rebuild what they have demolished with the stroke of a pen. Our music—our art—does not exist without the artists who bring it to life. If these board members and managers believe it is acceptable to kick their musicians to the curb and just buy new ones for less, they are at best misguided and misplaced. They should not be the curators and stewards of our art.

On the side of the good, the vast majority of our orchestras have come through this calamity in one piece. The Biden administration delivered on federal assistance for the arts and for our AFM-EPF pension fund. Our patrons and donors have stood with us in unity and support, for which we are deeply grateful. We have found ways to keep in touch and to keep making music. Perhaps most critically, we have been able to work productively with our managements to sustain the institution and stay relevant to our communities.

I hope the lessons we learned throughout this tumultuous year surrounding the racial and economic inequities that exist in our society will stay at the forefront of our awareness and continue to be addressed within our orchestras. We have the time right now for self-reflection and we have the opportunity in the upcoming months to change our practices around the hiring of personnel at every level of our institutions. More inclusive programming, hiring guest artists of every ethnicity, partnering with businesses of color in our communities, will all move us towards a more egalitarian workplace and an improved representation of the communities in which we live.



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Looking ahead, I believe that in order for our industry to return to normal, we and our audiences must be vaccinated. Of course, the religious and health exemptions required by law remain, but if we continue to be hampered by masking, distancing, and testing, it will not be possible to make a full return. The economic toll has already been devastating and could continue for an unforeseeable length of time. The vaccines are our ticket to full operational status and a return to our stages.

As we return to our stages, some are questioning whether our audiences will swiftly return to our halls. But there is increasing evidence that they will. The arts consultancy Wolf-Brown has developed an “Audience Outlook Monitor,” an international research study tracking audience attitudes about returning to cultural events during and after the pandemic. Of the fifteen orchestras participating in the study (under the aegis of the League of American Orchestras) ten are ICSOM orchestras: Cleveland, Detroit, Los Angeles, Nashville, New York Philharmonic, North Carolina, Oregon, Philadelphia, San Diego, and San Francisco Symphony. As of May 2021, an impressive 95% of the orchestra patrons who responded to the survey are partially or fully vaccinated. When asked about returning now to live events, 30% would attend an indoor event right now, without distancing (but still wearing masks). Another 24% would attend right now with masks and distancing. The numbers for outdoor events are 49% with no distancing and another 36% with distancing—a total of 85% of patrons ready to attend an outdoor concert right now. Most importantly, all those numbers have been steadily increasing. This is good news for our return and food for thought. We need to be ready to meet audience demand—our outdoor summer seasons will be upon us in a matter of weeks. It is both thrilling and unnerving, after these many long months, to think we may suddenly be returning to our stages. I have missed it.

On a personal note, I would like to commend and extend heartfelt thanks to our governing board member and editor, Peter de Boor, who is stepping down in August. His excellent and tireless work publishing *Senza Sordino* over the past seven years has created an historic legacy of our orchestras in print and online, saving many trees in the process. He has kept us up to date in our ICSOM Directory and pushed ICSOM into the 21st century technologically. His voice on our governing board has been an invaluable asset in shaping the work and direction of ICSOM. Peter will continue serving as an AFM Strike Fund trustee and will also remain the “pit orchestra” emissary on our ICSOM media committee. His presence and the tremendous contributions he has made to ICSOM will be sorely missed. 

The 2021 ICSOM Conference will be held August 11–14, at the Wyndham Grand hotel in Pittsburgh PA, with virtual attendance enabled. All attendees, including any member of an ICSOM orchestra wishing to attend, must register in advance with ICSOM Secretary Laura Ross. Registration on the ICSOM website ([www.icsom.org](http://www.icsom.org)) must be completed by 5 pm on July 16 for in-person attendance, or by August 7 for virtual attendance. Attendees should reserve conference hotel rooms through the link provided during conference registration and not through third party websites.

## President's Report

By Paul Austin

### Diversity and ICSOM's History

*Note: historical quotations in this article use outdated language that may be jarring for the modern reader.*

“There is not now, nor has there ever been, a representative number of blacks and other minorities within the ranks of North America's symphony, opera and ballet orchestras.”

This statement was made at an ICSOM conference in 1989 in a presentation by Daniel Windham, the Music Assistance



Fund's executive director. The MAF was created by the managing director of the New York Philharmonic in response to an observation made by a new NYP board member, Mrs. David Rockefeller, who asked, "Why are there no Black people out there?"

Mr. Windham's 1989 speech at our conference in Aspen clearly addresses the concerns of inequitable representation that we still face today. Do any of these statements made then by Windham sound familiar to you in 2021?

- “Despite such intended corrective efforts as the Affirmative Action Program, 'blind auditions' (behind a screen), and the Minority Assistance Fellowship Program, the number of black and minority musicians in ICSOM, OCSM, and ROPA orchestras has not increased significantly.”
- “For every vacancy in a major or regional orchestra, there may be upwards of 150–200 applicants . . . at most, [a] half dozen are minority members.”
- “Clearly a big part of the long-term solution to this problem lies in training efforts by the public schools, conservatories, and our symphony organizations, which lead to increased numbers of minority students taking up orchestral instruments at early ages.”
- “We must find new hiring programs and techniques which address both our social and artistic concerns.”

A copy of Windham's entire presentation, including the question and answer session, is provided on pages 28–39 of the 1989 conference minutes, <https://www.icsom.org/conferences/docs/1989-minutes.pdf>.

In reading his presentation, I was dismayed that we are still hearing the same concerns expressed at ICSOM forums as were expressed by Mr. Windham thirty years before. It is very disheartening to see that our industry has not moved on as hoped; in fact, during the time since that presentation, an entire new generation of ICSOM musicians has joined our ranks, while the number of minority players employed in our orchestras has barely changed, if at all.

It was inspiring to see that those ICSOM delegates at the 1989 annual conference made the motion to adopt the paper upon hearing this presentation. The delegate who made this motion was Atlanta Symphony's Michael Moore, who is still on ICSOM's governing board in 2021 as our treasurer.

The 1989 conference minutes state that “discussion in- ➤

cluded information on implementation of this effort; clarification of potential effect on present audition procedures; defining of affirmative action i.e. establishing criteria and hiring those who meet criteria; clarification by author on purpose of statement,” and that the motion was passed unanimously.

While exploring ICSOM’s online archives, I was extremely proud to see that our founders made a firm stand in 1963 in support of diversity. Our organization’s very first press release included the assertion that “We support equal employment opportunities for Negro musicians in America’s symphony orchestras, as well as, an end to segregated audiences.” This early press release also announced the actual formation of ICSOM, showing the high level of importance in proclaiming a statement regarding diversity at the same time that it introduced our organization to the public. (Note: see pages 15–17 of the minutes, <https://www.icsom.org/conferences/docs/1963-minutes-rochester.pdf>.)

The minutes from this June 8 session, which was held in Rochester NY, showed that “discussion took place of implementation on integration in symphony orchestras” and that their press release with this supportive message about diversity was in the form of a motion that was passed unanimously by the delegates.

In addition, another motion that was made and carried at ICSOM’s June 1963 meeting took a firm stand regarding hiring procedures, as follows: “Moved and seconded that the [sic] ICSOM support the inclusion of a non-discrimination clause in every symphony collective bargaining agreement.” (Note: see page 18 of the minutes)

To underscore the importance of ICSOM’s stand regarding diversity, the minutes from a follow-up ICSOM session in St. Louis in September 1963 state that a “press conference was held with a reporter from the *St. Louis Post-Dispatch*” and that the press release, which was approved by the delegates, included the statement that “the group re-emphasizes its insistence on equal opportunity for Negro musicians in America’s orchestras as well as an end to segregated audiences”.

The fact that ICSOM made this strong stand regarding racism in advance of our country’s 1964 Civil Rights Act was incredibly powerful to me. More statements in support of minority musicians continued, which I discovered by searching a bit more at ICSOM’s online archives.

The cover story of the January 1969 *Senza Sordino* (Note: see <https://www.icsom.org/senza/issues/senza072.pdf>), written by Buffalo Philharmonic’s then principal oboist Rodney Pierce, reported about a summer educational program for minority students in Buffalo public schools: “Shortly after the assassination of Rev. Dr. Martin Luther King, several musicians from the Buffalo Philharmonic met together to discuss what musicians might do to help bridge the communication gap between the black and white communities.”

In a Letter to the Editor with headings “Help for Black Musicians” and “Apprentice Plan” which appeared in the April 1969 issue of *Senza Sordino*, Bay Area cellist Richard Anastasio described the need for orchestras to provide on-the-job training by establishing “a reasonable number of orchestra-apprentice scholarships approximately equal to the yearly salary of the regular orchestra member and offer these schol-

arships to advanced Negro instrumentalists.” (Note: see <https://www.icsom.org/senza/issues/senza073.pdf>)

From the 1971 ICSOM conference in Seattle, the motions from the minutes include that: “It was resolved that a speaker’s bureau be formed by each member orchestra to provide information and counseling to students who contemplate symphony playing as a career. Emphasis should be placed on solving those special problems of musicians from minority backgrounds.”

These historic records from the early days of ICSOM show the desire to improve diversity in our industry. However, when fast forwarding to nearly twenty years later, we can see that there was still a long path ahead.

Editor Debbie Torch’s article “Black Musicians in the ICSOM Orchestras” in the June-August 1989 issue of *Senza Sordino* (Note: see <https://www.icsom.org/senza/issues/senza275.pdf>) reveals this struggle in great detail, giving statements from several of our minority musicians.

Part two of her article appeared in the December 1989 issue and addressed outreach programs by several ICSOM orchestras: Alabama, Atlanta, Boston, New York Philharmonic, and the San Francisco Symphony. (Note: see <https://www.icsom.org/senza/issues/senza282.pdf>)

Now, as we circle back to the 1989 ICSOM conference, we see that Mr. Windham’s presentation ended with this caution: “Clearly, as this essay only begins to demonstrate, there are major challenges ahead on the road to achieving racial balance in our field—a goal worthy of pursuing despite the obstacles. Indeed, ways and means must be found to accomplish this end if our institutions are to remain viable into the 21st century.”

And here we are, now into the third decade of the 21st century, having the very same discussion. Why have we not seen more progress in this area since this presentation was made 32 years ago? How can we do better? Recently I spoke with Kenneth Thompkins, principal trombone of the Detroit Symphony Orchestra and a former DSO fellowship musician, who provided an insight that encourages thoughtful planning. “The lack of diversity in orchestras was recognized many years ago. It seems that how orchestras see themselves within their communities is part of the struggle. Do orchestras see value in having orchestra membership truly reflect the demographics of their communities? If the issues of representation on the stage and programming are only discussed and implemented following horrific tragedies (George Floyd, Dr. King), that is reflexive not thoughtful. To achieve a more diverse symphony will require sustained thoughtful work to recognize, cultivate, and welcome diverse talent.”

Ken also relayed that all parts of the organization must be committed to improving diversity: staff and management, board and donors, conductors and musicians. Hopefully all of these discussion points will encourage conversations, as we cannot move forward effectively unless we understand the past.

The Reverend Jesse Jackson once said that “Inclusion is not a matter of political correctness. It is the key to growth.” We are decades overdue in addressing the issue of diversity, and I encourage all ICSOM orchestras to have these conversations now!



## Redundant Injustice: The Senseless Firing of Opera Australia Musicians

By Bruce Ridge

As Bill Bryson noted in his book *In a Sunburned Country*, life cannot offer many places finer to stand than Circular Quay in Sydney. The glistening panorama of Sydney Harbour and the stunning Harbour Bridge is anchored by one of the most recognizable and iconic buildings ever imagined, the Sydney Opera House. The Opera House was designed by Danish architect Jørn Utzon, whose dream faced constant criticism, delays, and political attacks



that would lead him to resign his post in 1966, never to return to Australia, and never to see his greatest creation. At the opening of the Opera House in 1973, a ceremony that featured an appearance by Queen Elizabeth II, there wasn't even a mention of Utzon's name.

That seems a terrible way to treat an artist.

In September of 2020, amid the COVID pandemic that suspended performances everywhere, sixteen members of the Opera Australia Orchestra received notice that the company to which they had dedicated their lives now considered them redundant, and they would be unemployed in less than a month.

Among those sixteen musicians is Mark Bruwel, who at the time of his dismissal was serving as President of the Symphony Orchestra Musicians Association (SOMA). To put that in context for North American musicians, it was as if the Chairperson of ICSOM had been fired unceremoniously and without warning by his or her home orchestra. I felt the shock from the other side of the planet.

Mark, oboist (and cor anglais) for the Opera Australia Orchestra since 1988, told *Limelight Magazine* that the sudden dismissals brought a "combination of shock, disbelief, fear and a complete sense of betrayal, that the people you entrust guardianship of our art form . . . had just dropped a hand grenade in the middle of the orchestra."

Paul Davies, the Director of Musicians for the Media, Entertainment & Arts Alliance (MEAA), released a statement that said, "The result of all this will be that Opera Australia will be diminished in size, [in] its capacity to deliver quality productions, and in credibility." (Note: *the MEAA is the labor union representing the musicians of Opera Australia*)

While the pandemic has taken a heavy toll on classical music institutions, most have continued to maintain a commitment to their families of artists. In North America, all but a relative handful of orchestras have managed to retain collaborative relationships with their musicians during the COVID crisis. The same has held true in Australia.

In Sydney, the Opera House attracts over ten million visitors annually with an economic impact in the billions. Opera Australia is the nation's largest performing arts company, with 2019 ticket revenue of A\$73 million; and while they claim these dismissals were necessary due to finances, the company held a A\$6.3 million surplus in 2019. Even in the

midst of the pandemic, the company sold one of its properties for millions of dollars, yet the sixteen musicians were not rehired. The headline in the March 21, 2021, edition of the *Sydney Morning Herald* stated, "Musicians not returned as Opera Australia pockets \$46 million from property sale."

"These workers have already taken a temporary pay cut to help the company through the crisis caused by COVID-19," said Davies. "Now, at the worst possible time, their loyalty has been repaid with a brutal round of forced redundancies and they find themselves unemployed in the middle of the worst recession since the Second World War."

Mark Bruwel grew up in Sydney, and studied at the Sydney Conservatorium of Music. He and I once spent a day hiking along the sandstone cliffs that overlook the Pacific in Manly, near Sydney. Mark was able to recount the history of the beaches, with ocean pools and guard bunkers still standing from the war. As an accomplished horticulturalist and garden designer, he educated me on the vegetation surrounding the paths. Recounting his youth in New South Wales, his first encounter with classical music was from his parents' collection of vinyl records, with Saint-Saëns and Mahler making an early impact. After performing Stravinsky's *Petrushka* with the Sydney Youth Orchestra, his eyes were opened to a career in music, a dream realized when he joined the OAO. He became an essential member of one of the most famous arts organizations in the world, one located in the midst of his home city.

Mark rose to be a leader within the orchestra, serving as President of the OAO's Players' Committee, working with MEAA, and ultimately becoming President of SOMA.

His career with Opera Australia would end on March 13, 2020, with a performance of *Carmen*, but he would have no idea of that until an email arrived out of the blue almost six months later informing him of his redundancy.

I've been so struck by the use of that word "redundancy." It's not a word used often in America to describe a dismissal, and it seems uniquely harsh, especially for an artist. In Australia and Britain it refers to employment, but in America it typically means "superfluous". If you aspire to be a great opera company, how is it possible that a full-time English Horn position can be redundant? It can't be, of course, so it would appear that redundancy can only mean that aspirations have been lowered.

This cruel move has resonated amongst the Opera's patrons, with one particularly esteemed supporter writing in the September 18, 2020, *Sydney Morning Herald*, "The word 'redundancy' must come as a knife to the heart. One of our national treasures is about to become a debased jewel. I am a longstanding patron of Opera Australia, but I am so angered by the unfairness of this action that I will withdraw my financial support for the company unless the decision is reversed."

The arts in Australia enjoy widespread public and governmental support. A survey conducted by MEAA in 2019 reported that 83% of Australians support maintaining (and even increasing) funding for orchestras. 84% agree that the arts have a positive impact for mental health, education, and community connection. A study from 2020 by the Australian Council found that 98% of Australians engage with the arts in some way, and in 2019, two-thirds of Australians reported >

attending a live music performance. But it seems incongruous to value the art without also valuing the artists.

“The employees who actually produce the work that the audience comes to see are being treated as (literally) numbers on a page” observed Mark in our recent exchange of letters. “The artists are no longer celebrated and respected within the Company, but more seen as an annoying necessity.”

In the May 2021 issue of *Senza Sord*, the official publication of SOMA, former SOMA President Tania Hardy-Smith of Orchestra Victoria commented, “I find it deeply distressing that such a solution was enacted, when from so many other accounts, there are examples of ways in which the orchestra and players were considered a treasure to be mined. This is an already-known, but starkly highlighted realization coming out of the pandemic, and one we must keep prosecuting . . . our livelihood is not just a job. And this outcome must spur all of us on to work hard at keeping our orchestras intact and indispensable.”

I remember a great evening in the Southern Hemisphere winter of 2019 when Tania and I attended Opera Australia’s production of *Madama Butterfly* at the Opera House to hear Mark and his colleagues perform. After, we met Mark and we all went to a restaurant in Circular Quay. It was a wonderful night with three close friends gathering at one of the most beautiful spots in the world. I could never have imagined that in just a year this renowned opera company would take such drastic action against sixteen of the musicians I’d just heard perform so beautifully.

Sydney Braunfeld, principal horn in the OAO, recently wrote in *Senza Sord*, “Looking around the pit, I could not help but envision empty chairs where sixteen treasured colleagues should have sat.”

As Mark Bruwel’s years of serving other musicians through his union work should tell you, he is not one to take things lying down, or to stand submissively on the sidelines as this bitter redundancy was imposed. With the able assistance of MEAA, Mark took Opera Australia to Federal Circuit Court alleging a breach of the general protections provided by the Fair Work Act, and a settlement has been reached in his case. Unfortunately, the settlement does not include reinstatement.

A few months before the settlement, I asked Mark what conclusion he was seeking, and he told me, “What Opera Australia did was unconscionable. A global crisis was taken advantage of right when so many musicians were at their most vulnerable. Such behavior is not an acceptable part of an enlightened society.”

Throughout the pandemic, most classical music managements—with notable exceptions—have been able to avoid such ugliness. Generally, musicians have remained em-

ployed, community ties have been maintained, and plans have been made to return to performing. Musicians, in their eagerness to sustain their careers and preserve their institutions, have been very willing to make substantial contractual sacrifices.

But for years prior to the pandemic, the word “rightsizing” has echoed from some boards and managements, and from other less-than-inspiring voices. Some have long suggested that our salaries are too high, our complements too large, our ambitions unattainable. Musicians, often through their own ingenuity and advocacy, have managed to maintain their livelihoods, and assist their organizations in growth. As we emerge from the pandemic, musicians anticipate that their absolute dedication to their communities and their willingness to sacrifice throughout the COVID-19 crisis will now be rewarded with concerted efforts to return to where we were in March 2020, as the lockdown moved across the world like the shadows from the setting sun.

Not every organization will share the goals of its artists. The orchestra in the pit of Australia’s most famous Opera House will have fewer full-contract players. The musicians of America’s most prominent Opera House, the Metropolitan Opera, face relentless uncertainty.

Writing for *OperaWire* on April 2, 2021, journalist Polina Lyapustina wrote with stunning astuteness when she observed, “The end of the pandemic, I assume, will be just the beginning of the fight

for rights and safety in the opera world.”

To truly emerge from the pandemic with our artistry intact, we must stand together, united across continents. We must strive to be more caring people, more generous artists, more committed advocates. We’ve still a chance to emerge stronger, but our eyes must be open and our souls alert. We cannot afford to assume this is going to be easy. As corporatism creeps up on the terrain of the artist, we must not diminish our dreams. We are musicians, and every note we play is a call for peace and love to a world in pain.

Jørn Utzon lived to be ninety years old...long enough to see his reputation remade, and long enough to be honored and celebrated for his gift of the Sydney Opera House. Perhaps the sixteen members of the Opera Australia Orchestra, so maligned as redundant by the company they served, won’t have to wait as long.

*Note: the author is former ICSOM Chair.*



Mark Bruwel and the author



## A Double Shot of Reopening

By Helen Reich

I remember that when I first arrived in Milwaukee in January of 1988, I went to the Milwaukee Symphony Orchestra offices. They were located in the office building above an old movie theater, in a part of downtown that could have used a little sprucing up. Thirty-three years later, the MSO offices are back in the same building above the theater, but everything else is different.



The 1931 art deco building was the Warner Grand Theater until 1995. Rapp & Rapp of Chicago, an architectural firm responsible for many other movie palaces subsequently converted to concert halls in such places as Indianapolis, St. Louis, and Pittsburgh, delivered a mixture of Beaux Arts, rococo, and baroque decor, at a cost of almost \$50 million (in 2020 dollars).

The project to turn it into a symphony hall had been about twenty years in the making. In the year 2000, the orchestra did an acoustical test at the Grand Theater, using a temporary stage. We were thrilled at the clarity and warmth. Then we put it all aside for an awfully long time, due to lack of interest from donors and city government, which would need to narrow the street behind the hall to make room for a stage and backstage facilities.

In recent years, however, major donors and the city both came to realize that converting the old movie palace into a modern concert hall was a win-win for everyone. Our management and board made a convincing case that control of our own venue—sorely lacking in our previous county-owned “home”—was essential to the MSO’s survival, while the city came to see that the area immediately around the theater

desperately needed a spark to ignite renovation and development of the center of downtown.

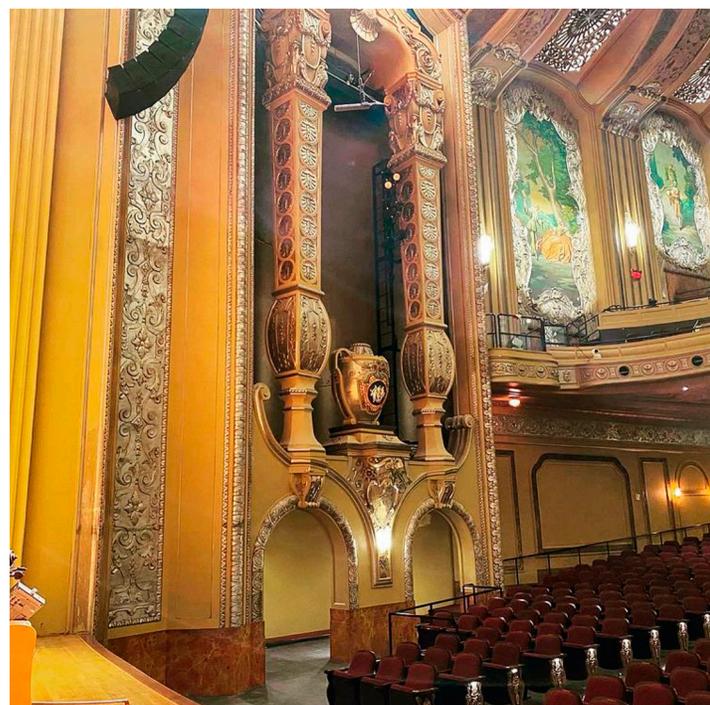
Renovation began in 2018, and went smoothly, including moving a 625-ton wall 35 feet—in one piece—as required to qualify for \$15 million in historic preservation credits. Fast forward to 2020, we were not able to open the new hall as we had planned, because of COVID-19 and a downtown steam tunnel flood that destroyed new electric equipment in our basement. We had last performed in mid-March 2020, and management waited until the fall of 2020 to negotiate a pandemic agreement. Our first masked and distanced chamber music concerts began at the new Bradley Symphony Center in early February, for a virtual audience only. “When I walked on stage for the first rehearsal in our new hall, my jaw literally dropped,” said Robert Levine, MSO violist and Local 8 president. “The hall looked brand-new; all of the gorgeous French Renaissance murals had been painstakingly restored and just glowed. The stage was visually very warm and welcoming. And the first words out of my mouth reverberated throughout the entire space. It’s only the second or third time in my life that I’ve fallen in love with a hall at first sight and sound.”

In-person audiences returned to MSO performances in April, and at this point the plan is to continue to limit the audience to 150 people for the remainder of this season. Some of the features we’ll all eventually be enjoying:

- We preserved as much of the original opulent decor as possible, because its uneven surfaces reflect sound better than flat surfaces.
- A new two-story lobby and event space, enclosed with floor-to-ceiling glass, fronts the main street downtown.
- Our state-of-the-art HVAC system is mounted on springs to prevent vibration and sound from reaching musicians and audience. We are still in the process of tweaking and configuring the control system that will help keep us comfortable through changing seasons.
- Our plasma air bipolar ionization system deactivates virus particles by emitting negative charges into the air. The charges (ions) attach themselves to particles like viruses, which get weighted down, and either get caught up in filters, or fall from the airstream and perish because they can’t replicate. We have monitoring equipment on backorder, which will tell us how we’re doing with distributing the ions.
- Our catering kitchen has the most top-shelf appliances available, and will be able to serve the most demanding menus and quantities.
- We once again have office space in the tower above the theater. From the lower level to the 6th floor, we also have event space, music libraries, choral warmup space, and meeting rooms. Floors 7–12 are not yet developed, awaiting future demands that will determine their function.

Local 8 had originally planned to host the 2021 ICSOM Conference, and we had been looking forward to showing our new hall to all the delegates, officers, and guests. I’m sure you all know that we won’t be doing that this year, but we look forward to seeing everyone as soon as it’s our turn!

*Note: the author is the ICSOM delegate for the Milwaukee Symphony Orchestra*



## Sharing a Stage (continued)

of the members of the orchestra. It is devastating that these incredible musicians have not had an opportunity to perform together in over a year. Sadly, this is the case for many musicians around the country, and many have been affected so greatly by this reduction of income. I urged the DSO to find a way to gather musicians together to make music in a way we have not heard in more than a year as a symbol of solidarity.”

Kim Noltemy, President & CEO of the Dallas Symphony Orchestra, agreed: “As one of the few orchestras fortunate to



The combined orchestra in rehearsal

be able to perform all season to live audiences, we are painfully aware that many of our colleagues around the country have not been able to play concerts since last March. Fabio encouraged us to think of something here in Dallas to show our support for our colleagues who have been unable to play to live audiences. These live performances, combining members of our DSO with the MET Orchestra under his direction, will be special events for our audiences as well as a way to show support for our colleagues.”

In a beautiful display of creativity and generosity, these visionary leaders hatched an ambitious plan to bring the two great orchestras together. With only three weeks’ notice, Noltemy and her dedicated staff, led by the tireless Manager of Orchestra Personnel Nishi Badhwar, organized the week of events, which equally benefited MET Orchestra Musicians Fund, Inc. and DFW Musicians Covid Relief Fund, organizations that provide support to musicians experiencing financial hardship. The project is a shining example of the possibilities that arise when organizations embrace their artists in a spirit of collaboration.

“While the commitment of the DSO team was evident and essential in all of the myriad logistical details, the excellence onstage by the DSO musicians was clear from the first downbeat,” said Erik Ralske, MET principal horn. “They were so inspiring and easy to play with, not to mention so warm and welcoming to the MET Orchestra. It was a tremendously moving and unforgettable experience, one that surely touched the musicians as much as the audience. I know I speak for all my colleagues, to say that we are forever grateful for the generosity, compassion, and leadership of the DSO!!”

Such sentiments were widely held by the MET musicians who participated, who also drew the inevitable comparisons between the two organizations. “I have never been without an orchestra for more than two months since I was 15 years old; after 13 months, it was magical, like a fairy tale, to experience the world of the Dallas Symphony and play again with 100 people,” said MET principal oboist Elaine Douvas. “Most amazing was to observe a city, a Symphony Board, and an Administration that loves and respects its orchestra. It was a deeply emotional, unforgettable experience, and yet such an upsetting contrast with the way we have been treated by the administration of the Met, who regard us as ‘the Labor’ and who are striving to bring our fine orchestra, honed to excellence for decades, to its knees.”

Many donors were moved by this extraordinary project, quickly deciding to help transform dreams into reality. The event was presented by Capital One and made possible by The Marcella Fund, as well as travel partners Dallas Marriott Downtown and Southwest Airlines, with additional generous support provided by Fabio Luisi, Mercedes T. Bass, Joanne Bober, and Sarah Titus & Tilda Morris.

The warm southern hospitality and strong show of solidarity the MET Orchestra received from the stellar musicians of the Dallas Symphony Orchestra, Ms. Noltemy, Maestro Luisi, the DSO Board and Guild members, the tireless administrative staff, and the multitudes of volunteers and patrons, was a welcome sign of hope for the future and a reminder of the power that music has to bring people together. 

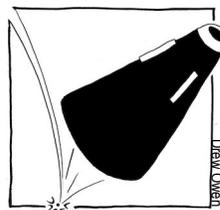
*Note: the authors are members of the MET Orchestra.*

## Dropping the Mute

By Peter de Boor

When I became editor in 2014 and started this column, I thought the title was a nice play on the name of the newsletter, as well as a nod to my inherent embarrassment at speaking out. I thought it would appear in every issue, like the Chairperson’s Report.

Instead, it has more often served my other editor’s purpose: making everything fit exactly into an even number of pages. Some DTM columns were merely padding in which I briefly discussed the other articles in the issue; others never came to be despite ideas I had for things to say, because when it came time to lay out the issue, there wasn’t any room.



So indulge me in this brief exhortation—since this is my last DTM. We stand on the precipice of a brave new world—in the sphere of orchestral music as much as in other relevant spheres, such as the labor movement. Our society is rent by division, in which we cannot agree on basic facts such as who won the last presidential election. We live in a world in which millions of people cannot be bothered to inconvenience themselves by wearing a mask over their mouths, and a white police officer can calmly murder a black man in broad daylight by kneeling on his neck.

In such a world, our music is more important than ever, as it heals and unites. It is vital for our communities. And we >>

must get the message of its vitality to donors, audiences, and communities.

We all know the value and importance of working towards a collective goal. An orchestra is the embodiment of that, the metaphor so obvious that it is a cliché. But we cannot rely on just a few of us to carry that burden. We must be willing, each of us, to serve on a committee, to write a post for the orchestra newsletter, to play a community outreach concert. We cannot merely put all our effort into our instruments and hope the music speaks for itself.

To my esteemed colleagues on the Governing Board, who have been answering this call for many years, but especially this one, I extend my gratitude. 

## The Sleeping Beauty (continued)

protracted. Because so many weeks of performances were now being canceled, the union (Local 802) made overtures to the Ballet for a modification of the CBA extension, in order to relieve the Ballet of some of its contractual obligation to the members of the orchestra. To say management was slow to respond to Local 802's request for modification talks is charitable. Again and again the Ballet delayed meeting with the union, their excuse being that they were engaged in modification talks with AGMA (the union that represents the company's dancers). Management claimed they wanted to conclude AGMA negotiations first, and then it would be the musicians' turn. Again and again Local 802 knocked on the Ballet's door, but again and again the Ballet management said they weren't ready because of their ongoing AGMA talks.

This raised warning signs for us. In the past, the Ballet has had no qualms about bargaining with two or more unions simultaneously. What was going on here?

At last, in September, when the Ballet had finally concluded its modification talks with AGMA, management came to Local 802. Their message: the modification terms that they had just worked out with AGMA for the dancers would be the same terms they would grant the musicians.

Period.

Take it or leave it.

And the terms were, frankly, terrible.

Understandably, this was unacceptable to Local 802; a full-fledged, fully capable union must be able to bargain its own terms, rather than merely accept terms that were negotiated by another (full-fledged and fully capable, to be sure) union. Moreover, the terms and conditions of the two union's respective agreements make them not comparable in very basic areas, such as guaranteed weeks of employment. Notably, too, the AGMA contract has force majeure language; the musicians' contract does not.

Of course, the Ballet knew they would be able to negotiate more favorable terms with AGMA, which has traditionally been more conciliatory in bargaining than the two other large bargaining units at New York City Ballet—Local 802 (musicians) and Local 1 (IATSE)—and management had the leverage of a force majeure clause in the AGMA negotiations. So it was clearly to their advantage to hammer out an AGMA deal first, and then foist the terms of that deal on the other two

unions, which is exactly what they attempted to do.

The orchestra committee and Local 802 made numerous counteroffers in an attempt to reach an agreement. But the Ballet did not change its position in any meaningful way. Their position was that even in the absence of a force majeure clause, the "doctrine of impossibility" relieved them of all their obligations under the CBA and MOA. That left us no other option but to file a grievance and go to arbitration.

All the foregoing has led us to where we are now: the orchestra musicians have not received any wages since June of last year, in violation of the terms of the MOA and CBA, and this in turn has led to a very unpleasant arbitration procedure, complete with brief filings, hearings, witnesses, exhibits, and of course, lawyers.

The arbitration is ongoing. It shouldn't be; it should have concluded many weeks ago, but the Ballet has been stalling by requesting postponements and using all the delaying tactics they can muster, in an obvious attempt to "wait us out." Due to the shutdown we, the musicians, find ourselves with no income and no leverage—we can't go on strike because there are no performances! So for Ballet management, why not stall as much as possible?

It is obvious that such tactics are designed to wear us down and force a surrender. This exemplifies the Ballet's new and callous disregard for the welfare of its artists. It is a deliberate and calculated effort to take advantage of the pandemic to gain the upper hand, at the very time the musicians are most vulnerable.

In arbitration, the Ballet is continuing to claim that the impossibility doctrine relieves the Ballet of its contractual obligation because the shutdown order from the state makes it "illegal" to put on ballet performances. But the union deftly countered that the Ballet had entered into the current agreement after the shutdown order, so the Ballet knew they would not be able to put on performances at the time they signed the MOA. For the impossibility doctrine to apply, the event rendering performance impossible must not have been foreseeable. But given the timing, the shutdown was not only foreseeable, it had already occurred when the Ballet signed the agreement. The sirens were literally wailing outside our windows when the Ballet signed the MOA.

A decision on the arbitration is expected in mid June.

## Part II: Why Does City Ballet Stay Shuttered?

Despite the partial lifting of the statewide shutdown on indoor performance venues on April 2, and despite their ability all along to create ballet performances for streaming, and despite the fact that virtually every other major performing arts organization in the country is performing, including nearly every ICSOM group, the New York City Ballet continues to hibernate.<sup>1</sup>

But why?

Perhaps the most bewildering piece of the puzzle is determining the Ballet's intentions both toward us and toward re- >

<sup>1</sup> There were actually a very few short videos made during the shutdown for streaming involving seven members of the orchestra, but these were essentially non-bargained "dark dates" with their own "take it or leave it" terms.

opening. They appear to be moving forward on our scheduled fall season beginning September 21. Repertoire has been set (some of it for very large orchestral forces), the season schedule disseminated to both the public and the artists, and music licenses paid for. However, management's refusal to bargain in good faith, and its stalling tactics in the ongoing arbitration, has extended further—into a dearth of information about the future, including no discussion with the Orchestra Committee or Local 802 as to how this big season will actually happen.

- We don't know what safety protocols will be in place in our pit or in the offstage areas of our theater.
- We don't know what kinds of forces over our normal complement will be hired for the large works.
- We don't know how our normal complement will fit into our orchestra pit. The pit is somewhat adjustable in size, but it is unclear if it can be expanded enough to accommodate all the players needed for the scheduled repertoire while incorporating social distancing protocols (if required).
- We have had no discussions regarding a vaccination policy.

We don't know these things because our management is not offering any information.

The Ballet has rebuffed every overture made by its orchestra to create work since the shutdown started. The orchestra members themselves recently produced a combined concert and "music film" of the *Carnival of the Animals* in

partnership with the Bronx Zoo, using both musicians and dancers of the Ballet. Everyone involved donated their services and all who took part were happy to do this. However, we would also have been happy to work with our management to turn this into a paid engagement for all since it would so obviously have been to the great benefit of us, the dancers, and the Company. How could they not be thrilled to begin a relationship with an institution like the Bronx Zoo? But they gave us no opening to even broach the subject. They make it clear they have no interest in creating work, even though, as of April 2, we could perform at our Lincoln Center home with reduced forces and reduced audience. While symphony, opera, and ballet managements around the country are finding ways to perform and create work for their artists, for all intents and purposes the Ballet has its head in the sand.

We have no idea why the Ballet will not speak with us, or why they have been so cagey about their plans. That makes it difficult for us to make our own long term plans. What we have done, apart from making ourselves willing and available to come to the table to talk, is form a Strategic Planning Subcommittee, which is tasked to be prepared on many fronts to face whatever the future may bring—including a possible work stoppage.

Will we reopen on September 21? Who knows. 

*Note: both authors are members of the New York City Ballet Orchestra. Ethan Silverman is the ICSOM Delegate for the orchestra and the current orchestra committee chair. Sara Cutler is the former orchestra committee chair.*



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