

# Senza Sordino

Official Publication of the International Conference of Symphony and Opera Musicians

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## ICSOM Turns 60! 2022 Conference Report

By Laura Ross, ICSOM Secretary

Tom Hall's *ICSOM: Fifty Years of the International Conference of Symphony and Opera Musicians* begins with the following:

"On May 12 and 13, 1962, a 'Symposium of Symphony Orchestra Delegates' was held in Chicago. The meeting was called in preparation for a symposium of orchestra representatives and local union officials to be convened at the invitation of the American Federation of Musicians in June. Orchestras had found a similar AFM symposium in New York in July 1960 unproductive and wanted to present a unified point of view at the upcoming meeting in June. Although the June meeting was canceled prior to the May symposium (and later rescheduled for October), these musicians still felt the need to meet and address problems in common. Of 26 major orchestras invited, 12 orchestras were represented: Boston, Chicago, Cincinnati, Cleveland, Indianapolis, Los Angeles, Metropolitan Opera, New York, Philadelphia, Pittsburgh, Saint Louis, and Toronto. Joseph Golan of the Chicago Symphony was the acting chairman; Wayne Barrington served as acting secretary."

An additional set of meetings was scheduled September 6–8, 1962, in Cleveland, Ohio when representatives from 15 orchestras formally established the International Conference of Symphony and Opera Musicians, with George Zazofsky of the Boston Symphony elected chairman. The representatives to this ICSOM Conference adopted a purpose that included promoting a better livelihood for the skilled performer as well as working cooperatively within the framework of the AFM. They discussed and adopted resolutions calling for the establishment of an AFM symphony/opera/ballet department. In addition, they made a formal request that the AFM International Executive Board (IEB) address issues of "local autonomy" where orchestras were regularly prohibited from participating in negotiating their own agreements or raising funds to assist players, and where Locals refused to recognize

elected orchestra committees or to allow musicians to ratify their own contracts. In Cleveland, Local 4 actually negotiated a secret contract, which management and the board approved, despite being overwhelmingly rejected by the orchestra musicians. Local 4 then filed charges against 16 musicians active on committees and withdrew recognition of the orchestra committee.

How far we've come!

This year, ICSOM celebrated its 60th anniversary hosted by Musicians of the Grand Rapids Symphony and Local 56, from August 24–27, 2022, at the Embassy Suites by Hilton/Downtown Grand Rapids, Michigan. While a handful of attendees viewed the conference via Zoom, and a few Delegates were on tour, most Delegates attended the conference in person. ICSOM President Paul Austin, Delegate Barb Corbató, Conference Coordinator Jack Latta, and their Grand Rapids Symphony colleagues along with Local 56 President Bennie Keys pulled out all the stops to help ICSOM hold a very successful conference.

Since 2004, the ICSOM Conference has included a breakfast for new Delegates and Alternate Delegates, which offers an opportunity to get to know each other, meet the Governing Board in a more intimate setting, and to hear a little about what they will be participating in during the next four days. This year, the breakfast also included brief comments from board members and from Laurence Hofmann, who maintains the AFM Wage Charts.

The conference officially began with an introduction of the Governing Board, the roll call of orchestras, and welcoming remarks from our local hosts and dignitaries, including Grand Rapids Mayor Rosalynn Bliss and Grand Rapids Symphony President and CEO Mary Tuuk Kuras. In ICSOM Chairperson Meredith Snow's address, she wondered whether ICSOM's founders envisioned a membership that would triple in 60 years. She also commented on ICSOM's work to increase diversity, as well as the horrendous actions by the Symphony Society of San Antonio to file for Chapter 7 (liquidation) bankruptcy. She reminded delegates that—while our orchestra institutions try to remain nonpolitical—we musicians are members of a labor union who can step up and speak out. Snow urged delegates to take the opportunity to talk about what ICSOM can do to assist in making our country better together.



James T. Green

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# Chairperson's Report

By Meredith Snow

## Politics and Our Union

**M**uch hangs in the balance with the outcome of the 2022 midterm election. Republicans, who appear poised to take control of the House as I write this column, have openly promised to stall Biden's Democratic agenda until after the 2024 presidential election. They have also explicitly threatened to force a default on US Treasury debt unless they obtain cuts to programs like Social Security and Medicare. As imperfect as our system of government is, certain ideals—representational government, equal opportunity, and no citizen above the law—are core values of our Constitution. Will we be able to retain our majority-rule democracy or succumb to the ultra-right MAGA Republican delusions of minority rule, fueled by corporate super PACs?

Despite having dodged the pandemic bullet, our orchestras remain in jeopardy because our country—our democracy—is in jeopardy. Rights and freedoms long assumed sacrosanct are being stripped away by a radical Supreme Court. Conservative state legislatures are curtailing the right of their citizens to vote and threatening to take control of the electoral system altogether, regardless of the popular vote. The looming reality of climate change continues to destabilize our economy and our planet.

As we have learned over decades of economic vicissitudes, when the going gets tough, the arts go first.

Coming out of the Great Depression in the 1930s, the Franklin Delano Roosevelt administration passed the New Deal programs, a sweeping package of federal regulations, financial reforms, and public works projects enacted by the Federal Government to help the American people survive. Among those programs, which included banking industry regulation and the establishment of Social Security, the Works Progress Administration (WPA) employed artists, musicians, actors, and writers. The arts program, known as Federal One, ultimately inspired the passage of the National Foundation of Arts and Humanities Act of 1965 (NEA and NEH) under the Kennedy and Johnson administrations. The NEA provided the foundation for many of our full-time ICSOM orchestras (Chairperson's Report, *Senza Sordino* April '22). Without the possibility of passing universal health-care coverage through Congress, Medicare and Medicaid were signed into law in 1965 as an amendment to Social Security.

With the election of Ronald Reagan in 1980, Republican control ushered in the era of reducing big government—recall Reagan's famous quote that "...government is not the solution to our problem; government is the problem." Funding for public works has been cut mercilessly ever since. Social Security and Medicare remain under constant threat. Union membership and bargaining power have diminished along with the salaries and working conditions of Americans. The banking



Diane Alancraig Photography



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SYMPHONY AND OPERA MUSICIANS

A Player Conference of the  
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Baltimore Symphony Orchestra  
Boston Symphony Orchestra  
Buffalo Philharmonic Orchestra  
Charlotte Symphony Orchestra  
Chicago Lyric Opera Orchestra  
Chicago Symphony Orchestra  
Cincinnati Symphony Orchestra  
The Cleveland Orchestra  
Colorado Symphony Orchestra  
Columbus Symphony Orchestra  
Dallas Symphony Orchestra  
Detroit Symphony Orchestra  
The Florida Orchestra  
Fort Worth Symphony Orchestra  
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Houston Symphony  
Indianapolis Symphony Orchestra  
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Kansas City Symphony  
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Louisville Orchestra  
Metropolitan Opera Orchestra  
Milwaukee Symphony Orchestra  
Minnesota Orchestra  
Nashville Symphony  
National Symphony Orchestra  
New Jersey Symphony Orchestra  
New York City Ballet Orchestra  
New York City Opera Orchestra  
New York Philharmonic  
North Carolina Symphony  
Oregon Symphony  
Orquesta Sinfónica de Puerto Rico  
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industry and Wall Street are untethered from regulation and corporate subsidies continue to grow along with a burgeoning military industrial complex. Money continues its upward flow into the hands of the top one percent—ironically, the very money that our orchestras are now dependent on for survival.

By necessity, our orchestra associations are apolitical. Our nonprofit business model requires that we fund-raise from every ideological stripe. But we are not our orchestras. We are members of the American Federation of Musicians and of ICSOM. We are a labor union. Unions have the collective power to change our society but only so long as we retain our representative government and stop the silent, slow-motion insurrection that is undermining our democracy.

It is encouraging to see the beginnings of a resurgence of organized labor across the country. New industries are organizing and voting in favor of union representation under a collective bargaining agreement. How can we, members of ICSOM, help to turn the political tide in our country? What can we do alongside our AFM colleagues to affect the political landscape and help create a more egalitarian society—one that supports the rights of all our citizens and promotes a more democratic and representative government?

Our union is our political vehicle. Check in with your Local and see what might be on their political agenda. It may be too late for the 2022 midterms but the 2024 presidential election cycle is right around the corner.

The future of our country is in our hands. The futures of our orchestras, the AFM, and ICSOM are in our hands. We are the living network that connects our orchestras to one another—and we are their voice within our union. Let's make use of it and see what we can accomplish together. <

## President's Report

By Paul Austin

### Take a Hike!

Once viewed as a slang term when asking someone to go away, advising someone to take a hike these days could be a solution to the polarization that we observe in today's world.

Last July, I attended a two-day online conference of the Federal Mediation and Conciliation Service (FMCS). Of the many presentations, "The Way Out: How to Overcome Toxic Polarization" was a session that really caught my interest.



Terry Johnston

Professor T. Coleman, a professor at Columbia University and author of a book with the same title as his FMCS presentation, led the session and cited a cycle of mistrust, poor health, and paranoia as reasons for the political divide that we currently see. While there have always been some people on the extreme sides of the political spectrum, we now have

many on those edges and very few in the middle. This lack of middle majority is a major contributor to the state of toxicity

that we are experiencing. In addition, the fact that the red and blue populations are separating from each other geographically supports the polarization.

Once he identified these concerns, Professor Coleman offered some solutions to the issue of polarization in our society. One of the solutions to break the cycle was to take a walk with someone who has an opposing viewpoint from your own, something that Coleman does on a regular basis. He suggested that people who physically move together could come together in other ways as well. In fact, last summer, Harvard Medical School published five surprise benefits of walking, ranging from boosting immunity to taming a sweet tooth (<https://www.health.harvard.edu/staying-healthy/5-surprising-benefits-of-walking>). If anything, just moving our bodies outdoors would have a health benefit, something that I aimed to do on a daily basis during the pandemic.

Since I had just planned four optional activities for attendees at this year's ICSOM Conference in Grand Rapids, I was pleased to hear this advice at the FMCS conference. While those who chose to explore West Michigan on our evening of outings were not necessarily on opposite ends of the political spectrum, we benefited from getting out of the hotel for fresh air and a change of conference scenery. Sometimes the shared experience of a 20-minute hike to Lake Michigan's sand dunes can go a long way.

What can this mean for orchestras? Perhaps something could be learned from a weekly walk with a staff or board member who might benefit from getting to know a musician of an ICSOM orchestra. In fact, this activity could occur within the bargaining unit, as there is always much to be gained from hearing opposing points of view. It can be healthy for the orchestral family to cross pollinate. I know I have learned so much by gathering ideas from my string colleagues.

Years ago, I made this Facebook post that gathered many likes and humorous comments: "Try walking a mile in someone else's shoes. Because then you'll be a mile away from them. Plus you'll have their shoes." But in 2022, let's aim to keep our shoes on and walk that mile together (unless you are barefoot at Lake Michigan, that is). <



Paul Austin

Conference attendees on a hike from Saugatuck Dunes State Park to Lake Michigan as part of an outing on Friday evening

## Counsel's Column

By Kevin Case

### Bargaining After COVID-19

**T**he 2022 “bargaining season” is coming to a close. Most orchestras with expired CBAs have settled, though there are a few exceptions. I personally handled 10 negotiations, and I have some thoughts on how things went.

This round of bargaining was not focused as squarely on pandemic-related issues as in 2021, though of course COVID-19 always lurks in the background. Some trends have emerged as orchestras take their first steps back to something like normalcy after more than two years of economical and societal upheaval. Overall, and perhaps somewhat surprisingly, contract settlements have been largely positive.



Myra Klarman

Looking back a year, there is no question that the pandemic continued to dramatically affect orchestras during the 2021–22 season. At the 2021 ICSOM Conference in Pittsburgh, most of us were cautiously optimistic that the upcoming season would look more typical. The vaccines that became widely available in Spring 2021 were remarkably effective at preventing both transmission and severe disease. Summer 2021 was largely a time between variants, with low case counts, hospitalizations, and deaths. Even when the Delta variant took hold in Fall 2021, the numbers were not nearly as bad as in the pre-vaccine era. As a result, most orchestras discontinued their most stringent COVID protocols to start the 2021–22 season, particularly with respect to distancing. Audiences wanted to see a full orchestra on stage.

Financially, the picture was promising as well. No ICSOM orchestra went out of business as a result of the pandemic (notably, San Antonio's demise was most definitely not the result of the COVID-19 pandemic). Thanks to federal aid, musician pay cuts, a rising stock market, and generous donors, many orchestras were in better financial shape than they had ever been.

Unfortunately, the next variant to raise its spiky head, Omicron, put the recovery on hold for a time. Many performances were canceled when Omicron reached its peak in January 2022. Orchestras frantically (some more frantically than others) tried to develop subbing contingencies when multiple musicians tested positive. Audiences were obviously affected as well, and houses stayed light. What was supposed to be a “normal” year instead turned into yet another “pandemic” year, albeit one far better than 2020–21.

As a result, a fair amount of uncertainty hung over the industry as bargaining began in Spring and Summer 2022. In addition to questions about the future of the pandemic and the extent to which live audiences will return to our halls, new economic challenges arose: high inflation, the possibility of a recession in the coming year as central banks raise interest rates, a stock market that came back to earth after an

amazing two-year run, and the fallout (hopefully not literally) from Russia's invasion of Ukraine.

Inflation in particular is of great concern to musicians and management, and unfortunately it is a problem without an easy solution in bargaining. The increased costs to musicians in their everyday lives are real, and painful. But our employers are facing similar increased costs. Further, unlike many businesses that can simply raise prices on products that people need to buy, orchestras have little ability to leverage inflation to increase revenue—raising ticket prices at a time when we are trying to entice audiences back to our halls would be a risky strategy.

As a result, the 8% or 9% annual raises that musicians would need in order to keep up with inflation are increases that most ICSOM employers do not have the wherewithal to provide. But even a substantial raise that would be very attractive in “normal” times—say, 5%—is actually a cut in real dollars to the musicians.

But most orchestras at least started bargaining from a healthy place. By summer 2022, the vast majority of ICSOM orchestras had restored musician salaries to pre-pandemic levels. Some had even retroactively restored pay that had been cut during the pandemic, especially if they received substantial Shuttered Venue Operators Grant (SVOG) and Employee Retention Tax Credit (ERTC) funds. Only a few orchestras were still working under their concessionary COVID agreements.

In broad strokes, most of the settlements I negotiated or have seen in the industry fall into two categories: progressive, multiyear agreements with solid raises every year (e.g. Atlanta, Charlotte, Florida Orchestra, Fort Worth, LA Philharmonic, San Diego); or one-year extensions with raises and sometimes a cash bonus (e.g., Chicago Lyric, Cleveland, Grant Park, Utah). Which category a settlement falls into depends largely on the extent of fear and uncertainty among managers and board members. Those confident about the future returning to something like pre-pandemic times, especially in terms of ticket sales, were willing to agree to attractive long-term contracts. Conversely, employers with a more pessimistic view—or at least, with deep concern that audiences may not return and the economy will plunge into a deep recession—were unwilling to commit to anything beyond the coming season. There has been a roughly even split in my negotiations. But in either case, the massive amount of federal aid that orchestras received has precluded most from pleading poverty; for those who nonetheless tried, that pleading was even less convincing than usual.

It is not unreasonable for employers to be concerned about the future in this environment. I also understand how that concern may lead to a desire for a short-term agreement. And a short-term agreement is not necessarily a bad thing, if the economics are acceptable. In fact, the conventional wisdom says that unions should always seek one-year agreements, and make management “buy” additional years. I'm not sure that should always be the strategy in our unique workplaces, but certainly, you cannot force an employer to agree to additional years if it does not want to—and if you try, the economic proposals you will see for those additional years will be unappealing.

Whichever way an employer chooses to deal with the present uncertainty, however, there is one course that has no justification at the moment: demanding deep cuts to musicians' compensation and benefits. Indeed, as a general rule, that should never be the first place a management should turn—it should be the last. And to be fair, most ICSOM employers did not insist on cuts in recent bargaining. A few have, though, and for several reasons, that is now an even more unreasonable demand than ever.

First, as noted, nearly every orchestra was able to take advantage of copious amounts of federal aid—two rounds of Paycheck Protection Program funding, two rounds of SVOG disbursements, and several quarters of FICA tax relief through the ERTC. Orchestras that obtained such funding have no justification to seek pay cuts—especially if management used a portion of the money for non-payroll purposes, as many chose to do. It is not necessarily wrong for an employer to take advantage of unexpected funding to establish a reserve fund or pay off pension liability; however, to demand pay cuts from musicians at the same time is inexcusable.

Second, fundraising is healthy. It held up remarkably well during the pandemic, and that well is far from dry. According to Giving USA, philanthropic giving to the arts, culture, and humanities rose a stunning 20.3% from 2019—the last pre-COVID year—to 2021. The increase was 13.5% even when adjusting for inflation. The money is out there; indeed, many orchestras who shied away from large capital campaigns in the past are now planning campaigns with surprisingly aggressive targets.

Although some managers have speculated that donations will dry up in a bear market, it is worth pointing out that even with the recent downturn, the major equity indexes are substantially higher than they were at their pre-pandemic, January 2020 peak. And the silver lining of higher interest rates is that bonds—the backbone of endowment funds—now sport the most attractive yields in decades.

To put it bluntly, a management that claims struggles with fundraising right now must not be doing it right.

Third, while I got an earful in negotiations from management about declining ticket sales, it is far too soon to reach any conclusions. Consultants and some managers have taken to publicly opining that ticket sales will never recover to pre-pandemic levels because audience behavior has changed irrevocably—the subscription model is dead, audiences don't feel safe, people will now get their entertainment at home, etc. But there is no basis yet for considering these trends permanent. And here is the key point: to the extent these prognosticators point to ticket sales during the 2021–22 season—which most do—those predictions are unsupportable.

Multiple news articles, including recent articles in the *New York Times* and *Washington Post*, have cited statistics from a TRG Arts study that purportedly showed a 39% decline in ticket sales from pre-pandemic levels. What the articles fail to mention is that the TRG study was released in March 2022. Worse, the time period in which data was collected for the study ended in December 2021, which puts it in the Delta/Omicron timeframe. What happened 10 months ago is simply not relevant anymore. As the saying goes, past

performance is not proof of future results. Let's have a season or two without pandemic-related cancellations, and then we'll talk. (For more on how orchestras should be confronting this challenge, see the resolution Ticket Sales, passed at the 2022 ICSOM Conference.)

Another common thread in recent bargaining has been audition reform. Over the past two years, musicians in many ICSOM orchestras have worked hard to align their audition, tenure, and subbing policies with emerging DEI best practices. The most important change has been with respect to screens: more and more orchestras are keeping them up through the entire process. This used to be more controversial—surveys of bargaining units often found musicians split on the issue, with strongly held beliefs on each side.

Now, most musicians are on board. In fact, I can't think of a single recent negotiation where the musicians did not seek to modify their process to keep screens up, if that wasn't already in the contract. Not all efforts were successful, though, and it is worth pointing out why.

The obstacle is music directors, period. Literally every time one of my committees has proposed keeping screens up, the first answer from management is "we'll talk to the music director," and after they do so, the answer often is "sorry, can't do it." Music directors want to see people play, and many seemingly refuse to accept the notion that that may open the door to unconscious bias.

Progress only occurs, then, when management tells the music director that they're going to agree to keep screens up anyway, over the music director's objections. I've seen it happen, and it's the right choice. The music director does not run the organization. The music director is an employee—or in some cases, an independent contractor who still must take direction from the employer. Management and the board can override the music director any time they want, if they have the will. Sometimes the will is there, sometimes not.

Another common modification of the audition process is to auto-advance underrepresented musicians of color past the preliminary round. This strikes me as more controversial than it should be. Auto-advancing has long been a common practice in just about every ICSOM orchestra, at least to some degree. Sometimes the criteria are objective (e.g., a candidate has a job in another ICSOM orchestra, or has subbed for a season), but often it boils down to a person a committee member, conductor, or principal knows. Expanding the criteria to include musicians of color, especially when organizations like SOPA can facilitate the identification of qualified musicians, is not a stretch. It certainly isn't any worse than inviting a friend, student, or substitute musician to skip the first round. And at the end of the day, everyone has to play at least one round behind a screen.

The other common issue in recent negotiations has been employers' desire to use smaller ensembles, particularly for education and community outreach. That is understandable: orchestras need to reach out to different communities, and as a practical matter, funding is often available for such programs. Musicians performing in smaller groups can also be an effective fundraising tool generally. But making such activities mandatory is problematic. That is not the job that many ICSOM musicians signed up for. They won a job to play



**Conference Report** *continued from page 1*

ICSOM President Paul Austin covered his visit with former ICSOM Chair Bruce Ridge to the Puerto Rico Symphony; ICSOM's Call to Action for the San Antonio Symphony, the only orchestra not returning to work this season, which raised over \$250,000 for SAS musicians; and negotiating orchestra Zoom calls that have assisted numerous ICSOM orchestras bargaining this year, while noting that many settlements have been progressive. Austin also covered other activities he has overseen the past season, including working with the DEI Committee to launch a series of DEI video interviews, and closed with the sentiment that ICSOM has facilitated conversations by delegates for 60 years, and this will continue for years to come.



Mike Muszynski

*President Paul Austin (center) with the panelists of Orchestra Projects of Note*

Wednesday afternoon included two panels. The first was another installment of Orchestra Projects of Note, moderated by Paul Austin, that included presentations by various delegates and alternates. Delegate Dan Sweeley outlined the Buffalo Philharmonic Orchestra's "A Concert for Healing," held to offer support to the East Side community that lost 10 of their neighbors following the horrific mass shooting on May 14, 2022. Alternate Delegate Karl Fenner discussed the Atlanta Symphony's work with the Atlanta Symphony Youth Orchestra that has produced yearly Appreciation Concerts. Delegate Warren Powell spoke about The Florida Orchestra's "Ahmed Alabaca Commission" entitled "Ode to Liberty." Delegate Greg Mulligan talked about the Baltimore Symphony's "Help for Ukraine" concert that raised more than \$40,000 in relief funds. Finally, Delegate Helen Reich spoke about the transformation of the former Warner movie palace to the Bradley Center, the Milwaukee Symphony's new concert hall.

The second panel, assembled by Cypress Media Group President Randy Whatley, included Brad Whitfield (Alabama Symphony), Amy Hess (Chicago Lyric Opera Orchestra), Mike Muszynski (Indianapolis Symphony), Doug Rosenthal (Kennedy Center Opera House Orchestra), and Ruth Lane (San Francisco Opera Orchestra). The five musicians shared details in a panel entitled "Re-engaging your

Orchestra in a Post-Pandemic World" that touched on the ways each orchestra used social media during COVID, as well as how they are engaging with their communities.

The final presentation of the day was by Yelley Taylor, a violinist and violist from the Bay Area, who shared their story and posed a series of questions and observations based on conversations with approximately 20 to 30 Black and Latinx musicians and composers to provoke conversation and questions, breaking the room into smaller groups to discuss. Taylor's presentation drew attention to thinking about intention when conversing with others, to being more thoughtful, and to understanding how to look for solutions and clarity to build trust and accountability.

The delightful Mixer that evening was held at the Downtown Market, with entertainment by a trio including Local 56 President Bennie Keys. Food, decor, and a wonderful evening were partially underwritten by Experience GR.

Thursday morning began with a series of reports, followed by presentations from Player Conference leaders—ROPA's newly elected President Steve Wade, and OCSM President Bob Fraser and TMA President Heather Boehm via Zoom. RMA President Marc Sazer graciously agreed to speak on Friday morning due to timing issues.

AFM President Ray Hair addressed attendees about convergence and disruption in electronic media, exploring the history and development of various AFM bargaining agreements over the decades. Streaming has become particularly important, and the AFM continues to work for passage of the American Music Fairness Act that would cover terrestrial broadcasts—as opposed to digital broadcasts that currently do produce an income stream to musicians—which also impacts revenues collected overseas on behalf of US musicians but, without reciprocal distribution agreements with other countries, is not distributed.

Following lunch, SSD Director Rochelle Skolnick gave presentations about union density in collective bargaining units and bargaining in a post-*Dobbs* environment, offering ideas and discussion points following the Supreme Court decision to limit women's personal reproductive rights. SSD Symphonic Electronic Media Director Debbie Newmark introduced a new Local Players Association Promotional Agreement that the ICSOM Governing Board had requested during the past few years.

The day ended in breakout sessions with groups divided by budget size, along with a pit orchestra group; after dinner, the first of two Town Hall meetings was held. These are closed to all but the ICSOM Governing Board and ICSOM Delegates and Alternate Delegates attending the conference.

On Friday, San Antonio Symphony Delegate Riely Francis revealed the new name and logo for the San Antonio Philharmonic, the successor organization started by the Musicians of the San Antonio Symphony following a year-long strike and decision by the Symphony Society of San Antonio to end this storied orchestra by filing for Chapter 7 bankruptcy. Francis explained that the new orchestra is already in the planning stages and has a number of concerts

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60<sup>th</sup> Annual Conference highlights available at <https://youtu.be/Sp1olednP-I>

lined up with more than two-thirds of the original orchestra taking part.

ICSOM Counsel Kevin Case's presentation "Shut Up and Fiddle': Political Expression in a Polarized America" explored various ways social media postings may or may not raise concerns by an individual's employer, and what, if any, legal issues could arise from those postings.

Following the Member at Large luncheons with their constituent orchestras, ICSOM welcomed Federal Mediation and Conciliation Services (FMCS) Deputy Director of Field Operations Javier Ramirez. Kevin Case posed a series of questions to Director Ramirez, with special emphasis on how mediations are handled and what occurs during these meetings. This was followed by a second, Delegates-only Town Hall Meeting, at which point Local officers and SSD staff met separately.

At the beginning of the free evening, a number of outside activities had been arranged by Grand Rapids Symphony musicians: a visit to the Meyer May House designed by Frank Lloyd Wright, a hike from Saugatuck Dunes State Park on Lake Michigan, a walking tour along the Grand River highlighting African American history and figures, and a beer tour following a prescribed route to various pubs and bars in "Beer City USA."



Cellists Debbie Brooks (Fort Worth Symphony Orchestra) and Brian Magnus (Jacksonville Symphony) warm up prior to the volunteer service event at St. Mark's Breakfast Café

On Saturday morning, prior to the final session of meetings, a contingent of Delegates participated in a volunteer activity that has become an annual event, this year consisting of a performance at St. Mark's Breakfast Café for homeless individuals. The large group consisted of a variety of ensemble performances by Albert Suarez (Kansas City Symphony), Paul Austin and Barb Corbató (Grand Rapids Symphony), Peter de Boer and Doug Rosenthal (Kennedy Center Opera House Orchestra), Jonathan Mueller (Louisville Orchestra), Greg Mulligan (Baltimore Symphony), Laura Ross and Mindy Whitley (Nashville Symphony), Ted Nelson (Cincinnati Symphony), Mike Muszynski (Indianapolis Symphony), Brian Magnus (Jacksonville Symphony), Debbie Brooks (Fort Worth Symphony), P.J. Cinque (San Diego Symphony), Riely Francis (San Antonio Symphony), and Local 7 President Ed Valasquez.

As the sessions resumed, a presentation about the American Federation of Musicians and Employers' Pension Fund by Union Trustees Brian Rood and Laura Ross was followed by an hour of Q&A with ICSOM Counsel Kevin Case.

Thanks to resolutions submitted by Delegates and the Governing Board, 10 resolutions were adopted at this year's conference. They included resolutions remembering AFM EMSD Director Patrick Varriale and former ICSOM Secretary Nancy Page Griffin who both died this past year, condemning the actions of the Symphony Society of San Antonio, offering support for the new San Antonio Philharmonic, honoring ROPA President Mike Smith who recently stepped down, dealing with issues regarding ticket sales, offering support for Ukraine, encouraging establishment of a single-payer healthcare system, further supporting the efforts of the Black Orchestral Network, and condemning the Supreme Court decision on *Dobbs v. Jackson Women's Health Organization*.

With all incumbent officers running for re-election, President Paul Austin was elected to a third term, Laura Ross was re-elected to begin her 21st season as Secretary, and Keith Carrick (Utah Symphony) and Ken Thompkins (Detroit Symphony) were both re-elected to two-year terms as Members at Large.

Next year, the Conference will be hosted by the Milwaukee Symphony musicians and Local 8 in August 2023. ➤

#### Counsel's Column continued from page 5

in an orchestra. Many are not comfortable playing in small groups or making presentations to kids. It does not seem fair to change their job duties now.

Other musicians are happy to do this kind of work, though, which leads to the second problem: equity. If small-ensemble/outreach activities are part of regular orchestra services, the danger is that the same group of people will be doing all the work—either because they want to do it while others don't, or because management picks "favorites" and passes over willing musicians. I have tried hard to come up with a fix for this equity issue, but I haven't found an acceptable one yet. The clause, "best efforts to allocate the work equitably," which was common in many COVID-era side letters when musicians were unable to perform on stage as a full orchestra, did not solve the problem.

So, these kinds of activities should incorporate two principles: first, the activities must be voluntary; second, the activities must come with some form of extra compensation, whether monetary or in the form of extra time off, which some orchestras have done for years. Thankfully, in most of my negotiations where management was seeking to establish or expand small-ensemble programs, we were able to stick with those two principles. Thus far, I have not seen a widespread push to force musicians to do these activities as part of their job. It still may come, though.

A new round of bargaining begins in 2023, with challenges both new and old. There will again be many expiring ICSOM contracts, thanks in part to all the one-year agreements this year. We don't yet know how the pandemic will evolve, how audiences will behave this season, or what will happen with the economy or the war in Ukraine. The midterm elections will also have a real effect on everyday lives. But I have no doubt that our musician bargaining teams will do their utmost to reach agreements that are fair to both their colleagues and their employers, no matter the circumstances. ➤



## Sensory Inclusive Concerts

By Helen Reich, Milwaukee Symphony Orchestra

In April 2022, the Milwaukee Symphony Orchestra performed our first “sensory friendly” concert, a long-term goal of Education Director Rebecca Whitney. Several years ago, she started to think about presenting sensory friendly concerts, but as our home was a multi-purpose, county-owned facility, we would not have been able to make the necessary modifications to the building. When we moved into our new digs, the Bradley Symphony Center, a hall we control and own, it suddenly became possible. Together with our Equity, Diversity, and Inclusion Committee, Ms. Whitney helped to bring the idea to fruition.



Margaret Butler

What are “sensory friendly” or “sensory inclusive” events? They are events for children and adults with sensory needs. And who experiences sensory needs? One in six individuals has a sensory need or an invisible disability. These are people with PTSD, autism, stroke, hearing loss, or dementia, just to name a few conditions. Common sounds, lights, crowds, and even smells might not only be overwhelming, but also physically painful. How do we accommodate this audience?

It’s a long process, but not too arduous, and not very expensive to enact. First, we used just a few thousand dollars of grant money to partner with KultureCity, a national organization that was able to train and accredit us in having the necessary building modifications. Those included quiet areas (which we included for our other concert series as well), flexible seating, dimmed house lights, permission for service animals, and relaxed house rules (allowing for the audience to roam at will as long as they stay in the building).

Our very first sensory friendly concert occurred in April 2022. The orchestra provided introductory training for musicians and staff, and we used grant money to pay for our concert hosts, three actors from a local professional theater



Milwaukee Symphony Orchestra, cr. Jonathan Kim

Audience members sign “applause” in American Sign Language at the Milwaukee Symphony Orchestra’s April 2022 Symphony Spring Break concert

company that serves audiences who identify with physical, intellectual, or emotional disabilities. The concert had a travel theme—Symphony Spring Break—and featured American composers and music that could be connected to specific places. The hosts were charming and funny and guided the audience—just as we guide our audiences during normal children’s or family concerts—but with special attention to preparing the audience for surprises, such as loud noises.

Other concert accommodations included KultureCity sensory bags (containing noise-canceling headphones, and fidget toys), weighted lap pads (for those in need of calming), braille and large type programs (another modification made permanent in our other series as well), a hearing loop and infrared listening system (always available). No additional devices are required for those with compatible hearing aids or cochlear implants, but a free loop receiver is available if necessary. Finally, the concert included sensory-friendly, silent applause.

Our first sensory inclusive concert had an audience of about 500. The MSO spread the word about the event by means of our Family Concert list, social media posts, our website, a local autism society, a local Downs syndrome society, and local special education coordinators. Further, management sent invitations to a local corporation that has an employee assistance program that has perks for employees with special needs family members. We also found some overlap with the Milwaukee Ballet, which has performed sensory friendly Nutcracker shows for years.

One of the most important parts of doing sensory inclusive events is providing the audience with a “social story.” A social story is vital logistical information that our audience needs to know in advance of

the event—the who, what, where, when, why, and how information that will help them know what to expect. You can find our social story on the web and on the KultureCity app, including photos of what everything looks like, from our hall entrances and our staff members, to ticketing and where to find restrooms, snacks, drinks, and quiet areas.

Going forward, we are planning another sensory inclusive concert in Spring 2023. It will once again have a travel theme, hosts, and potentially music from different countries. We hope that other orchestras will consider this sort of inclusion, as it serves a population that is often not comfortable attending our regular events and still wants to enjoy what we have to offer.



Hannah Esch, Milwaukee Symphony Orchestra

The KultureCity sensory bag, containing noise-canceling headphones, fidget toys, and ID cards



## Conference Resolutions

*Adopted Resolutions at the 60th Anniversary ICSOM Conference in Grand Rapids, Michigan on August 27, 2022*

### **Resolution adopted remembering former ICSOM Secretary Nancy Page Griffin**

*Submitted by the ICSOM Governing Board*

Whereas, Nancy Page Griffin, who faithfully served ICSOM as its Secretary from 1980 to 1988 when, following the September 1988 decertification of the Seattle Symphony from the AFM, she was forced to resign from that position; and

Whereas, Her contributions as Secretary and contributions to, and organization of, the George Zazofsky ICSOM Archives were acknowledged in a 2015 ICSOM Resolution upon her retirement after 54 years as a member of the Seattle Symphony; and

Whereas, Nancy's long career and interests also included working as a freelance bassist in Chicago and for the National Endowment for the Arts, as well as showing her poodles, who won various obedience and agility awards; and

Whereas, Nancy passed away at the age of 90 in April 2022; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference celebrating 60 years of its own history to the orchestra industry and its members, honor the passing of Nancy Page Griffin, and remember her service and contributions to the International Conference of Symphony and Opera Musicians with immense gratitude.

### **Resolution adopted honoring the passing of Patrick Varriale**

*Submitted by the ICSOM Governing Board*

Whereas, Patrick Varriale (Pat V) spent nearly 50 years of dedicated service with the American Federation of Musicians in the Electronic Media Services Division, including his final seven years as its highly regarded Director, fighting for the rights of recording musicians everywhere; and

Whereas, Pat V's immense knowledge of the AFM's collectively-bargained recording agreements was respected by recording musicians across the country; and

Whereas, He was admired for his incredible work ethic, and praised and beloved by those current and former AFM staff members whom he mentored and supported, and whose good work he was always sure to acknowledge; and

Whereas, Pat V's life was suddenly and tragically cut short on May 13, 2022, while still in the process of training his successor to assure the AFM's recording department would be prepared upon his anticipated retirement; and

Whereas, Musicians and Employers are mourning the passing of a dear and compassionate friend; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 Conference of the International Conference of Symphony and Opera Musicians express their immense gratitude for Patrick Varriale's lifetime of dedication in service to all musicians, and especially to recording musicians, across the country; and, be it further

**Resolved**, That the entire membership of ICSOM extends their deepest sympathies on the sudden passing of Patrick Varriale to his wife Patricia and son Nicholas.

### **Resolution adopted by unanimous consent to condemn the Symphony Society of San Antonio**

*Submitted by the ICSOM Governing Board*

Whereas, In September 2021, the Symphony Society of San Antonio declared an impasse in negotiations with the Musicians' Society of San Antonio, AFM Local 23, representing the musicians of the San Antonio Symphony; and

Whereas, Upon declaring impasse, the Symphony Society of San Antonio imposed draconian contract terms that would have decimated the orchestra complement and reduced salaries below subsistence level; and

Whereas, the Musicians of the San Antonio Symphony went on strike rather than work under such terms; and

Whereas, In subsequent meetings and in mediation, the Symphony Society of San Antonio continued to insist on concessionary contract terms that reflected a vision totally at odds with the economic growth and wealth of the San Antonio area; and

Whereas, The Symphony Society of San Antonio threatened to declare bankruptcy if the musicians did not agree to those concessionary contract terms; and

Whereas, On June 16, 2022, the Symphony Society of San Antonio filed a petition for Chapter 7 bankruptcy liquidation, thereby dissolving the orchestra; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference unreservedly condemn the Symphony Society of San Antonio, which chose to enter Chapter 7 bankruptcy liquidation rather than bargain a fair contract with the musicians of the San Antonio Symphony; and, be it further

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference also condemn the practice of using threats of bankruptcy as a negotiating tactic in collective bargaining; and, be it further

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference urge all orchestra managers and board members to remember that they are stewards of a public trust, and that they fail in that duty, dishonor the efforts of their predecessors, and deprive their communities of a vital cultural asset if they make a deliberate choice to dissolve an orchestra.

**Resolution adopted by unanimous consent expressing support for Musicians of the San Antonio Philharmonic**

*Submitted by Debbie Brooks (Fort Worth Symphony Orchestra), Emily Levin (Dallas Symphony Orchestra), Brian Del Signore (Houston Symphony), Greg Mulligan (Baltimore Symphony Orchestra), Helen Reich (Milwaukee Symphony Orchestra), Alex Jacobsen (National Symphony Orchestra), Michelle Temple (Pacific Symphony)*

Whereas, the Musicians of the San Antonio Symphony are members of the outstanding ensemble that has existed in San Antonio since 1939; and

Whereas, The Musicians of the San Antonio Symphony showed extraordinary courage during their season-long strike, fighting for a living wage for the entire orchestra; and

Whereas, In the wake of the Chapter 7 bankruptcy filing by the Symphony Society of San Antonio, the Musicians of the San Antonio Symphony have committed to form a successor organization, the San Antonio Philharmonic; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference offer their heartfelt congratulations and unwavering support to the newly-formed San Antonio Philharmonic.

**Resolution adopted by unanimous consent honoring ROPA President John Michael Smith**

*Submitted by the ICSOM Governing Board*

Whereas, John Michael Smith (Mike) has served as President of the Regional Orchestra Players' Association (ROPA) for the past six years; and

Whereas, Mike continues to lead the ROPA Media Committee in the Integrated Media Agreement (IMA) negotiations; and

Whereas, Mike has been an integral and deeply valued member of the AFM Player Conferences Council (fondly referred to as the "Five Families"); and

Whereas, Mike's affable and effective leadership will be sorely missed by ROPA, ICSOM, OCSM, RMA, TMA, and the AFM; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference offer their heartfelt thanks and deep gratitude to Mike Smith for his many years of service to the musicians of the American Federation of Musicians in his role as President of ROPA, Chair of the ROPA Electronic Media Committee, and member of the Player Conferences Council.

**Resolution adopted to address ticket sales**

*Submitted by the ICSOM Governing Board*

Whereas, The COVID-19 pandemic has depressed ticket sales in ICSOM orchestras beginning in March 2020; and

Whereas, Congress has provided multiple rounds of aid to employers throughout the pandemic, including the Paycheck Protection Program (PPP), Shuttered Venue Operating Grants (SVOG), and the Employee Retention Tax Credit (ERTC), all aimed at helping employers retain employees and maintain their compensation and benefits; and

Whereas, SVOG in particular was directly intended to assist performing organizations and offset their loss of earned revenue as they weather and recover from the pandemic; and

Whereas, Most ICSOM employers received millions of dollars of SVOG, PPP, ERTC and other aid, yet some spent a large portion of those funds on items unrelated to performing activities or musicians' terms and conditions of employment, including, for example, paying off longstanding lines of credit or funding a frozen defined-benefit pension plan; and

Whereas, Ticket sales continued to be depressed during the 2021-22 season, and many orchestra managers, based on unscientific "studies" from paid consultants, are predicting depressed sales for the 2022-23 season and beyond; and

Whereas, Some orchestra managers are dealing with such pessimistic predictions by demanding cuts to musicians' pay and benefits; and

Whereas, Demand for high-quality, live symphonic and opera performances is undiminished but has always required constant thoughtful and innovative audience-retention and audience-development efforts, rather than passive acceptance of unfounded, dire predictions of a post-pandemic decline; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference urge that ICSOM employers confront the issue of depressed ticket sales as we emerge from the pandemic by examining actual evidence of audience behavior in their community and by identifying pertinent challenges and opportunities, rather than by cherry-picking data, relying on unscientific studies, or simply accepting smaller audiences as the "new normal"; and, be it further

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference urge ICSOM employers to properly view the federal aid they received as directly offsetting any existing or projected decline in ticket sales; and, be it further

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference urge ICSOM employers to redouble their efforts to actually bring audiences back to their halls instead of reflexively demanding unwarranted cuts to musician pay and benefits.



### Resolution adopted expressing support for Ukraine

*Submitted by Keith Carrick (Member-at-large), TK DeWitt (Kansas City Symphony), Zach Galatis (Oregon Symphony), Douglas Rosenthal (Kennedy Center Opera House Orchestra)*

Whereas, A number of ICSOM orchestras have Ukrainian natives in their memberships, and many of those Ukrainian natives have loved ones who live in Ukraine; and

Whereas, Russia began an illegal and unprovoked invasion of Ukraine on February 24, 2022; and

Whereas, On March 1, 2022 the Kharkiv Opera House and Concert Hall were targeted and extensively damaged by Russian missiles and there are plans to use a Mariupol concert hall to hold and try prisoners of war; and

Whereas, The 2022 invasion has killed and injured tens of thousands of Ukrainian civilians, caused millions of Ukrainians to flee their homeland, and inflicted untold amounts of destruction to property and culture; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference stand unequivocally united with ICSOM's Ukrainian-born members and their loved ones, and condemn this unprovoked and destructive invasion; and, be it further

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference express hope for a swift end to this tragic injustice and for the return of peace and order to the independent nation of Ukraine.

### Resolution adopted to urge Congress to establish a single-payer healthcare system in the US

*Submitted by Alex Jacobsen (National Symphony Orchestra)*

Whereas, Health insurance is a mandatory subject of bargaining for ICSOM orchestras, ROPA orchestras, AFM musicians, and Union employees across the US; and

Whereas, Healthcare costs in the US have historically risen and are currently rising at a rate that exceeds both inflation and wage growth; and

Whereas, The December 2020 study published by the Congressional Budget Office found that establishing a single-payer healthcare system, compared with our current private healthcare system, would both expand healthcare access and reduce healthcare costs for people in the US; and

Whereas, A single-payer healthcare system would allow ICSOM orchestras and collective bargaining units across the US to focus on wages and work conditions in their negotiations with their employers; and

Whereas, A single-payer healthcare system would reduce operating costs for employers who are currently required to provide private health insurance to their employees; and

Whereas, A single-payer healthcare system would reduce administrative healthcare costs, in part by abolishing restrictive and pointlessly expensive "networks"; and

Whereas, A single-payer healthcare system would eliminate medical bankruptcy, which is regressive and cruel; and

Whereas, For the above reasons, a single-payer healthcare system would materially improve the lives of ICSOM musicians, as well as workers across the country; therefore, be it

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference call on the US Congress to establish a single-payer healthcare system in the US.

### Resolution adopted in support of the Black Orchestral Network

*Submitted by the ICSOM Governing Board and the ICSOM DEI Committee*

Whereas, Systemic racism affects the orchestras of the International Conference of Symphony and Opera Musicians (ICSOM), making it difficult for Musicians of Color to obtain positions in our orchestras and have a voice in the future of classical music; and

Whereas, ICSOM is committed to promoting and increasing equity, diversity, inclusion, and belonging in our member orchestras; and

Whereas, On May 2, 2022, the Black Orchestral Network (BON), which seeks to create an inclusive and equitable environment for Black people in the orchestral field, put out an Open Letter to orchestral stakeholders, including the American Federation of Musicians of the United States and Canada (AFM) and its Player Conferences, including ICSOM; and

Whereas, That Open Letter exhorts ICSOM to support Black orchestral musicians through a number of initiatives, including, but not limited to, hiring Black orchestral musicians, addressing barriers to fair and equitable audition and tenure practices, ensuring the presence of Black voices on artistic and/or legal bargaining teams, and adding questions addressing equity, diversity, inclusion, and belonging to ICSOM surveys; therefore, be it

**Resolved**, That ICSOM hears BON's Open Letter and pledges to honor the values of fair workplaces and stand in solidarity with Black orchestral musicians in ICSOM orchestras; and, be it further

**Resolved**, That ICSOM hereby encourages all of its members to sign on to BON's Open Letter and work to promote equity, diversity, inclusion, and belonging in their orchestras; and, be it further

**Resolved**, That the ICSOM Diversity, Equity and Inclusion (DEI) Committee pledges to review ICSOM surveys and any other applicable documents and processes, in order to evaluate the principles of equity, diversity, inclusion, and belonging; and, be it further

**Resolved**, That the Officers and Delegates to the 2022 ICSOM Conference pledge to prioritize and support the work of the ICSOM DEI Committee and to work with BON to help support Black orchestral musicians.

## Resolution adopted to condemn the Supreme Court decision in *Dobbs v. Jackson Women's Health Organization*

Submitted by Carl Anderson (Boston Symphony Orchestra), Leslie Ludena (San Francisco Opera Orchestra), Bradley Mansell and Mindy Whitley (Nashville Symphony)

Whereas, In June of 2022, the United States Supreme Court issued its opinion in *Dobbs v. Jackson Women's Health Organization*, overturning long-standing precedent set by *Roe v. Wade* and *Planned Parenthood of Southeastern Pennsylvania v. Casey*, which limited States' ability to restrict American women's rights to reproductive healthcare; and

Whereas, In response to this ruling, many States enacted legislation which severely restricted the reproductive rights of women, or such legislation previously on the books was "triggered"; and

Whereas, As a result of this decision and these state laws, many women across the country will no longer have the right to choose to terminate a pregnancy, no matter what the circumstances; and

Whereas, the rationale of the *Dobbs* decision has the potential to endanger other longstanding rights protected by the 14th Amendment which protect the liberty to make personal decisions about family relationships and bodily autonomy, including but not limited to, contraception, interracial marriage, same sex marriage, and privacy; therefore, be it

**Resolved**, That the International Conference of Symphony and Opera Musicians (ICSOM) stands against the *Dobbs v. Jackson Women's Health Organization* decision and stands with women in the United States who deserve reproductive freedom; and, be it further

**Resolved**, That ICSOM hereby calls on the managements of our orchestras to ensure that all ICSOM musicians have access to necessary healthcare and agree not to take any adverse action against any musician who may suffer the consequences of new laws restricting reproductive rights; and, be it further

**Resolved**, That ICSOM calls on the United States Congress to act to protect the rights of our citizens to reproductive privacy, contraception, abortion, interracial marriage, and same sex marriage.



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INTERNATIONAL CONFERENCE OF  
SYMPHONY AND OPERA MUSICIANS

