

Senza Sordino

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CHAIRMAN'S MESSAGE

The last four years have been marked by a most welcome improvement in the relationship between most of our ICSOM orchestras and their local union officials. There has been a new sophistication, a new awareness of our mutual problems, a new understanding of the necessity for the ultimate in cooperation. Witness the results not only on contract after contract, but in the improved climate that is needed for our artistic growth.



Ralph Mendelson

Sadly, I must report that during the same four-year period in which ICSOM functioned as an official conference in the American Federation of Musicians, a potentially dangerous situation replete with gigantic ups and downs has developed. These have ranged from the high of the AFM Symphony Strike Fund—its institution and administration—to the low surrounding the efforts to obtain an exemption of symphony, opera and ballet musicians from the coverage of wage controls. The importance of gaining this exemption must be self-evident. Without it we are gravely inhibited in our bargaining. Without it we can be denied wages and benefits for which we have honestly bargained.

Let me tell you the whole story, for it fully demonstrates the problems we face.

Early in 1972, the ICSOM Executive Committee requested ICSOM Counsel to prepare a draft of an application to the Cost of Living Council for a total exemption of symphony, opera and ballet musicians from the coverage of wage controls. The draft application was prepared and I presented it to President Davis on March the 20th, advising him that the application was only a draft, that we would welcome any comments or suggestions regarding any improvements. Likewise, I proposed that the application could be submitted by the AFM alone, ICSOM alone, or by the AFM and ICSOM jointly. He replied that the AFM was already working on the matter.

That was the last ICSOM heard about its draft. Neither ICSOM officers nor ICSOM Counsel was ever contacted about possible changes in the draft. However, after repeated phone calls, I was finally told—in April—that an application had been submitted. When I asked for a copy of the application, I was told I would have to wait for the decision.

Parenthetically, I must say that no one knows whether the application prepared by ICSOM Counsel would have been any more successful than the AFM's, but that is not the point: This was a matter of great importance; a matter of bread and butter. In fact, we should be INTIMATELY INVOLVED in any and all applications submitted on behalf of our members.

Late in May, ICSOM Counsel happened to notice a report in the *Daily Labor Reports*, a lawyer's newsletter, of the REJECTION by the Cost of Living Council of the AFM's application. I immediately telephoned the AFM and was told that, indeed, the application had been denied, but that the AFM had submitted an appeal the following day. When I asked for a copy of the original application, the finding and the appeal, I was told that we would have to wait until the ENTIRE case was concluded.

In June, while attending a meeting of the Trustees of the AFM-Symphony Strike Fund, ICSOM Secretary Maisel and I asked for further information. We were told that the appeal had also been denied. When we asked for copies of the documents we were told, INCREDIBLY, that all the documents would be printed in the *International Musician* and that we, the Chairman and Secretary of ICSOM and the membership of ICSOM, an official Conference of the AFM, could read it when it appeared in the publication.

Since becoming an official AFM Conference, your ICSOM officers have done their best to cooperate with the AFM, and to accord them all the respect and good will possible. But cooperation, respect and goodwill between a parent body and a subordinate body must be a two-way street. Truly, the outright intransigence of the AFM during the past year has been outrageous, so outrageous that a real crisis has developed.

As each day passes we become more fully aware of the strength and fortitude we will need to face the multiple problems of the 1970's. Without a truly healthy relationship between ICSOM and the AFM, our efforts can be seriously hampered.

Accordingly, the 1972 ICSOM Conference meeting in Montreal spent hours examining and discussing this problem. AFM President Hal C. Davis' representatives to the Conference, AFM Secretary-Treasurer Ballard and AFM Presidential Assistant Ted Dreher, were asked to return to President Davis as ambassadors of good will, to seek to change a course that, if continued, can only hurt us all. Within the next few weeks our orchestras will petition their locals, asking them, also, to help create those improvements in the AFM-ICSOM relationship that now so happily obtain between most orchestras and their parent locals.

We look to a speedy resolution of all our outstanding grievances.

MET AVOIDS STRIKE

The new contract between the Metropolitan Opera Orchestra and the new management was signed before expiration of the last one. Our legal representatives at the table were I. Philip Sipser and Leonard Leibowitz. Meetings were held in a spirit of mutual understanding and the results were highly satisfactory to both sides. This feeling of reasonableness was a new experience for us since in previous years we had gone through a wide spectrum of labor warfare—arbitration, strike, and lockout. The change of climate was primarily due to the presence in the negotiations of Mr. Goeran Gentele. The main features of our new three-year contract are:

	Last year	'72-3	'73-4	'74-5
Basic salary	\$325	\$345	\$360	\$385
Rehearsal rate (per hr.)	\$8.00	\$8.50	\$9.00	\$9.00

An agreement to return musicians' past pension contributions with management assuming future payments.

An agreement that no member of the orchestra can be discharged for a period of four years, one year after the expiration of the contract.

The orchestra made two concessions: A modification of the rate for student performances and an agreement to extend the tour for an additional two weeks in the last week of the contract.

We are hopeful that despite the death of Mr. Gentele, our relation with the new management will remain harmonious.

ICSOM HOLDS ITS ANNUAL CONFERENCE

The International Conference of Symphony and Opera Musicians, representing 39 orchestras, met in Montreal on August 28th. Where, in the past, five sessions were needed to dispose of the agenda items, this year six sessions were needed. Twenty-nine orchestras sent delegates. As usual, committee reports ranked high as agenda items since the reports summarize the yearly effort of on-going committees.

The North Carolina Symphony Orchestra was quickly voted into our midst and reports were then made on the unfortunate work stoppages in Indianapolis, Baltimore and Rochester. The Rochester situation which resulted in an apparent attempt to fire four committee members and place another on probation, will be covered by a separate Senza Sordino article. All of last year's work stoppages were reviewed along with a summarization of aid pro-



Elizabeth Patterson, Dallas delegate, chats with Len Liebowitz during a coffee break.

vided by the AFM Strike Fund. All but approximately \$10,000 of musicians' contributions to the fund was returned in benefits.

The ICSOM's financial status was given a thorough review. I am sorry to report that our problems in this area persist. Harry Barnoff, last year's treasurer, had to push the panic button in July. This resulted in late payments that pushed our bank account back into the black by conference time. (Please! Pity the poor treasurer and officers, who have had to dig into their own pockets to keep this organization solvent during the year. Delegates! Let's resolve to tackle the dues collection problem EARLY this year. Dues must be collected by Dec. 31st for the '72-'73 season.)

Mr. Sipser reported that in March of 1972 a final draft for an application to the Cost of Living Council was sent to Pres. Davis' office. It contained arguments in support of a complete exemption from wage controls for all symphony, opera and ballet musicians. The disposition of this matter is a tale better told elsewhere in this issue.

A report on the AFM-Industry recording negotiations was made by John Palachian, a member of the ICSOM recording committee. Several members of this committee were invited to attend negotiation sessions as observers. They urged the AFM to make no concessions to Recording Industry representatives without first receiving a guarantee of a greater recording commitment to American and Canadian orchestras. It was the Industry's refusal to commit themselves that led eventually to only a one-year contract with little change from the past agreement.

The report was made to delegates that the AFM has yet to put

(Continued on Page 4)

CANADIAN ARTS COUNCIL SETS PACE FOR UNITED STATES

We were privileged at this year's ICSOM Conference to have as our guest, Mr. Andre Fortier, director of the Canadian Council for the Arts. Space dictates that his remarks be condensed, nevertheless, his words are worthy of repetition for our benefit.

The Canadian Council was established in 1957 and performs a role somewhat similar to the National Endowment for the Arts in the United States. It uses income on an original fifty million endowment fund and, enlarged with private donations, has at its disposal this year fifteen million dollars to aid and support the arts in Canada. Four million dollars is used to subsidize opera and music. This sum is better than three times more than was appropriated five years ago. The United States, a country of 205 million, endowed the arts with thirty million dollars this year; Canada, with a population of only 22 million, funded its arts with fifteen million.

The Canadian Council constantly re-assesses its program. Presently, it finds a need for young Canadians to learn the art of ensemble playing. There must be developed a greater emphasis on playing the works of young Canadian composers as well as modern works from the pen of composers in other countries. As in the United States, the Council encourages orchestras to break into smaller groups to better serve the community as a whole. This concept is meeting resistance from orchestra members as it is in the United States.

Mr. Fortier made the point that despite the provision of public support, control of virtually all artistic boards of directors is in the hands of a miniscule portion of our entire society, but despite criticism from some musicians concerning inefficiency, the present system has looked after some interests remarkably well. Governments, however, are becoming more deeply involved in funding and will have to find ways to include not only community leaders, but the general public and musicians as well, on boards. Boards will have to represent PRODUCERS of the product; SHAREHOLDERS of the product and USERS of the product.

Mr. Fortier ended his remarks with the following thought: "The most familiar confrontation today is between institutions resisting change and those who wish to change them. In the future we may well be judged by the ability we have shown to distinguish the valid in what is new and disturbing in the arts, and to protect it from the outraged sensibilities of those to whom it is at present meaningless."

BULLETINS

Back issues of SENZA SORDINO for Volumes Five through Ten can be obtained by writing past editor Vance Beach at 4161 Holly Knoll Dr., Los Angeles, Calif. 90027. Requests must be received before Dec. 25, 1972. Beach informs us that as a personal Christmas present he plans to use his garage for its intended purpose rather than as a repository for SENZA SORDINO memorabilia. Thereafter only enough copies for ICSOM's historical files will be retained. Xerox copies of earlier issues will be available at cost plus handling charges.

Ed.—Not interested, Vance, but how do you stand on string and tinfoil!

ICSOM CORRESPONDENT! Information for the 1972-73 Comparative Wage Chart is needed immediately. Using categories on your last chart as a guide, will you kindly fill in with new data and send to:

Mr. Ted Dreyer
American Federation of Musicians
641 Lexington Ave.
New York, N.Y. 10222

DETROIT SIGNS 40-MONTH CONTRACT

Right from the start, the prime priority of our negotiation was to gain back the wage-slippage of the past six years. Our serious preparation began 1½ years prior to the termination of our contract and ultimately—with the cooperation of our local attorney—involved the help of Mr. Sipser and Mr. Leibowitz.

The Management's attorney submitted a letter of the intent of our bargaining, which ended in a seventeen-hour-marathon with mediation. This letter, combined with a clarification letter from our attorney, was ratified by a vote of 67-14 and contained the following main points:

An economic package of \$75 over a 40-month-contract, allotting \$5 of the \$10 increase for November, 1974, to pension benefits, effective immediately, and changing our termination date from May 1 to Sept. 14. The increases were in six-month increments, taking effect in May and November. Beginning May 1, 1972 they were 10-10; 15-5; 20-5; ending with \$5 May 1, 1975, bringing our wage up from \$235 to \$305 per week. For the first year, our paid weeks remained at 49; however, paid vacation increased to 4. Year two is 45-work and 5-vacation, and year three is 46-work, 5-vacation. Per diem will be \$23, \$24, and \$25.

By getting a commitment of \$23,000 additional money, to be spent on hospitalization, and making hospitalization and life insurance competitive among agents, we were able to get increased coverage by changing to Blue Cross/Blue Shield and increased life insurance coverage from \$2000 to \$7000. The pension is non-contributory with some \$200,000 being returned.

Some of the main non-economic gains are maximum-temperature clause, best-intention lighting clause, bus for night services in Worcester, Artistic Advisory Committee with commitment to conductor selection in advisory capacity, meeting Management's demands for flat rate on doubling by maintaining present dollar payments instead of granting lesser payments, and re-writing the auditions procedures, improving the clarity and fairness to the extent of involving our orchestra members in auditions with outsiders, with the supervision of the auditions committee.

The one trade that we will feel, is allowing back-to-school concerts away from Ford Auditorium, but with restrictions.

Our negotiating committee worked very hard and thought that ratification would be a relief. This was not the case.

Because Management's draft of the contract contained many changes not negotiated, there has been as much work, since ratification, guaranteeing that the final wordage contained the intent of the ratification letters and working out the details of the hospitalization, life insurance, and pension benefits. Although a resolution, from the orchestra, to stop work until final wordage had been achieved, was never officially communicated to Management, the committee at one time needed backing of this type to finalize many points.

We regret to say that at the time this is being submitted, the pension is still unresolved.

DETROIT SYMPHONY ORCHESTRA COMMITTEE

Editor: The contract resumes from the Pittsburgh, Indianapolis, Philadelphia and Milwaukee symphony orchestras will appear in the next Senza Sordino issue in November.

OREGON SYMPHONY LOCKED OUT LOCAL 99 FILES NLRB SUIT

Local 99 in Portland, Oregon, filed an unfair labor practices suit against the Oregon Symphony Society on September 22nd. Opening concerts of the season have been cancelled. Bob Jones, Secretary-Treasurer of Local 99 said: "We are amazed at the callousness with which the symphony society has treated our people and the people of the community. Cancellation of the concerts was presented to us as an ultimatum and as a threat. Now the threat has been carried out. The society had predicated final agreement with Local 99 upon acceptance if its (the society's) proposals that, one, the concertmaster resign his position and two, that a mandatory retirement age of 65 years be fixed by contract. This would force elimination of several members of the orchestra."

The harrassment of the concertmaster was related in detail by Bob Jones at the ICSOM conference. He had found it necessary in one instance to seat himself next to Hugh Ewart, the concertmaster, at rehearsals, in order to intervene in Mr. Ewart's behalf, were the conductor to continue harrassment. The demand for Mr. Ewart's dismissal is a "perpetuation of an illegal procedure begun by the society board two years ago." The protest to the society's action is now in the form of a charge filed with National Labor Relation Board.

Since filing of the charge, James P. Rogers has not been cooperative in arranging meetings. Even a Federal Mediation and Conciliation Board has had no effect in bringing Mr. Rogers to the bargaining table. Management has refused to appear on prime time television coverage for a discussion of the issues. Mr. Rogers has been cited before the Central Labor Council for refusing to bargain in good faith.

Ed: A salute to Local 99, not for standing behind its members, but for standing IN FRONT OF THEM. Bravo, Bob!

STRIKE FUND REPORT

Mr. Stanley Ballard, Secretary-Treasurer of the AFM, and a Trustee of the AFM Symphony Strike Fund, makes the following report on disbursements to musicians this past year.

Cleveland Symphony Orchestra	\$24,750
Dallas Symphony Orchestra	6,900
Baltimore Symphony Orchestra	53,475
Indianapolis Symphony Orchestra	32,500
Cincinnati Symphony Orchestra	18,800

These disbursements ate into all but \$10,573 of monies contributed by ICSOM orchestras last year.

The Dallas orchestra members felt it unfair that the Strike Fund Trustees ruled that some of their benefits must be returned after an eventual contract settlement resulted in an increase in weeks over the previous year. Elizabeth Patterson, Dallas delegate, stated that the Strike Fund Resolution does not allow for such action. Mr. Ballard asserted that the Resolution states that the Trustees shall have full power to establish and promulgate rules and regulations for the administration of the Fund, consistent with the Resolution.

In all fairness it must be pointed out that the decision of the Trustees was unanimous, supported by orchestra member Trustees and motivated by deep concern with the rate that last year's work stoppages were eating up funds. Trustees, however, seem sympathetic to a review of the decision. The Conference went on record as favoring full compensation to Dallas members regardless of the outcome of their contract negotiations.

FROM THE EDITOR'S DESK

The horse is running once more but there is a new jockey. My name is Henry Shaw (Cincinnati Symphony Orchestra), and your delegate has placed in my hands the task of producing Senza Sordino this year. Vance Beach's "act" of the last few years will be hard to follow. This news letter must be more than a fact sheet. Vance relied heavily on "newsy" items from individuals relating to incidents in the daily practice of our profession. I, too, welcome your contribution since it is that type of article that lends a certain intimacy to Senza found in no other reading matter. Please do not hesitate to write. Hopefully, our Area Vice Chairmen will be cajoling you to do so. My best to you for a musically productive year and may your farthest run-out be to the pub across the street from your hall.

AN "AGE" OLD STORY

WHEREAS, symphony musicians, in some locals, are subjected to discriminatory mandatory retirement clauses, in their respective trade agreements, whereby symphony musicians are judged by their age and not their ability to perform.

WHEREAS, negotiation committees for symphony musicians find that collective bargaining cannot always remedy this situation, without causing a strike,

WHEREAS, musicians employed in all other fields are not subjected to mandatory retirement, because of age,

WHEREAS, symphony societies, that insist on mandatory retirement of their musicians, employ conductors in their seventies, eighties and nineties, that are also members of the A.F. of M., but not subjected to any age limit,

WHEREAS, the financial status of symphony orchestra pension plans would be substantially improved, if members that are willing and able to continue working were not forced out of their chosen profession,

WHEREAS, some symphony societies use this clause as a means of dismissal, regardless of ability to perform,

WHEREAS, Article 1s, Section 45, of the A.F. of M. by-laws should apply to all symphony employment opportunities,

BE IT RESOLVED, that this ICSOM Conference go on record as being opposed to this discriminatory clause in any existing or future agreements with symphony orchestras, and that the A.F. of M. restrain the locals from approving such agreements.

ICSOM HOLDS ITS CONFERENCE (Continued from Page 2)

teeth into the Federation Constitution which reads that any AFM member who plans to record abroad must first receive permission from the Federation. Delegates passed a resolution requesting Mr. Davis to instruct all conductors, not yet members of the AFM, to take care of that requirement before conducting an American or Canadian orchestra.

Robert Ryker, Montreal Symphony, reviewed the activities of the Canadian Conference. The conference is a one-day symposium dealing with subjects pertinent to the livelihood of Canadian orchestra members. There seems to be a growing reluctance on the part of Canadian orchestras to send a delegate to ICSOM conferences, it is reported. This is quite unfortunate and gives us all a great deal of concern.

Orchestra splitting has again raised its ugly head in virtually all major orchestras. Pressures in this direction seems to be the result of State and National Endowment policy. They seek a broader base for their grant money.

On August 22, the National Labor Relation Board issued a notice that it plans reconsideration of its present policy of refusing to exercise jurisdiction in matters pertaining to symphony orchestras. It invites the presentation of data by interested parties. We have been asked, and are, of course, willing to confer with the Federation on how to deal with this issue.

ICSOM re-affirmed its support of the use of Conductor Evaluation Surveys, and a resolution was presented by Jim Hansen, in behalf of the members of the Chicago Symphony, denouncing the policy of forced retirements at age 65 years while conductors are allowed the privilege of holding their positions ad finitum. The resolution was voted upon and passed unanimously.

Elections were held and the office of Chairman will again be filled by Ralph Mendelson; office of 1st Vice Chairman by Dave Smiley; office of Secretary by Ralph Maisel and the office of Treasurer by John Palachian who replaces Harry Barnoff, resigning because of a taxing daily schedule. Also resigning was Vance Beach, our most competent editor of Senza Sordino. He is replaced by Henry Shaw. Kudos to both Harry and Vance for the manner in which they filled their respective offices. Delegates voted the 1973 Conference to Cincinnati. (We, in Cincinnati, are delighted, and welcome all of you!)

Our thanks to Robert Ryker for the thoroughness with which he handled Conference preparation, and also to Gordon Marsh and Local 406 for their gracious hospitality.

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