

Senza Sordino

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CLEVELAND WALKS NEGOTIATION TIGHTROPE

On December 15, 1972 the first negotiation session was held. The Musical Arts Association told us that the past could be avoided, that our summer home (Blossom Music Center) was going strong and that, since we now had a new Music Director, the problems arising from the death of George Szell were now behind us. Our counsel responded affirmatively and asked for their proposals. They had none! We then gave MAA our main proposals and were promised an economic counter-proposal at the next session.

Session number two, on Jan. 30, 1973, produced no comprehensive counter-proposal. The same promise was made again for the next session, Friday, April 13. Pension figures and the unresolved Australian tour were the next excuses for the fact that they still had no counter-proposal.

During this whole time, the committee had two problems—the new contract and the Australian tour, which was scheduled to occur after the expiration of the trade agreement in Sept. 1973. Many musicians wanted to use the tour as a negotiating lever; however, the committee, counsel and a majority of the orchestra felt that since it was an important and lucrative tour, we would improve our bargaining position by pointing out the value of the orchestra as a first class cultural ambassador from the city and people of Cleveland. This would also allow an above average amount of money to be gained by MAA, since full concert fees and most of the expenses were to be paid by the New Zealand and Australian Government Radio Commissions. Additionally we felt that since our management was able to schedule the tour at a moment's notice, those first 4 or 5 weeks of the 1973-74 season were undoubtedly expendable.

On May 11 the orchestra voted to go on tour with improved per diem, working conditions, retroactivity and an additional extension beyond Oct. 6 (the end of the tour) to Dec. 2, 1973. We asked MAA to make a comprehensive offer before the start of the tour, Sept. 10, just to show their good faith, but to no avail.

We returned from a highly successful Australian tour and international accolades to an immediate parking problem, which, before the tour, we had been assured would be resolved upon our return. However, the orchestra had to threaten a wildcat strike to start action on recovering our traditional right to park in the lot adjacent to Severance Hall.

We were met at the bargaining table on Oct. 19 with typical "negotiations" for Cleveland. The MAA said "No" to almost every request and gave us their first inadequate financial offer, after 10 months of "negotiations." We used management's own figures (from a pleading letter from them to all orchestra members) to show that if, indeed, in a bad year (1970/71) they were *second* in fund raising and we were *seventh* in producing income from ticket sales (despite a small hall), there was something wrong if we were *thirteenth* in take home pay among American orchestras. However MAA does not hesitate to promote us as a *first* rank orchestra.

By the session on Nov. 19, we already had their claim that each \$10.00 raise would cost them \$73,000.00. They proudly proclaimed that they would have to raise \$840,000.00 new dollars to pay for their offer. Since our demand was for an across the board wage increase, we assumed their response was, as well. We inadvertently

found, on Nov. 30, that they were talking scale only for 52 players. Philip Sipser then found the key to the puzzle. They were committing only \$26,000.00 of their claimed \$73,000.00 cost to collective bargaining. Approximately 2 out of every 3 new dollars for wages in their offer were being held back for private negotiations to be distributed to 17 principals and approximately 30 other over scale players, outside the collective bargaining process. At this point we told them that we would accept a package which cost a total of \$840,000, if they would agree to a more equitable distribution of it, that is, across the board. During the next week MAA, without explanation, informed us that the number of over-scale players had changed from 47 to 59. Many figures from management had a way of suddenly changing.

Orchestra counsel (Sipser & Liebowitz) was astounded at this lopsided percentage of the total wage package for private bargaining and suggested a smaller amount. Management's answer was that they had always done it this way and were not about to change. On Dec. 2 the orchestra rejected MAA offer 86 to 14. Again we offered to play and talk for two weeks and accept the money cost of \$840,000.00 to be allocated in a more equitable way. After additional negotiations that night, we found out via TV news that they, instead, were offering a 6 day further extension, the seventh day being a scheduled free day.

The next MAA offer was to be given to our union for distribution to the orchestra. However, when our union president and secretary arrived at rehearsal, Dec. 5, having made copies at union expense, they found MAA had already mailed their "final offer" with propaganda to each individual musician. This, according to Messrs. Sipser & Liebowitz, is an unfair labor practice and charges were filed.

This slightly improved offer brought the cost of their proposal up to approximately \$909,000.00. On Dec. 7 the principal players, in an unprecedented action, voted 14 to 2 to accept a \$65.00 across the board increase and not ask for more during the term of the three year trade agreement with the understanding that all contributions of health care and pension would be taken care of by management. This was later reduced to writing and signed by 97 of 101 members. This action was a recognition that the widening gap between overscale and minimum urgently needed to be reduced. On Dec. 8 a further extension was offered by MAA, this time for 8 days, covering the two extra Christmas concerts. We agreed, and continued to enlighten our concert audiences with various handbills, reviews, editorials, etc., which we had started passing out as far back as Thanksgiving. On Dec. 10, we turned down their second "final offer" 82 to 15.

Dec. 14 started the first of 6 fruitless Federal Mediation Sessions. On Dec. 15 the MAA offered day to day work. In spite of grave misgivings the orchestra agreed to work on a day to day basis. When we asked about the scheduled Christmas vacation week, we were initially told that they had no position on that issue. Only just before the start of that week did they agree to pay us and continue their day to day offer. The orchestra, as of Jan. 20, was still playing on that basis and still MAA

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refused to accept the orchestra proposal to allocate the money package fairly and equitably among all players.

During December, the negotiating committee started working to get public support for their allocation proposal and presented the problem to George Forbes, President of Cleveland City Council. Their effort to find a solution is a story in itself and is covered elsewhere on this page.

On Thursday, January 10, the orchestra agreed to a City Council resolution calling for impartial and binding arbitration. MAA never accepted binding arbitration.

On January 20 the orchestra also refused to dignify with a vote an interim agreement that management proffered. It was worse than their first or second "final offer." The interim agreement offered would have seen them through their commitments for tours to the East Coast in February and Japan in May, but cease as the musicians faced three weeks of vacation and the following optional "Pops" weeks.

It seemed incomprehensible that MAA could reject impartial arbitration and maintain credibility. This would raise serious questions about their intentions in reaching a just settlement while honoring their commitments. During arbitration we could continue to work and when a decision was reached, both sides would comply and a possible work stoppage could be avoided.

The orchestra, because of its justifiable stand, had received editorial support from two of the three Cleveland newspapers and was gathering increasing support from influential people in the city.

In addition to all this activity, the orchestra's efforts in their own behalf also included money raised in giving home concerts with short talks regarding the situation. Two newspaper ads included one paid for by the union, the other by 410 friends of the orchestra; two different ads on "our" FM station (WCLV); support from several unions via letter writing; bulletins to trustees; a talk show marathon for 2½ hours; a TV opinion spot; a TV interview and a generally good press.

We met on Thursday, Jan. 24, and on Friday, Saturday and Sunday. The orchestra had voted to strike if no agreement could be reached by Sunday, midnight. As late as Sunday afternoon we felt certain that we had a work stoppage on our hands. The management had not agreed to excuse Committee members from the evening run-out to continue negotiations. They finally got it through their heads that if we could not continue to propose and counter-propose, a strike was inevitable.

Phil Sipser and Lenny Liebowitz were magnificent, and stressed that our accomplishments were possible only because of the unity of the orchestra. Phil presented a brilliant and detailed analysis of what the restructuring of our pension and health and welfare package meant for us, now and in the future, as well as giving a breakdown of our other gains. We made many compromises to avoid a strike, especially agreeing to a three and a half year contract, and increased service possibilities during the Blossom Festival weeks, but we now feel that this contract at least puts us in the same ball park with the other Big Five orchestras; at least within hailing distance for the next contract negotiation. We wish to acknowledge the positive role that our Union (Local No. 4, Anthony Granata, Pres., Mike Sigliano, Sec.-Treas.) played in these negotiations, and wish to thank them for the recognition of our desire to have Messrs. Sipser and Liebowitz as our counsel.

The Cleveland Orchestra Committee: Bert Siegel,
Emilio Llinas, Donald White, Marie Setzer and Yarden Faden.

LETTER TO THE EDITOR

The members of the Cleveland Orchestra wish to express their gratitude for the strong support given by ICSOM in the past negotiation struggle. This active participation and involvement in our difficult situation provided us with a boost in morale, knowing that we had available the generous financial and moral assistance of all the member orchestras.

We knew by the spontaneous reaction at the ICSOM Convention in Cincinnati last September that our chance for a satisfactory settlement were significantly improved. It is obvious to us that the collective actions of ICSOM made an impression on our management. This was clearly evident during the course of our subsequent negotiations and indicates the necessity for continued strength and unity among all ICSOM participants.

The Cleveland Orchestra Committee

CLEVELAND COUNCIL SUPPORTS ORCHESTRA MEMBERS



Councilman Forbes (right) chats with orchestra members (left to right) Yarden Faden, Bert Siegel and Vitold Kushleika.

The manner in which Cleveland's City Council, presided over by George Forbes, demonstrated their empathy for the musicians' position, was heartwarming. The warm friendship which developed between City Council and orchestra members is a condition which orchestra membership everywhere would be fortunate to achieve.

On December 17th, members of the Cleveland orchestra left their familiar Severance location to perform a concert in the gallery of the council chambers of City Hall to an enthusiastic and appreciative audience of councilmen and citizens. Robert Marcus, 1st clarinetist, conducted the ensemble. The concert was followed by the reading of an Emergency Resolution drafted by Councilmen Dennis J. Kucinich and Caesar Moss which urged the M.A.A. to reconsider its position in regards to contract differences with orchestra members and to equitably allocate its funds in accordance with the desire of a majority of the orchestra. The resolution was adopted. It read as follows:

For adoption 12-10-73

By: Messrs. Kucinich and Moss

An Emergency Resolution

Urging the Musical Arts Association to reconsider contract differences with Cleveland Orchestra members and to equitably allocate its funds according to the desire of a majority of musicians of the Orchestra.

WHEREAS, City Council is very aware of the value the Cleveland Orchestra has to our city, bringing to our community a cultural enrichment and sending around the world the good name and the good will of the people of the City of Cleveland; and

WHEREAS, at this moment, the future of our orchestra as a great institution is threatened by a breakdown of bargaining between the Cleveland Federation of Musicians and the Musical Arts Association; and

WHEREAS, the only major issue in the Cleveland Orchestra negotiations is a desire of the overwhelming majority of the musicians for an equitable allocation of those funds which have been offered by the Musical Arts Association for the next three-year trade agreement; and

WHEREAS, a resolution of the differences between the orchestra members and the Musical Arts Association would not add any financial burden to the Association; and

WHEREAS, our community is threatened with an unnecessary strike which would detract from our cultural standing among the great cities of our nation and the world; and

WHEREAS, this possible strike appears to be attributable to no economic problems but only to the Musical Arts Association's lack of experience and expertise in collective bargaining; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That City Council urges the Musical Arts Association to reconsider its refusal to settle its differences with the members of the Cleveland Orchestra.

Section 2. That Council urges the Musical Arts Association to work out a settlement promptly within the framework of the economic offer they have already made.

Section 3. That Council urges the Musical Arts Association to accept the allocation of funds as proposed by the musicians' representatives.

Section 4. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members of Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

This unprecedented visit to council chambers was followed on January 7th by another "serenade" by 65 musicians of the orchestra before an audience of 1000 people and with TV coverage. The 45 minute program was witnessed by Mayor Perk and greeted with a standing ovation. Later, Council unanimously approved another resolution urging the M.A.A. to submit its dispute with the orchestra members to impartial, final and binding arbitration. Councilman Kucinich told the orchestra: "If you came here every week I'm sure our TV ratings would improve, because you put on a much better show." Apparently the ears and eyes of members of the M.A.A. were not riveted on City Hall for they were immovable, and did not respond with an acceptable package until the orchestra had indicated that January 27th would mark the final day of its series of contract extensions.

THE PRESS SPEAKS OUT

"Are these wonderful Cleveland orchestra appearances at City Hall offered by City Council as a counter attraction to the City's singing Mayor?"

"Cleveland's lead in the arts is tied closely to its ranking as the number three corporate headquarters in the nation."

From a *Cleveland Press* article researched by Dick Wooten, Bud Weidenthal and Al Thomson, of their staff.

"You don't boast about the weather or the scenery when you recruit young men out of Harvard Business School to come here."

A young neurologist says: "The arts are a must for me and my family. It is part of our life. I'm not padding. This was a major factor in deciding that Cleveland was a place we could live."

Says T. Izuchi, senior managing director of the Osaka Chamber of Commerce and Industry: "Now we are looking for new locations to invest our funds. I had known Cleveland only because of the Cleveland Orchestra."

SPREAD ORCHESTRA MONEY

Cleveland Press Editorial, December 11, 1973

The members and management of the Cleveland Orchestra do not seem too far apart in their dispute and we would hate to see the music stop because of one remaining sour note.

The general money package has been agreed on; no argument there. The sticking point is how much of the package should be set aside for merit increases and how much should be applied across the board in raising minimums for all.

Management would like to keep a substantial sum aside to reward more generously the orchestra's top players. The union is holding out for larger raises in the minimums instead of a better deal for some.

Just how well the first-chair men and some others should be rewarded is the crux of the dispute. First-chair men have voted in favor of the union position, preferring the money to be spread around more.

In view of that, the orchestra ought to give more favorable consideration to the union's position.

We are encouraged that the musicians seem willing to play while they talk.

As this newspaper has said before, we fervently hope both sides will come to agreement without a strike that would silence this highly prized cultural asset.

CLEVELAND ORCHESTRA ON TOUR OF HAWAII, NEW ZEALAND AND AUSTRALIA

The Cleveland orchestra left Cleveland on Sept. 10, 1973. We performed two concerts in Honolulu on Sept. 11 and 12. A reception was given at Honolulu Royale Hotel for our orchestra and the Philadelphia Orchestra, which was en route to its historic tour to China.

On Sept. 14 through 20, we performed a series of concerts in three New Zealand cities — Auckland, Wellington and Christchurch. We were the first American orchestra to tour that country since 1960. Audiences were wildly enthusiastic in every city. Orchestra members gained many new friends through the many post-concert receptions held in our honor.

From Sept. 21 to Oct. 4, we toured five Australian cities — Brisbane, Canberra, Adelaide, Melbourne, and Sydney. In Canberra, the Prime Minister of Australia, Mr. G. Whitlam, attended

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CLEVELAND ORCHESTRA ON TOUR

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the concert and later met and talked with members of the orchestra at a reception.

The culmination of the tour took place in Sydney, where the orchestra played four sold-out concerts, conducted by its new Music Director, Lorin Maazel. This marked the first appearance by a foreign orchestra in the world famed and brand new Opera House.

The tour was difficult in that we played 18 concerts and 11 rehearsals with 8 completely different programs and 3 different conductors. The orchestra rose to the occasion magnificently, concert after concert. However, in Sydney the orchestra members experienced some of the ill-effects of railway, power and airline strikes all at the same time. Orchestra personnel were trapped up to 1 1/4 hrs. in elevators and/or walked up and down as many as 12 floors at the hotel. Flashlights and candles, when obtainable, provided illumination in darkened halls and stairways. Lights blacked out intermittently during rehearsals.

We suddenly became aware of the grim possibility of being stranded in Australia; however, through the ingenuity of Quantas Airlines, our management and Providence (not necessarily in that order) we were flown back to the U.S.A. from Melbourne.

And so, on the morning of Oct. 7, a travel weary group of musicians were enthusiastically greeted at Cleveland's Hopkins Airport. They arrived laden with boomerangs, koalas, kangaroo replicas, digeradoos and other memorabilia, as well as many memories of the warm hospitality of the wonderful people Down Under.



Sydney Opera House, Concert Hall



What's a trip to Australia without a kangaroo, and that's exactly what Ernani Angelucci (French horn), Jacques Posell (bass) and Mrs. Posell are befriending at the Melbourne zoo.



A-didgeri-what? Ronald Bishop, who usually plays the tuba, is seen mastering the aborigines instrument called the didgeridoo. The instrument's sound defies description.

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