

Senza Sordino

Official Publication of the International Conference of Symphony & Opera Musicians

VOLUME XIII



OCTOBER 1974—NO. 1

DALLAS—The Malady Lingers On

On March 12, 1974, Mr. Jack Vandergriff, president of the Dallas Symphony Association, announced the suspension of the then current orchestra season for financial reasons, and subsequently, cancellation of its summer season. In the May, 1974 issue of *Senza Sordino* we reported the circumstances leading to those decisions and the trauma visited upon Dallas orchestra members as its natural result. Suddenly dashed were the high hopes for an expanded season and discussions of formation of a Texas Symphony Orchestra. Cited was the long history of improper orchestra funding, a lack of support from the business community and a predisposition by the board to interfere in the artistic decisions of management. The result of the cancellation was a grievance filed by Local No. 147. Association spokesmen offered that if the orchestra members and Union relinquished their contractual rights to the summer season they would borrow money and resume operation of the season until May 27th but suggested that the 1974-75 season would be cut by seventeen weeks to a 25-week season. The orchestra personnel refused to vote on setting aside a binding contract provision, feeling, rightfully, that no member had a prerogative to vote against another member's protection under the contract. The orchestra began to work sporadically from Easter until May 27th. Legal counsel, sanctioned by Local No. 147, advised against refusing to honor contractual obligations even though orchestra members were not being paid their salary. Meanwhile, requests by orchestra counsel to arbitrate back pay were turned down by the Association as they sang the same tune—"relinquish your rights to the summer season." No written notice, incidentally, was ever given announcing cancellation of the summer season and all inquiry by orchestra counsel was ignored; therefore, on June 4th, what was to be the first rehearsal of the summer, the orchestra appeared for the rehearsal accompanied by a substantial turnout of local media representatives. The next morning the Association agreed to arbitrate.

The Arbitration Award

On June 20th arbitration began, culminating in an award in favor of the Dallas Symphony Orchestra members. The arbitrator found that the Association made no effort to write into the contract an escape clause; indeed, it deliberately avoided the subject. He found the contract valid and enforceable; that it was too late to reinstate the summer season and that "all musicians signatory to the individual agreements be made whole for loss of pay suffered by reason of suspension of the regular season and by cancellation of the summer season."

During the arbitration the Association tried to adduce the failure to raise money as an "act of God." There is still some question, despite the judgment, as to when orchestra members will receive their back pay. Reports point to slow payments at this time.

The 1974-1975 Season

Dallas Symphony members still face the problem of negotiating a contract relating to salary and number of weeks for the 1974-1975 season according to the terms of the master contract. By the

middle of September the Association had been placed on the unfair list by Local No. 147 for not bargaining. The Symphony Association's best and final offer was for a 27-week Symphony Season, with one week paid vacation and \$7,290 annual salary. Negotiations for the seven-week Opera Season are being conducted separately. In 1973-74 the Dallas Symphony Orchestra had 47 weeks at \$11,700. Five were for the Dallas Civic Opera. The master contract reads that the minimum that must be paid in the 1974-75 season is a cost of living increase over the season just ended.

The Dallas Power Structure

Louis Lane, conductor of the Dallas Symphony Orchestra last year, in an article appearing in a Cleveland newspaper, explained; "Meaningful fund raising in Dallas has been blocked by a self-appointed hierarchy of leading bankers and businessmen known as the Citizen's Council. This small group of wealthy men exercises informal and unpublicized veto power over fund campaigns in Dallas. Drives of which they approve are assured of success because the members personally guarantee a percentage of the goal. Drives of which they disapprove simply do not take place because the fund raising firms in the city say that there is no hope of success."

For two years the Citizen's Council did not allow the Symphony to have a public fund drive though one was clearly indicated. "In recent years," said Lane, "the Citizen's Council approved only one major fund drive for the Dallas Symphony Orchestra and that was a two million dollar campaign to match the Ford Grant." This was successful. The orchestra's operating deficit continued to grow until the Association made what Lane described as "a last frantic effort to the Council to approve a \$1.2 million dollar campaign for this past June. The Council would only approve \$500,000." This was raised. The Council's offered solution to the orchestra's financial woes was either to cut the orchestra to fifty musicians, eliminate all summer activities, or cut the players' salaries drastically, in effect, to cut \$700,000 a year from the orchestra budget. Nothing was mentioned concerning orchestra mismanagement which was said to be rampant. Lane pointed out that the two million dollars matching Ford money is really for the benefit of the musicians. The Association contests that view. He pointed out that the Dallas business community contributed \$28,000 to the Dallas Symphony where in Houston \$260,000 was raised and in Atlanta \$400,000 was raised for their respective orchestras.

The orchestra members in Dallas are determined that Dallas will either have a major orchestra or none at all and have asked for help from any quarter.

Already the "Dallas Dilemma" has been thrown in the face of negotiating orchestra committees by managers quick to exploit the situation, though many other contracts around the country were consummated with few problems. ICSOM delegates strongly supported the Dallas musicians' position at the conference in New Orleans pledging help in many forms. Plans to implement the wishes of conference delegates are presently under way. It is our fond hope that some emerging settlement will make ICSOM orchestra action unnecessary.

"CARMEN" DISRUPTS ICSOM CONFERENCE

What began as a businesslike and orderly Conference ended on Saturday, September 7th, with many delegates feverishly stuffing papers into attache cases and running pell-mell for the New Orleans Airport in an effort to board planes before an announced noon flight cutoff. The onrushing hurricane, Carmen, was the cause. It providently veered at the last moment missing New Orleans completely, but it left almost fifteen distressed ICSOM delegates isolated in the Fairmont-Roosevelt Hotel until Sunday. For those of us remaining, there was ample time to carry on with our last meeting on Saturday morning and for the Executive Board, a rarity; a leisurely meeting after the Conference. We departed, leaving behind, unused candles, bathtubs filled with cold water, and hotel windows still worked over with masking tape. These were precautions against power failure, water pollution and flying glass. Still to be coped with was a jammed airport on Sunday where ticket lines were twenty deep with irritated travellers being rerouted to avoid Carmen to the west and to accommodate too many people wanting transportation to the East Coast.

The Conference began on a most optimistic note with the acceptance of the San Diego, Phoenix and Florida Symphony or-



chestras as members of ICSOM. It swelled our ranks to a new high of forty-one-member orchestras. As Ralph Mendelson, Chairman, was in Australia, Stan Dombrowski, Eastern Area Chairman, presented Ralph's report. In order to help solve some rather vexing communication problems, it was suggested that orchestras elect ICSOM delegates for a period of two years in order to promote fluidity of communication and continuity from conference to conference. This seems a logical approach and certainly not a new concept as many orchestras already elect committee members on that basis. Also accepted was a suggestion that the ICSOM Executive Board schedule a one day airport meeting in January or February to carry on ICSOM business and to exchange progress reports. In the long run it would be less expensive than the numerous conference calls felt necessary in past years. One would hope for a higher level of accomplishment where hours of discussion replaced hurried phone communication.

Delegates voted to eliminate the expense of printing and distributing membership cards but to distribute cassette tapes of the Conference meetings to delegates at no charge. Compilation of a new updated ICSOM membership directory will be undertaken by Lynn and Ken Richmond of the Rochester Symphony.

Disappointment was voiced that fact-gathering on the health and welfare plans of our membership never got off the ground. It was felt that perhaps the survey sheets were a little too complex. There were also reports of a decided lack of co-operation on the part of Symphony front offices in providing information. The Conference remains determined to pursue this most important project.

Common funding of health and welfare benefits could reduce cost by as much as 30%, freeing funds for increased benefits.

With the exception of the offices of Southern and Canadian Area Chairmen, election of officers for all other posts was held. Ralph Mendelson had indicated that he would be unavailable for further duty as Chairman. The Conference expressed its gratitude to him for his years of dedicated service and relayed to him its wish that he consider service to ICSOM in the future in some capacity. The offices of ICSOM were filled as follows for the coming year:

ICSOM Officers

Chairman: Irving Segall, Philadelphia Symphony Orch.
 Vice Chairman: Robert Maisel, St. Louis Symphony Orch.
 Secretary: Stanley Dombrowski, Pittsburgh Symphony Orch.
 Treasurer: John Palanchian, New York City Opera
 Senza Sordino Editor: Henry Shaw, Cincinnati Symphony Orch.

ICSOM Area Representatives

Eastern Orchestras: Frederick Zenone, National Symphony Orch.
 Southern Orchestras: Crawford Best, New Orleans Symphony Orch.
 Central Orchestras: Paul Berns, Indianapolis Symphony Orch.
 Western Orchestras: Melanie Burrell, Denver Symphony Orch.
 Canadian Orchestras: John Miller, Winnipeg Symphony Orch.

A full report by orchestras which had successfully concluded new agreements was given and Atlanta, Denver, Cincinnati, Montreal, North Carolina and Winnipeg, still in negotiation, gave progress reports. The problems in Dallas and an obvious need for an enlarged Emergency Relief Fund prompted a motion to raise dues by \$2.00 a year in all categories to \$8, \$10 and \$12. Although orchestras have the right to participate in the Strike Fund and to benefit therefrom, there is a growing need for a source of funds to take care of paid advertising and other work stoppage related needs.

A by-law change is necessary where the ICSOM dues structure is involved, therefore, member orchestras will be instructed to vote on such a change. Completion of the vote must take place within 60 days. The dues increase is earmarked for the ERF only.

It was announced that Roger Ruggeri, bassist with the Milwaukee Symphony Orchestra, was appointed to the Planning Section of the Music Advisory Panel of the National Endowment for the Arts. Delegates termed this a healthy development. A most comprehensive report on the position of the San Francisco Players' Committee and Local #6 on their recent non-renewal decisions was made by Tom Heimberg, and a letter from Elayne Jones, tympanist of that orchestra when her contract was not renewed, was read by Bob Maisel. It was the feeling of all present that ICSOM offer aid to all parties in the form of counsel and officers, in good faith, to try to help bind wounds and seek a satisfactory conclusion to a very painful problem without compromising the "democratization" clause.

A most comprehensive analysis of the booklet *Americans and the Arts* was made by Mr. Sipser. The content contains highlights from a survey of public opinion concerning the arts and musicians. Research was conducted by the National Research Center of the Arts. Senza Sordino throughout the year will be devoting space for comment and analysis of statements and figures revealed in the survey. It was moved that ICSOM allocate \$1,000 for copies of the survey to be distributed to Congressmen accompanied by a covering letter.

Indianapolis will be the site of the 1975 ICSOM Conference.

Wilfred Batchelder, a member of the bass section of the Phila. orchestra for 23 years, died on Sept. 16, 1974. "Batch" was a founding member of ICSOM and a leader in orchestra activities as well as a leader in the Peace Movement.

A MESSAGE FROM OUR NEW CHAIRMAN

ICSOM is twelve years old, and I am its fourth Chairman. I have been the delegate from the Phila. Orchestra for eight years, which included the tenure of my three predecessors. It occurs to me that a whole generation of musicians are now working in the forty-one orchestras that now comprise ICSOM, who are not aware of these predecessors. Perhaps a few words about them are in order.

The founding Chairman was George Zazofsky, from the Boston Symphony. His was probably the greatest contribution to ICSOM's success because he guided it through its birth pangs, and under his leadership for five years, it became a reality. He was succeeded by Sam Denov of the Chicago Symphony, and then by Ralph Mendelson of the New York Philharmonic. Under their leadership, ICSOM became a Conference within the Federation; the Strike Fund was established; we grew from a handful of orchestras to forty-one-member orchestras; we have available the expertise of legal counsel whose experience and knowledge of our profession is second to none; ICSOM enjoys a positive and constructive relationship with the Federation, and the member orchestras have better relationships with their locals; and our system of communication has served to help member orchestras attain better contracts. When one considers that all this has been accomplished on a shoestring budget, meeting face to face only once a year, it is even more remarkable. It is the musicians' will to succeed that has made it possible.

I shall certainly endeavor to be a worthy successor. We are in an era of change and challenge in many forms of life in America today. We must assume that these changes and challenges will reflect themselves in the Performing Arts, and we will have to be both imaginative and daring in meeting them.

Irving Segall

SYMPHONY BASSIST SELECTED BY NATIONAL ENDOWMENT FOR THE ARTS

Roger Ruggeri, principal bassist of the Milwaukee Symphony Orchestra, was recently appointed to the Planning Section of the Music Advisory Panel of the National Endowment for the Arts. In accepting this appointment, Ruggeri became the nation's first orchestral player to serve in this capacity.

A grant-making agency of the Federal Government, the National Endowment for the Arts operates with the assistance of its advisory body, the National Council on the Arts. Under the leadership of chairman Nancy Hanks, the Endowment functions in thirteen different areas of the Arts; each area has an Advisory Panel that is composed of leading professionals and laymen in the field. One of the largest areas is the Music Program, headed by Walter Anderson. In order to facilitate the enormous task of studying the Music Program's grant applications, the Music Advisory Panel is divided into subcommittees that deal with the specific programs of: Opera; Orchestra; Jazz, Folk, Ethnic; Composers, Librettists, Translators; and the Training-Conservatory Programs. In addition to these five groups, there is also a Planning Section whose members are charged with evaluating past programs, reviewing current programs and providing the long range planning for the expansion and development of future programming. Because of the comprehensive scope of the Planning Section's activity, it is particularly significant that an orchestral player will be a voting member of this committee.

Born in Middletown, Pa., Roger Ruggeri attended the Eastman School of Music as a scholarship student and graduated in 1961 with a B.M. and a Performer's Certificate in Double Bass. While in school, Ruggeri performed with the Rochester Philharmonic, the Philharmonia Orchestra and bass soloist with the Eastman-Rochester Orchestra. Following a year with the Dallas Symphony, under the baton of George Solti, he went to the Milwaukee Symphony Orchestra, where he assumed the position of principal bass. Ruggeri has been on the faculty of Southern Methodist

University and is currently on the faculties of the Univ. of Wisconsin-Madison and Milwaukee and the Wisconsin College-Conservatory. As a composer, he has had a number of performances by the Milwaukee Symphony and has written electronic music for commercials, film scores and incidental music for the Milwaukee Repertory Theatre. He is the program annotator for the Milwaukee Symphony and has provided notes for several university concert series and for the New Jersey Symphony. Ruggeri's articles on music have appeared in a number of national music magazines. He has made several appearances as a soloist with the Milwaukee Symphony and the Grand Teton Music Festival and has made many appearances as a chamber music player. In addition, Ruggeri is in demand as a lecturer and media personality. For the past year, he has made a particularly close examination of the problems of American symphony orchestras as a member of a three-man task force that was assigned to make a five-year plan for the Milwaukee Symphony Orchestra.

ICSOM congratulates Mr. Ruggeri on his appointment. The voice of an active symphony musician on such an important committee is a welcome sign that the N.F.A. wishes to add another dimension to the important dialogue that takes place in shaping this most necessary Government program.

ATLANTA ENDS TWO DAY STRIKE

The Atlanta Symphony Orchestra reached general agreement with Management on September 18th for a three year contract pending ratification, thereby ending a two day musicians' strike, the first strike in the 30 year history of the orchestra.

Negotiations for a new contract started in January and were preceding smoothly, if very slowly, and by the end of August most of the working conditions had been worked out in an amicable atmosphere. However, as the opening week approached, there still was not an acceptable economic offer at the negotiating table. Although the weekly wage offers kept rising as the meetings progressed, the season length remained at 42 weeks. This insistence by Management to cap the season length was of great concern to the orchestra, for it showed a lack of commitment toward a "growing" orchestra in a city which constantly bills itself as the fastest growing city in the country.

The impasse was reached Sunday evening, September 15th, when the orchestra rejected by 72-3 the latest offer of a \$20 raise per week across the board plus a recording guarantee of \$5 per week for a 42 week season; \$20 for 43 weeks the second year; and \$17 for 44 weeks the third year, making the weekly wage \$300 by the third year. The vote to strike was unanimous; *and an orchestra, which did not belong to the ICSOM Strike Fund because it prided itself on its ability to solve any problem occurring between the orchestra and management, started marching on a picket line at the appointed hour of its first rehearsal.*

The orchestra responded beautifully to the crisis and very quickly mobilized committees for the press, benefit concerts, the student community, city hall, etc. Virtually the only issue of the strike was the length of season, and in fact our counter-proposal represented a lower weekly rate of pay but added more weeks to the season. Why it was rejected we found difficult to understand since our way to increase the annual wage is to add weeks of work, not more salary per week.

During the strike, the lines of communication with Management were kept open through the great efforts of Joe Walthall, Player's Association President, and John Head, Union Representative. Two days later a new Management offer, representing a further increase of almost \$90,000 to the previous offer, was agreed to by the orchestra, 75-5.

The agreement:

1. 1974-75 44 weeks—4 weeks vacation—\$12.00 across the board plus \$5.00 recording guarantee—\$260 minimum—\$11,440 annual wage (increase of \$310 annual wage over previous offer)

- 1975-76 46 weeks—4 weeks vacation—\$5.00 plus \$5.00 recording guarantee—\$270 minimum—\$12,420 annual wage (increase of \$380 annual wage over previous offer)
- 1976-77 48 weeks—4 weeks vacation—\$5.00 plus \$5.00 recording guarantee—\$280 minimum—\$13,440 annual wage (increase of \$240 annual wage over previous offer)

2. Verbal agreement that in the first two years of the next contract the season length will expand to 52 weeks.
3. Management pension contribution in the third year of \$18,000 to begin a pension program.
4. Management continues current family coverage of Major Medical and Hospitalization.
5. Provision for an audition committee and proper procedure.
6. Provision for player representation on the Board of Sponsors.

The orchestra expresses its deep appreciation to President Karl Bevins and the Board of Local 148-462 for their tremendous support during negotiations and for their willingness to engage Lenny Leibowitz as our excellent counsel. We also feel that the communication we were able to keep between the Board of Sponsors and the Union Board enabled us to reach agreement quickly and with a minimum of ill-will or misunderstanding caused by the strike. The orchestra with three 3-hour rehearsals was able to open its gala 30th Anniversary Season, as scheduled, with no loss of income.

Atlanta Symphony Orchestra Players' Association

CINCINNATI INKS NEW PACT

Initial contract overtures were made July 15th with a detailed proposal from the orchestra committee. Several hours were spent reading through the proposal and expending much energy over details. It was evident that such an approach was too time consuming so two sub-committees were agreed upon to meet to discuss specific Opera and run-out problems. After several weeks, negotiations resumed and despite protest by Mr. Sipser, we were informed that no monetary offer would be forthcoming until after the three week orchestra vacation which was to end early in September. With a contract deadline of September 22nd it seemed that we would be pressed for time trying to reach a settlement.

Our next meeting with management took place September 10th and we received a counter-proposal as promised. It left much to be desired; in fact, several new items were introduced by management. A clause asking for electronic media services and further division of the orchestra into small groups. Our many proposal requests were ignored, so our only recourse was to present this management proposal to the full orchestra as an open report with no recommendation or vote, simply as a progress report for their information and reaction. The reaction was a loud and negative one with much laughter provoked by the many demands and small money package.

The orchestra committee then met several times with Eugene Frey, Union president, and drafted our reply with the orchestra reaction in mind. On September 20th, two days before contract deadline, after presenting our reply, Phil Sipser urged the management to come in with their top offer and in return we would sit down and draft a package that we could present to the orchestra or go down the other road that might lead to a work stoppage. The offer was presented to us and after a ten hour session a middle ground agreeable to both parties was found. A three year agreement produced the following results:

	1974-5	1975-6	1976-7
Wages	\$275.	\$285.	\$305.
Electronic Media Guarantee	0	20.	20.
Guaranteed Weekly Salary	\$275.	\$305.	\$325.

A new clause provides for performing groups of less than 40 musicians (chamber groups). Use of such groups will require the approval of a Musician's Advisory Committee. Small chamber groups that require no conductor will be paid a fee for their services. This was a very tacky item but it was felt that some freedom should be allowed the management to explore new areas of financing. Blue Cross was improved to the full maximum of \$250,000 per illness. A revolving rotation system in the strings was outlined for trial with either party able to cancel with two weeks notice.

The complete proposal in written form was distributed to the orchestra the following day and after several hours of explanation and discussion was approved by a vote of 66 - 18. Many of the contract items are new to us and only time will tell if they will be beneficial or abused. With the safeguard measures and the integrity of a fine management we look forward to a new era in orchestral life.

The expertise of Phil Sipser and Len Liebowitz were vital to the settlement, and the support offered by Eugene Frey, Local #1 president greatly appreciated.

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Players' Committee

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SENZA SORDINO is the official publication of the International Conference of Symphony and Opera Musicians and is published six times a year on a bi-monthly basis. ICSOM is affiliated as a conference of the American Federation of Musicians of the United States and Canada, AFL-CIO.

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Subscriptions: A.F.M. Members \$2.00 per year
Non-Members A.F.M. \$5.00 per year

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