

Senza Sordino

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THE AMERICAN AND EUROPEAN ORCHESTRA: A COMPARATIVE STUDY

By David Sternbach

David Sternbach was a member of the Danish State Radio Orchestra, the Danish Royal Theatre and West Berlin Opera orchestras and the Berlin Symphony. While in Europe he acquainted himself with the working conditions in most of the Scandinavian, German, Dutch, Austrian and French ensembles and opera orchestras. He is a French Hornist, presently on the faculty of West Virginia University.

I would like to offer comments and reactions to working conditions existing in many north European orchestras with which I am familiar. Specifically excepted in this article are the London orchestras, the musicians of which are more hassled than American orchestra musicians. I hope, by selecting a few subjects of general interest, to give a broad picture which may be of use to all in evaluating present working conditions in U.S. and Canadian orchestras.

Salary, Benefits and Pension

European orchestras operate on a civil service system and players, after passing auditions and a trial period, become permanent members of an orchestra. This period may range from six months to two years. Extensions may be given but only with good reason. Dismissal is rare and only for gross neglect or abuse (drunkenness; excessive absence without cause). In West Germany a player with no prior experience begins at a minimum salary which increases by five jumps over a ten year period until a maximum is attained. This playing experience, however, is credited when a player moves from one orchestra to another as are all benefits such as pension credit. Pension portability is made possible by the existence in West Germany of a central agency which processes all orchestra and opera house pension systems. Excepted are the radio orchestras which, incidentally, have an equally good system. Moreover, certain provisions make it possible to transfer a player's accrued salary and pension levels between these two systems.

Musicians generally retire with pensions ranging from a rare low 60% of their final highest wage to a more usual high of 85%. Comparison with your own pension plan, I'm sure, would prove revealing. Of course, these benefits accrue in addition to the national system of social security in these countries, and salaries *and pensions* are afforded cost of living increases each year.

Medical Benefits

Virtually all of the north European countries offer low cost comprehensive national health plans. Orchestra sick leave can run as long as two years; longer in special cases. Managements are considered liberal in their administration of such requests.

Sabbaticals

I am certain in the case of Danish orchestras (and reasonably sure about all of Scandinavia) that players, after a certain minimum period of service, may apply for leave with pay, as is customary in the colleges and universities in this country. Pay is full for a half year leave, and half salary for a full year leave. It is understood that players will use this time to refresh themselves in special study, in a solo or ensemble tour, perhaps, or in such activities which are presumed to afford them experiences which will add to their effectiveness in the orchestra upon their return.

The question of unemployment benefits is not an issue since virtually all orchestras are on year-round employment, year-round

salary with six weeks of paid vacation, generally, and extra days off at holiday seasons. In the larger orchestras even more free time is provided by virtue of a rotation system. In the Danish Radio Symphony, every section mandates one member to draw up a six week rotation plan based on the works scheduled, obligation of first desk men, etc. The result is that everyone always knows for six weeks in advance, during the entire season, precisely what works each musician is expected to play, precisely when rehearsals and concerts (operas) are scheduled and when their free time is allotted. This plan is made up for a month in advance at the West Berlin Opera. In every organization, I found players generally agreeable to switching services where practical, so one could frequently plan time off in healthy chunks. Remember, this is quite apart from the general orchestra summer vacation time.

Every-Day Working Conditions

Back-to-back concerts more or less assumes the existence of children's concerts. These are a rarity in north European orchestra life. I make no value statements concerning this difference. The issue simply does not exist. Run-outs did not exist in the orchestras with which I was associated or acquainted.

Services consist of the more usual rehearsal, performance, or broadcast (in radio orchestras). Rehearsals in Denmark were either 2 hours with 15 minutes off, or 3 hours with 35 minutes off. At least one hour intermission was scheduled between such services. Rarely was a dress rehearsal scheduled the day of a concert. There were no carry over of unused services to another week to my recollection. Management of the Danish Radio Orchestra generally needed and called for the maximum eight services permitted. In practice, at both the Danish Royal Theatre and the West Berlin Opera, the work week averaged out to about 12 to 15 hours. I hope my colleagues there do not become incensed at my frankness in this regard. However, often enough, during mid-season, new works needed rehearsing which brought the average up. With a membership of 143 at the Berlin Opera, musicians were generally fresh and well rested for performances, and even with the system of rotation, they could put a full symphony orchestra into the pit for a Wagner opera, with ten basses, twelve celli, and so on. This made for a nice, full sound and due to the intelligent construction of the Duetsches Oper, singers could project easily over such an ensemble.

Touring

Although considered by one and all to be a burden, tours are accepted out of pride in the reputation of the ensemble. Tours are well compensated, offer more free time and more days off than the typical U.S. orchestra tour, and have, generally, more humane travel arrangements.

Ensemble Splitting

In no orchestra did I ever encounter the practice as in, for example, Pittsburgh, where at times one segment becomes a chamber orchestra, and the other, the opera orchestra. However, something similar occurred as a practical course at the Danish Radio Orchestra, and I suspect in many of the German radio orchestras as well. The playing season recommences in August, and since the evening subscription concert series does not generally begin till later, small groups will be formed to make broadcast recordings. One not entirely typical, but very stimulating week saw the strings working

together in the main hall on Corelli and Vivaldi Concerti Grossi; some winds in Studio A recording the Mozart Serenade for 13 winds; more winds in Studio B, plus a cello and bass working on the Dvorak Serenade, and yet elsewhere, brasses and percussion learning an avant-garde work by a young Danish composer. This is an unusual usage only, and the general practice was to employ the total orchestra as one unit in concerts, large broadcast works and like situations.

There may well be some questions about my earlier comments on salary. Just what do these minimum and maximum figures come to? What about first chair players? Can individuals "work" special contracts and privileges? To this last question I would answer, yes, but rarely. This type of negotiation really is not necessary. A musician's income in most north European countries is roughly on a level with that enjoyed by the better salaried professors in universities there or here. Status is certainly very high and musicians are respected members of their communities.

As far as first chair rates are concerned, my impression in nearly all cases was that the individual is offered a system within which so many benefits and generous working conditions are granted, and every individual considered integral and important in the social scheme, that great differentials in salary become less critical as an employment condition. The prevailing attitude is that an orchestra needs every member to sound well, from concertmaster to the last chair bass player (no offense to bass players intended). I believe that this is a healthy situation, but one which will only be applicable here when orchestra musicians are accorded the treatment and kind of regard from society which is equal to that received by their European colleagues. May the day soon come.

Editor's note: The August issue of Senza Sordino will include an article by David Sternbach detailing audition procedures, the limitation of the conductor's role, the question of morals and playing standards of the permanently employed civil-servant in a symphony orchestra or opera house in north Europe.

PHILLY ARBITRATION THREATENS TOUR

The Philadelphia Orchestra has recently returned from a highly successful tour of Europe. The tour, however, did not come off before settlement of a sticky contractual matter which necessitated arbitration. The Philadelphia contract limits domestic tours to four consecutive weeks and foreign tours to five consecutive weeks, stipulating further, that in each case the orchestra must be based in Philly the week before and after the tour.

In the arbitration case in question, a week in Ann Arbor was scheduled directly before the four week European tour. The union argued that a week in Philadelphia was mandatory before the orchestra could be taken to Europe. Furthermore, it was argued (unsuccessfully) that the issue was not even arbitrable because a violation of contract was involved.

The arbitrator took the position that where a "mixed tour" existed, that is, any tour that included domestic weeks, the domestic week clause in the contract must prevail and such a tour may not exceed four consecutive weeks. He ruled then, that the musicians need only work the week in Ann Arbor and the first three weeks of the European jaunt. If, in the interest of the organization, they wished to play the fourth week of the European tour, already scheduled, this accommodation could be made at the discretion of the musicians.

The issue at stake was the restraint in touring that exists in the present contract. These limitations were won during an 8-week strike in 1966, and the orchestra members felt obliged to protect their contractual rights.

Since the dispute did not reach arbitration until two weeks before the date of departure, and the decision handed down one week prior to departure, the members of the orchestra agreed to the week extension in the interest of the international reputation of the orchestra, and in the interest of better labor relations.

Irving Segall, Philadelphia Orchestra

COPYRIGHT REFORM TOUGH SLEDDING AHEAD

For the umpteenth time a copyright reform bill has found its way into the committee rooms of Congress. For fifteen years the copyright laws have been studied by sundry U.S. agencies in an attempt at overhaul, however, much needed reforms have never materialized. Eight years ago a copyright reform bill passed the house but met death because a companion bill did not pass the Senate. This year, once more, hearings for S.1111 sponsored by Sen. Hugh Scott, R. Pa., and a House bill, H.R. 5345 offered by Rep. George Danielson, D. Cal. are taking place.

Basically, interested parties in the literary, entertainment and performance fields are concerned with two facets of the copyright laws. They relate to the length of a copyright and to performance rights which would be reflected in payment by public broadcasters to those who conceive, produce and perform the end product. Present copyright laws protect the artist's product for 28 years, renewable for a like term. European laws allow for protection for the life of the composer plus 50 years. This latter concept is being promoted by American artists in an attempt at standardization. It is being resisted by the U.S. Department of Justice as being "contrary to the intent of the framers of the Constitution which was to promote the progress of science and the useful arts."

Perhaps what is sorely needed is some solid, agreed to objectives with which all interested parties can live and which can be properly framed for consideration by those whose responsibility it is to affect changes in the law. Unfortunately, individual differences among authors, composers, record producers and performers as to what direction copyright reform should take can only hurt passage of a reform bill. The public broadcast industry lobby is extremely powerful and the arsenal at its disposal very imposing where defeat of unfriendly legislation is necessary.

Sen. Scott, upon introducing S.1111, legislation amending the 1909 Copyright Act to establish the concept of a performance royalty, said:

"The performance royalty would recognize a copyright interest in sound recordings for those who perform the music. This has been a principle I have advocated for over 30 years. Essentially, those who use sound recordings for profit would be required to pay a fee—a performance royalty—to those who make creative contribution to the recorded music. The amount of the royalty payments for those who use recorded music for profit would be small but it would provide a fund out of which these creative individuals—musicians, vocalists, narrators could be compensated.

The real issue here is whether or not a person who uses his creative talents to produce music should be entitled to compensation from someone who takes the music and profits from it. Nearly 40 countries around the world have already endorsed this idea in one form or another. I cannot understand why the performers are currently denied the copyright protection which present copyright laws provide for royalty payments to the composer and publisher of the music".

His words of wisdom will find support from all of us, however there are several aspects which relate to passage of a copyright reform bill which merit some thought. Congressional support might be difficult to obtain. Those who vote contrary to the interest of the broadcast lobby must consider the spectre of retaliation. The threat may not be overt but the subtleties are not to be lost on public officials, almost all of whom find it necessary to use public broadcasting to seek re-election. The possibilities of intimidation of public office holders is real. Of equal concern is the degree to which Congressmen have invested in broadcasting interests or actually own broadcasting facilities. This, of course, is self-serving in more ways than a financial one. It suggests, plainly, a conflict of interest in voting on any issue in which the broadcasting industry may gain or lose as the result of legislation.

Welcome to PORTLAND MUSICIANS CENTER



Members of the Oregon Symphony played host to the Seattle Symphony following the Seattle orchestra's concert at the Civic Auditorium on April 30. Local musicians prepared a late supper served buffet style in our own auditorium. The O.S.O. man-

agement even contributed to the cost of beer and soft drinks. Credit for much of the planning and clean-up goes to Stephanie McDougal and her committee. A similar get-together followed an appearance here by the Philadelphia Orchestra last season.

There will be hurdles to cross before a performance royalty becomes a reality. While decisions relating to such a royalty will have a much greater impact upon the commercial music field, nonetheless, the principles and benefits should be recognized by symphony musicians as well. Arts, entertainment and media unions have already gone on record in support of S.1111 and H.R. 5345. ICSOM musicians should endorse the stand.

Henry Shaw, Ed.

CONFERENCE TIME NEARS

Conference time is just around the corner. Delegates are urged to arrange for accommodations at the Indianapolis Hilton Hotel as soon as possible. All questions pertaining to reservations and meetings are to be directed to Paul Berns, Indianapolis Symphony Orchestra, 5258 Boulevard Pl., Indianapolis, Ind. 46208. The Conference agenda is listed below. A portion of one Conference session will be devoted to "workshop" discussion. The format of this new concept will be worked out between now and conference time. First general session is 1:00 p.m. Tuesday, August 26th. Closing session will be on Friday morning, August 29th.

I

- A—Meeting called to order
- B—Roll call of orchestras
- C—Introduction and presentation of guests
- D—Minutes of '74 Conference
- E—Applications for membership and actions thereon

II

Reports of ICSOM Officers

- A—Chairman's Report
- B—Vice Chairman's Report
- C—Secretary's report
- D—Treasurer's report
- E—Senza Sordino editor's report
- F—Counsel's report

III

Committee Reports

- A—Report on audition procedures
- B—Effectiveness of Artistic Advisory Committees

IV

Unfinished Business

- A—Negotiations not reported in Senza
 - 1—Completed
 - 2—Bargaining still in progress
- B—Chart
- C—Report on Health and Welfare package for all ICSOM orchestras

V

New Business

- A—Resolution and report to effect a working cooperation with the Canadian Symphony Symposium
- B—Resolution to more effectively control the Conductor Evaluation file
- C—Renewal of Counsel's contract
- D—Other new business

VI

Lecture by Counsel

VII

Nomination and Election of Officers

VIII

Selection of Site for '76 Conference

IX

Good and Welfare

Those orchestra members who so desire, may make contributions to:

THE DAVID SMILEY MEMORIAL EDUCATION FUND
c/o Dr. Gordon Tomkins
5 Eugene St.
Mill Valley, Calif. 94941

MET TEAM REJECTS MANAGEMENT PROPOSAL

After flatly rejecting a management proposal which would result in a drastic reduction in both salary and length of season, the Metropolitan Opera negotiation team has made the following positive suggestions:

1. Open up the Met Board to include representatives of labor, the arts and minority groups. This could lead the way into expanding the Met audiences to Union members, active and retired, minority group members, etc.
2. Arrange a meeting in Washington, D.C. between representatives of the Met management, the Unions, the City and State governments and the Federal agencies with jurisdiction, to seek additional federal funding.
3. Sell discount tickets to senior citizens, the handicapped, etc. and day-of-performance operagoers, similar to the successful experiment of the Broadway theatre.

The musician negotiation team has gone on notice that it will refuse to continue negotiations on the basis of the management proposal. After a joint conference of all Unions in the house, called early this year by Max Arons, President of Local 802, it was agreed that all groups, chorus, ballet, stage hands, etc. would likewise reject the proposal.

INTERNATIONAL VIOLA CONGRESS TO MEET

All viola enthusiasts are invited to attend and participate in the three day meeting of the International Viola Congress of the Viola Research Society. The meeting is scheduled for June 27, 28, 29 on the campus of Eastern Michigan University, Ypsilanti, Michigan. Hopefully, Senza Sordino's announcement of the event will reach our readership in time to have some value. The Congress will consist of concerts and recitals featuring the viola, the performance of new works for the viola, workshops, exhibits, papers and panel discussions dealing with subjects related to the viola.

The 1975 meeting of the International Viola Congress of the Viola Research Society will be sponsored jointly by the Eastern Michigan University Department of Music, the Michigan chapter of the A.S.T.A. and the Michigan School Band and Orchestra Association. Meetings of the Congress have been held in Europe since 1969. This will be the first time the group has ever met in the Western Hemisphere. This year's meeting will help to focus attention in the United States and Canada on the importance of the viola.

The United States Air Force String Orchestra from Washington, D.C., conducted by Colonel Arnold D. Gabriel, will be featured in a concert which will include two weeks for viola and strings: Hindemith's Trauermusik and the first performance of a concerto by Clark Eastham. The solo part of both works will be performed by Nathan Gordon, principal violist of the Detroit Symphony.

The American Society for the Advancement of Violin Making (ASAV) in conjunction with the Viola Congress is sponsoring an International Viola Maker's Competition. The instruments entered in the competition will constitute one of the several displays at the convention.

For information concerning the Viola Congress, address Dr. Maurice Riley, Department of Music, Eastern Michigan University, Ypsilanti, Michigan 48197. Those interested in the ASAV viola maker's competition can write Mr. Eric Chapman, Vice-President ASAV, 1704 Cherokee Dr., Ann Arbor, Michigan 48104.

IRS ALTERS AUDITION EXPENSE POSITION

The Internal Revenue Service has recently held that the expenses incurred by an individual in seeking new employment in the same trade or profession are deductible under the IRS Code—*whether or not he or she actually secures the new job.*

This is a departure from the previous long standing position of IRS that expenses incurred by employees in seeking and *actually securing* new employment were deductible as ordinary and necessary business expenses, but that expenses incurred in seeking but not securing new employment were not deductible.

This distinction between expenses for unsuccessfully seeking new employment has been rejected by the United States Tax Court.

Thus, expenses incurred by musicians in connection with taking auditions for other orchestras are deductible even if the job is not secured.

It is important to note, however, that if one travels to a destination and while at such destination he or she seeks new employment in his or her present profession and also engages in personal activities, traveling expenses to and from such destination are deductible only if the trip is related *primarily* to seeking such new employment. The amount of time during the period of the trip that is spent on personal activity compared to the amount of time spent on seeking such new employment is important in determining whether the trip is primarily personal.

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