

Senza Sordino

Official Publication of the International Conference of Symphony & Opera Musicians

VOLUME XV



JUNE 1977—NO. 5

CHICAGO LYRIC OPERA SIGNS THREE YEAR AGREEMENT

After nine months of negotiations, an intense media campaign by management, and the intervention of a federal mediator, a meeting with Acting Mayor of Chicago, Michael A. Bilandic, finally produced a contract offer which the Lyric Opera Orchestra Member's Committee could recommend and which orchestra members subsequently ratified on March 22nd by a vote of 58 to 5. Details of the financial settlement are outlined below:

	Final Year Present Contract	1977-78	1978-79	1979-80
Scale	\$390	\$425	\$460	\$500
Hours/week before O.T.*	24	24	24	22
Hourly O.T. rate	\$16.25	\$17.71	\$19.17	\$22.73
Vacation pay**	7.5%	8%	9%	10%
Pension	6%	6%	6%	7%
Health & Welfare	2.5%	3%	3%	3%
No. weeks per season	15	15	16	17
Annual guarantee ***	\$6,288.75	\$6,885.00	\$8,022.40	\$9,350.00

*Performances of 4 hours or less count as 4 hours. Therefore, if the scale is based on 24 hours, it is the equivalent of 6 performances. 22 Hours in 1979-80 is equivalent to 5½ performances. Any hours beyond, whether rehearsal or performance hours, pay the hourly overtime rate which is a pro-rata figure.

**Vacation and Pension are figured as a percentage of base scale and the minimum principal scale of 25%. Health and welfare is figured on base scale alone.

***This figure is the base scale plus vacation pay multiplied by the number of weeks per season. Due to considerable overtime each season, the actual gross income is substantially higher.

In addition a number of other improvements were negotiated including:

1. A two-stage audition procedure with the Orchestra's Audition Committee making the choice in the preliminaries.
2. A second entrance to the orchestra pit.
3. Physical improvements in the orchestra lounge area, locker rooms, and rest rooms.
4. Three additional sick leave days to a new maximum of 15.
5. Improved severance pay for voluntary retirement.
6. A detailed instrumentation list.

A separate contract was also negotiated to cover performances

outside the Lyric Opera season put on by the Opera School of Chicago, a subsidiary organization which uses apprentice singers. Among other things, this contract specifies the system for using Lyric Opera Orchestra members in such performances.

After months of negotiating the master contract with little progress and a management-imposed deadline of Feb. 15 passed, management requested the presence of a federal mediator. Prior to the meeting with the mediator, they then "leaked" an eight and one half page letter to the press threatening cancellation of the season unless agreement was reached at the next meeting. They also accused the orchestra of choosing negotiators incapable of making decisions and lacking in experience (referring to the committee). The sole result of the "last ditch" meeting with the federal mediator, which lasted ten hours, was a promise by management to make improvements in the dressing room facilities and to clean up the washrooms.

Management's financial offer had stood at an additional 28.5% over three years. As the meeting closed, they indicated that their board would meet to make a final offer which they would ask to have the orchestra ratify. This offer, which was a week in forthcoming, brought their package to 31% including fringes, far short of the mid-40% area the committee was seeking.

Meanwhile the media blitz continued. Articles appeared almost daily blasting the musicians' position. A former Lyric Opera board member was quoted as saying;

These people don't realize they might be destroying their own jobs and with them a cultural opportunity that's very important to the whole Midwest.—The orchestra negotiating committee is composed of completely inexperienced labor negotiators. There is a string bass player, a trumpet player, a trombonist, a bassoonist and a piccolo player. They want to be able to report back to their members and show them how important they are.

Through all of this the committee was pleased by the solidarity of the orchestra. Since the orchestra was not in session, rapid communication was practically impossible. The committee knew, however, that the orchestra would be reading the newspapers and hearing radio and television reports. A barrage of concerned phone calls was expected, but in the 72 hour period following management's first release to the press threatening cancellation of the season, the committee received a total of two phone calls from orchestra members. Throughout the following weeks as the committee waited for the final package from the board and subsequently began drafting a lengthy letter to the orchestra detailing the committee's position recommending against ratification, the press articles continued.

As the committee prepared to mail its letter to the orchestra, a call was received from the office of Acting Mayor Michael Bilandic, and a secret Sunday meeting was arranged. After nine hours of meeting in which the Mayor showed himself to be a man of sensitivity and a mediator of considerable skill, a solution was hammered out.

The committee and the orchestra are grateful to the Mayor

for his efforts and the judicious use of his office in preserving one of Chicago's great cultural institutions. In addition, thanks are due Local 10-208 president Daniel Garamoni and vice-president Nicky Bliss for their steadfast support and encouragement.

Our attorney was Michael Greenfield, attorney for Local 10-208. Words cannot do justice to his skill, intuition, and understanding in orchestral negotiations. He is a real friend of musicians in this city, and his untiring efforts on behalf of both the Chicago Symphony Orchestra and the Lyric Opera Orchestra have endeared him to many.

Finally, orchestra members have expressed their gratitude to their own representatives, "a string bass player, a trumpet player, a trombonist, a bassoon player and a piccolo player," who are, incidentally, Michael Geller, Tom Crown (Chairman), Bruce Nelson, James Berkenstock, and Josef Zverov, respectively.

Respectfully submitted by

A bassoon player,
(James Berkenstock, Committee Member
and ICSOM representative)

CLEVELAND ORCHESTRA SIGNS

On May 12th, the members of the Cleveland Orchestra ratified a three year trade agreement by a vote of 58 to 38. Negotiations had been sustained since expiration of the last agreement on March 7th. Minimum scale at that time was \$350. weekly. The new contract calls for five increments of \$20. each beginning March 7th, 1977. This will bring the minimum scale to \$450. weekly beginning September 3, 1979. Raises will be effective, March 7th and August 29th, 1977; March 6th, 1978; March 5th and September 3rd, 1979.

The Pension Plan will be amended as of November 1, 1976 to provide an increase in the benefit to \$7500 for retirement at or after 60 years of age if the musician has 30 years of service. Early retirement may commence at 55 years of age at a reduced actuarial figure. No pension benefits will be payable until the musician retires from the orchestra. Since there are members of the orchestra presently receiving pension benefits, they will now have the option of receiving no benefits while employed and taking the new increased benefits upon actual retirement (reduced by the pension payments previously received as determined actuarially), or to continue to receive their present pension. Retirement age will be changed from 65 to 67, with service after that age on a year to year basis.

Per diem has been increased as follows: \$38. until March 5, 1978; \$40. from that date until September 4, 1979 and \$44. from September, 1979 until September 9, 1980.

There will be seven weeks vacation for each musician.

Intermission in a rehearsal of 2½ hours will be increased to 20 minutes.

Performance of chamber music as defined in the Trade Agreement shall be non-mandatory, but if performed, the scale shall be \$100. per performance per player.

FIRE TAKES LIVES OF SIX CINCINNATI AREA MUSICIANS

Tragedy touch the lives of members of the Cincinnati Symphony Orchestra in the wake of the Beverly Hills Country Club fire which claimed 161 lives on May 28th. Among the victims of the blaze were Paul H. Smith, a violinist, and former member of the CSO; Everett Neil, Jr., a percussionist, and Richard Pokky, a trombonist. All had been employed as extra musicians with the CSO from time to time. Kasuko Platt, a violinist and wife of William Platt, percussionist with the Cincinnati Symphony Orchestra, escaped injury.

The musicians were performing with the show band accompanying headliner John Davidson at the time of the disaster.

CONFERENCE PLANS ANNOUNCED

The 1977 ICSOM Conference will be held at the Cleveland Plaza Hotel, Euclid at East 12th St., Cleveland, Ohio. The Conference will commence Monday, August 29th (morning registration; initial meeting in the afternoon.) The Conference will end about noon, Friday, September 2nd. There will be no evening meetings scheduled so that delegates may plan activities as they wish following the afternoon meetings.

The format for this year's Conference will be slightly altered from previous years in that the workshops will be conducted from the floor with the entire conference participating. Each workshop will have its own moderator and possibly a panel, however, the input will be from the entire assemblage. Workshop topics will be:

- 1—Bargaining Techniques — Leibowitz and Sipser
- 2—Pensions and Health and Welfare Programs — Sipser and Leibowitz
- 3—Electronic Media — Segall, Palanchian and Zenone
- 4—Problems of smaller orchestras — Bob Jones
- 5—Committee Administration

Workshops will be one and one half hours in length. The Conference agenda will be as follows:

- I.
 - A—Meeting called to order
 - B—Roll call of orchestras
 - C—Introduction and presentation of guests
 - D—Minutes of 76 conference
 - E—Applications for membership and action 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
 - G—Strike Fund report
- III. Committee Reports
 - A—Evaluation Sheet report
 - B—Electronic Media Report
 - C—Orchestral Fellowship Program report
 - D—National Endowment for the Arts report
- IV. Unfinished Business
 - A—ICSOM Health and Welfare program report
 - B—Negotiations not reported in Senza
 1. completed
 2. Bargaining still on progress
 - C—Chart
- V. New Business
 - A—Recording Contract proposals
 - B—Renewal of Counsel's contract
- VI. Lecture by Counsel
- VII. Nomination and election of officers
- VIII. Selection of site for 1978 conference
- IX. Good and Welfare

CHICAGO MARATHON FIGURE TOPS \$400,000.

Last year *Senza Sordino* reported that the Chicago Symphony Orchestra had raised \$380,000. through its first Marathon venture. Marathon II held in April of this year had as a goal, \$400,000. Sponsored by the Women's Association of the Chicago Symphony Orchestra and station WFMT, the combined efforts of all resulted in an over the goal mark of \$420,000. Contributions were received from Chicago Orchestra supporters from coast to coast.

LETTER TO THE EDITOR

Dear Mr. Shaw:

I am always happy to receive SENZA SORDINO. I post it on the orchestra board so that all my colleagues can read it. It is good to know what is happening in American orchestras.

Since our orchestra operates on a different system, (we run our orchestra by ourselves) it is difficult to make comparisons. Please give my regards to George Zazofsky.

I hope to hear from you and would be happy to write an article about our orchestra.

Sincerely Yours,
Meir Rimon, Israeli Philharmonic

I.S.O. CELLIST LOSES ARBITRATION CASE

On Dec. 1, 1976 Robert Sansone, Assistant Principal Cellist of the Indianapolis Symphony Orchestra, received a letter from John Nelson, Musical Director (in compliance with contract provisions) that Bob was to be re-seated from 2nd to 3rd chair so that Nelson could enlarge the orchestra by creating a new position, Associate Principal. Nelson reasons that he must offer a position of prestige to attract players of the highest calibre. He has similar plans for the position of Associate Concertmaster but there's no problem here since the present Assistant Concertmaster is voluntarily moving back in the section.

A player in a designated chair must be offered a contract for an equal or higher chair according to the contract. Nelson and management insisted Sansone was not being demoted since he could still be titled Assistant Principal even though sitting in 3rd chair and deprived of his duties of substituting for the Principal or playing Principal in a split orchestra. Sansone refused to accept such a re-seating.

Instead he chose to go through the grievance procedure provided in the contract, which eventually ended in arbitration. Ed Fillenwarth Jr., attorney for the orchestra and the union tried to avoid arbitration, telling management that regardless who won, the excellent union-management relationship developed over the past several years would be impaired.

At the arbitration hearing Nelson testified that moving Sansone from 2nd to 3rd chair and other plans he had for the future, were all for the good of the orchestra and, therefore, for the good of the community. He stated unequivocally that he has no fault to find with Sansone's ability as a player, and claimed Sansone was not being demoted. The good and improvement of the orchestra was his justification and not contractual obligation.

The Union case was based solely on the contract. Testimony explicitly covering contract negotiations and interpretation over the past 10 or 12 years, showing clearly that Sansone's rights were being violated, was presented. Many personnel lists from past 150 programs and from several other orchestras were presented to show that the chair in which a player sits, and not the title of that chair, which varies from orchestra to orchestra, is the determinant of the player's duties and prestige in the orchestra and the community.

When the decision of the arbitrator was received April 13, 1977, the ISO musicians were shocked to learn it was in favor of management. Mr. Fillenwarth stated it was the worst decision he had ever heard (he is a labor lawyer and participates in many arbitration cases). The decision did not even refer to the several pertinent contract clauses quoted at the hearing and in our attorney's brief, but allowed the contract to be violated "for the good of the orchestra and the community." If this precedent is followed in the future, of what worth is our contract developed over many years of difficult negotiations. We have two more years to live with this contract. Orchestra morale, raised higher than ever after our recent negotiations, is now at a low ebb. *Our lawyer says that at the next negotiations we must insist on the right to strike over grievances, or at least arbitration to be based specifically and solely on contract interpretation.*

SUPPORT FOR RICHMOND BILL GAINING MOMENTUM

In 1975 Congressman Fred Richmond appeared at the ICSOM Conference to discuss his proposed Bill, H.R. 8274. It presented an intriguing approach towards raising a very impressive sum in support of the Arts. It would provide for a check off system (now reserved solely for party campaign contributions) to appear on income tax return forms. It would enable individuals to contribute to the Arts from tax refunds an amount stipulated by the taxpayer. ICSOM, along with many art related unions and organizations gave their blessing to Congressman Richmond's brain child at that time.

The major obstacle to the bill, of course, was the narrow base of support at the outset and the necessity to work towards the wide support through letter and telegram campaigns which would force the bill out of the Ways and Means Committee onto the floor of the House for consideration. This is a goal not accomplished overnight. Once again, Congressman Richmond has introduced the Bill—this year referred to as H.R. 1042. Support has been growing, and the possibilities raised by the Bill's passage have caught the imagination of the media prompting many supportive articles in the press. They unquestionably aid in the educational process. Harold Schonberg's April 3rd New York Times article is one of the latest. In it he suggests that "perhaps the Richmond tax check off proposal is an idea whose time has come."

Certainly the Arts need financial help. Inflation is decimating the ranks of Arts institutions. The toll is growing and the situation is serious. Something dramatic must be done. Some of the same people who went down swinging before the National Endowment for the Arts and Humanities became a reality are back on their feet swinging again. A dozen or so years ago the cry was "creeping socialism"—"government interference in the Arts"—"arts should be the responsibility of the private sector alone." Hurrah for free enterprise but as Schonberg points out, "there is no more voluble advocate of free enterprise than your typical small town mid-west legislator. But see how he reacts about talk of removing agricultural subsidies."

In any case the Richmond Bill is not involved in the principle of subsidies; rather, it is, in fact, an opportunity for Americans everywhere to kick in a few dollars painlessly in the interest of the kind of activities that they agree are necessary to qualitative living; this according to the often referred to Harris Survey, *Americans and the Arts*.

For the musician's part the most effective aid can be rendered through letter writing. Chairman Irving Segall suggests:

Please write to members of the Ways and Means Committee. If one of these Congressmen is from your district, please get as many people as possible to write to him to support H.R. 1042. If you can, get your orchestra to put an insert in the program asking people to write. However, even if your Congressman is not on Ways and Means, get a letter writing campaign going to him, urging that he support the Bill and talk to a Ways and Means member to vote it out. Spread the word to your relatives, friends, students, audience, etc. It is urgent; writing now is quite simple, the only address needed is the Congressman's name, House of Representatives, Washington, D.C. 20515. There are already 63 sponsors in the House, and estimates are that 100 are needed to get the Bill on the floor. There isn't far to go. Your work might do it, so please act.

An ICSOM bulletin, dated April 22, 1977 was sent to each orchestra. It contained a list of the Congressmen presently serving on the House Ways and Means Committee, (Al Ullman, Ore., Chairman). Write Now!

EUROPEAN ORCHESTRA UPDATE

In two previous articles for SENZA SORDINO (Vol. XIII, Nos. 5 and 6, July and Aug. 1975), I described European orchestral employment, covering such aspects as day-to-day working conditions, audition procedures, fringe benefits, etc. Since this information by now was beginning to show signs of age, I decided on a recent tour to Europe to refresh my information and learn what was new concerning operas and orchestras that might be useful to pass on.

In the main, little has changed for the European musicians in Germany, Austria, France, Belgium, Holland and the Scandinavian countries. And, unfortunately for them, little has changed for the better for English musicians either. But the generally favorable picture for the former group remains as positive as before:

I also noted that despite the severe inflation, salaries of musicians have kept up very well, so that even in terms of dollar incomes, Europeans are not doing at all badly. One colleague, an old friend, who is the solo hornist of a major Scandinavian orchestra, informs me that his current salary comes to roughly \$21,000 yearly. It should be pointed out that he pays nearly 35% of his salary in taxes, but he receives a broad, comprehensive and excellent range of benefits for them. He hardly need save for retirement with an outstanding pension system and he has access to a thorough and excellently maintained national health service plus other benefits.

One change that has occurred in Scandinavia from ten years ago has been an increased financial recognition of the responsibilities of first chair players so that the salary differential is somewhat more pronounced than formerly. The spread between first chair and section players is still not as wide as here in the States however, with beginning players still doing very well, and moving upward in stepped salary increases on a well laid-out regular system.

The situation of higher salary for first chair players brings up another which I think will be of considerable interest. All orchestras face the problem from time to time of a decrease in performance ability of aging first chair players, more generally in the winds than in the strings, and most of all on the brasses. The natural increments of age are more noticeable on these taxing instruments and when fine artists begin to pass their best years, the problem arises as to how to handle them with sensitivity and

tact, while at the same time viewing the general good of the entire ensemble and maintaining the professional standards which, of course, these same older artists had themselves established.

Gerd Seiffert, the solo horn of the Berlin Philharmonic, tells me that their orchestra handles such situations most deftly. In past years solo hornists, for example, were demoted with resultant financial loss and blow to the musician's pride; however, the orchestra now offers the older player the continued solo chair salary, even if he assumes a less demanding position. As Seiffert stated it, "Although you are now performing in another position, you are a first chair player; this orchestra recognizes your artistry, your years of experience and specifically the fact that you have given your best performing years to this ensemble."

What reasonable person would not fail to respond to such a gentle and tactful offer?

Other orchestras have not yet taken this solution. Seiffert went on to tell me, but where the Berlin Phil leads, the others will likely follow.

In part, the reason for the humane handling of the older colleague is based on the principle of consideration for long service in the orchestra.

The policy outlined above is further embellished by the practice of placing disabled musicians in ancillary positions such as librarians, copyists, etc. The practice was referred to in the recent "Berlin Philharmonic" article in SENZA SORDINO.

These few examples of the handling of musicians may suffice for this article, and remind us that the economic system that offers adequate support for the arts, creates an economic basis for such humanitarianism; and that so long as musicians have a strong hand in management such solutions will continue to be typical of the ways in which they take care of their own with dignity. Each and every one of us have only to think of some incidences of insensitive treatment of aging or disabled musicians over here, to recognize the basic sanity of these approaches as shown by our European colleagues.

David Sternbach
W. Va. University

IRVING SEGALL RESTING AFTER SURGERY

We wish to extend our wishes for a speedy recovery to Irving Segall, chairman of ICSOM, who is mending after knee surgery. He was unfortunately involved in an automobile accident several weeks ago, and is presently resting at his home.

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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.

HENRY SHAW, Editor—Mailing address: 1577 Elizabeth Pl., Cincinnati, Ohio 45237

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

