

Senza Sordino

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SEATTLE STRIKE ENDS

Seattle Symphony musicians are back at work following a strike which lasted into the 10th week. Ratification on April 12th of a new 2-year contract with Seattle Symphony, Seattle Opera and Pacific Northwest Ballet brought to a close 2 years of negotiations. Terms of the agreement are largely retroactive, covering the 1977-78 and 1978-79 seasons, with negotiations scheduled to begin again within 30 days.

During the strike, symphony concerts were cancelled, but ballet performances took place with taped accompaniment in spite of round-the-clock picketing plus a flood of protests. Seattle Opera presented a series of performances of Don Giovanni, featuring Metropolitan Opera baritone Sherrill Milnes singing to the accompaniment of two pianos, harpsichord and mandolin. Musicians maintained 24-hour picketing from the time backstage opera preparations began, and opera performances were picketed by the entire orchestra in full dress. Stagehands Local 15 members gave excellent cooperation, with the result that singers, dancers and high school students were used as stage crew. Strike activities, in addition to picketing, included benefit concerts, talks before community groups, leafleting, sales of buttons, potluck dinners, weekly orchestra meetings, and interviews for the news media.

The change from EPW to a private pension plan represented a major accomplishment. Retiring Seattle musicians are eligible to receive about \$100/month from EPW — an additional past service benefit of over \$200/month will be provided by the new jointly-trusted pension plan. Providing for these new benefits necessitated the establishment of a large unfunded liability and what normally would be a very costly plan. By designing a plan which combines a percentage formula for past service and a flat rate for future service, the annual cost of the plan is only slightly more than what management was contributing to EPW. The complexities of setting up the new pension plan explain in part the unusual length of the play-and-talk situation.

A comparison of the new contract with the 1976-77 contract is as follows:

		1976-77	1977-78	1978-79
Length of season		40 weeks	41 weeks	42 weeks
		(Plus optional summer employment in each season)		
Wages	Sideman	\$295	\$320	\$340
	1st chair	345	370	392.50
Vacation	Days	16	21	27
	Service credits	19	26	30
Pension		EPW 6%	about \$3960	about \$4200.
Medical		\$375 maximum	10 months	10 months
			\$502.30 maximum	\$606.22 maximum
Severance pay		\$2,000	\$3,000	\$3,000
		maximum	maximum	maximum

Orchestra negotiators were Ron Simon, spokesman; Meyer Slivka, Marilyn Garner and Randy Baunton. Assisting the negotiations was Federal Mediator Frank Schoepfel. Seattle Symphony players wish to give special thanks to Phil Sipser for his visit and help during the strike, and to both Phil and

Len Leibowitz for their help via the phone, many times after midnight.

Many ICSOM orchestras responded to the Seattle musicians' need with moral and financial support. The A.F. of M. Strike Fund and the ICSOM Emergency Relief Fund were made
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Orchestra Committee

METROPOLITAN OPERA

Lincoln Center Plaza

New York, New York 10023

March 15, 1979

Dear Sherill,

We are writing this letter to you for your help in a very distressing situation. As you know, the members of the Seattle Symphony Orchestra have been on strike for seven weeks. Their management has steadfastly refused to negotiate, to accept fact finding, or any other way of settling this serious situation.

Their weekly scale of \$295 for 41 weeks is surely not much reward for a lifetime of practice, dedication and devotion to their musical craft. The orchestra's modest request for a small pay increase and some simple improvement in health and disability benefits hardly characterizes them as a group of radicals. We are certain you, as a former aspiring instrumentalist and teacher can appreciate the life-time of dedication it requires to come up to professional symphonic standards.

We have heard you are planning to sing a performance of DON GIOVANNI in Seattle next week — a performance in which the Seattle Symphony musicians were to comprise the orchestra as a part of their regular contractual season. We have also heard that you plan to go ahead with the performance anyway using piano, harp, and mandolin.

We appeal to you, Sherill, as fellow artists in a common cause of furthering the awakening of the American public to cultural values and the dignity and value of artists at every level, to consider our request. We ask that you not cross the Seattle Symphony Orchestra's picket lines and to cancel that performance of DON GIOVANNI.

If we could enlist your help in this, the Seattle Symphony's darkest hour of need, we would be indebted to you, not only in a moral way but in any practical way that forty-six Symphony Orchestras, not the least the Metropolitan Opera Orchestra, could devise.

Please feel free to call me or write if you wish.

Sincerely,

Sandor Balint, Vice Chairman
Metropolitan Opera
Orchestra Committee

ICSOM HISTORY REVIEWED IN NEWLY PUBLISHED HANDBOOK

The Association for Union Democracy, in existence since 1959, has just published a handbook in paperback entitled *Democratic Rights for Union Members — A Guide to Internal Union Democracy*. It is a subject about which AUD knows a great deal. Written by H. W. Benson, AUD Executive Director, it is described as a source for union members who understand the value of unions and the importance of keeping them true to democratic principles. Perhaps it would have been more appropriate to allude to the handbook's value to those members who do *not* understand the value of unions. Benson explains that the purpose of the book is *to guide unionists around the rocks, those just lying there and those that are deliberately planted.*

In a chapter entitled, *The Quest for Democracy and Reform in the U.S. Labor Movement*, musician activity in that regard is reviewed. It cites the battle in the early 1960s of a group within Local 802 who sought reforms. They began by publishing an effective tabloid named *The Musicians Voice* which at one time had a peak circulation of 30,000 copies. Regarding the emergence of ICSOM he writes:

In 1960 — there was something about the 60's — representatives of musicians in some of the major symphony orchestras founded the International Conference of Symphony and Opera Musicians (by 1970, the ICSOM had enrolled 3,000 musicians: thirty-five orchestras were affiliated.) At the outset, the ICSOM was a unique independent organization: part insurgent, part professional association, part bargaining agency. For a time it operated parallel to the AFM, but not opposed to it, for its members were all good union men. The Conference was a substitute for a non-functioning union; it won the right of players to vote on contracts.

If this were the Painters, or the Miners under Lewis — if we could imagine such a situation transported into such unions — this kind of potential opposition, this challenge to the officialdom would have led, in all likelihood, to bitter, destructive crises. But it is possible for a responsible union leadership to adjust peaceably to democracy. The AFM leadership, yielding to the need for special representation, began to cultivate its own dissatisfied members, supported them in collective bargaining, and finally wooed them back into the fold. After a period of separate but increasingly cooperative existence, the ICSOM won status as an AFM affiliate, continuing to publish its own newsletter, Senza Sordino; the name (Without Mute) expresses its desire for free expression and union democracy. In 1970, its editor summed up the experience in these words: "The Militant Musician had been born."

The Association for Union Democracy publishes a quarterly periodical, *Union Democracy Review*, which aims to promote the principles and practices of internal democracy in the American labor movement.

SEATTLE STRIKE ENDS

(Continued from page 1)

available, and Local 76 A.F. of M. was extremely helpful. Seattle Symphony musicians are deeply appreciative of the assistance that was provided for them by other ICSOM orchestras and by the A.F. of M. during the many difficult weeks of the strike. We have learned much from our experience, including a first-hand lesson in the value of our membership in ICSOM. We will always be grateful for the help given to us by our ICSOM colleagues. Many, many thanks to all of you.

Submitted by Marilyn Garner and Nancy Griffin
Seattle Symphony ICSOM Representatives

SAN FRANCISCO NEGOTIATION, LONG BUT FRIENDLY

Our just concluded negotiations occurred at a time of great change for our orchestra. The last year of the old contract saw the first full year with Edo de Waart as Music Director, the hiring of Peter Pastreich as Executive Director, and the ground breaking for a new Symphony Hall.

When negotiations began last November, we had all the indications of a major problem. Management's first proposal would have gutted every provision of our contract. For example, in one paragraph defining services, there were seven major changes, one of which would have redefined runouts as mini tours, allowing management to schedule six-day weeks. The negotiation committee felt it necessary to hold a meeting with the orchestra early in the process, where we were told that management wanted "major concessions" in our contract, especially in working conditions. An overwhelming vote of the orchestra instructed the committee not to make major changes.

After several weeks negotiations began in earnest. Progress was always slow, frequently painful, but steady. Every clause was hashed and rehashed, and finally, after nearly 50 sessions, a package was reached that was seen as fair by both parties.

At the beginning, management said that there were two issues that would push them into a strike: a three-year contract; and open auditions for the middle chairs of string sections. In addition, they pushed harder for split days off than anything else. The three-year contract, from management's view was essential, since it would see them into the new hall and into a new 52 week full-time orchestra, and was granted. Compromise was finally reached in the other two areas.

For the string sections, the first two chairs (4 in first violin) and the last chair have always had open auditions, but all other vacancies were filled either by general advancement or by orchestra auditions. Management's push was for open auditions for every chair. We gave in, but only with protection for our people. For these middle chairs, both preliminaries and semi-finals will be held behind a screen, with the conductor hearing the semi-finals. In the finals, held without a screen, if an orchestra member receives 8 or more votes from the committee of 10, that person must be engaged, despite any contrary wishes from the conductor.

The S. F. Symphony has had two consecutive days off every work week for many years. Management wanted to split as many as 13 of these weeks and make us work another ten 6-day weeks. The final compromise was that management could split up to 4 weekends as long as they matched each split weekend with one 4-day work-week, somewhere in the season. In addition, management is allowed to split the days off at the time of the two Jewish holy-days and at Thanksgiving.

Thirty-nine of our tenured musicians are also tenured in the San Francisco Opera Orchestra. With completion of the new Symphony Hall scheduled for the fall of 1980, the two orchestras of necessity will have no conflicting personnel. The bad news is that for these 39, they are faced with an annual salary loss of \$5-6,000 if they choose the Symphony and considerably more if they choose the Opera. The good news is that each one has up to the last possible time (September 1, 1980) to make up his/her mind, and also that there will be a total of 39 vacancies in the two orchestras for other musicians.

Some of the details of our contract are:

Salary:	year	weekly	EMG	Total
	Last Season	\$405	(10)*	(415)*
	1978-79	445	0	445
	1979-80	470	10	480
	1980-81	520	25	545

*EMG had been paid in lump sum.

Pension: Old: \$9600 Maximum for 35 years of service.
 New: \$11,000 maximum for 30 years of service. Normal retirement age 65,62 for winds. Mandatory retirement at age 70; Music Director may extend. No extra credit for people who work longer than 30 years.

Vacations: Seven weeks and one floating week, as before.

Long Term Disability: Increased to \$1,700 a month maximum per member until age 65.

Runout fees: '78-'79 — \$6; '79-'80 — \$7; '80-'81 — \$8.

Tour per diem: Company will pay for single rooms (all musicians). Domestic Tours: \$22. \$25. \$27. (\$20./wk. tour premium) Foreign Tours: 50% of max. daily per diem rates established by the GSA will be paid. \$150,000 accidental death insurance for tours.

Medical Insurance: Aetna plan lifetime limit raised to \$1 million and improved. On Kaiser plan, prepaid drug plan added. On dental plan (Aetna), dependents will be fully covered by third year.

Life Insurance: Surviving spouse benefit raised to \$25,000 from \$20,000 and double indemnity.

At the beginning of this negotiation, no one here would have bet a plugged nickle on getting through the season with no work stoppage. Yet, despite the protracted time, we did, and amicably as well. Our sincere thanks for an outstanding job are extended to Jerry Spain, President of Local #6, John Anderson, Union attorney, and the negotiating committee, Chris Bogios, Jim Matheson, Ray Ojeda, Don Carroll, and David Schneider.

John Ehrlich, S.F. Symphony

THE AMERICAN FEDERATION OF MUSICIANS' AND EMPLOYERS' PENSION WELFARE FUND

The 1977-1978 chart of Wage, Scales and Conditions in the Symphony Orchestras indicates that 30 of the 46 member orchestras of ICSOM have either contributory or non-contributory private pension plans. Some of these are supplemented by company contributions into the A.F.M.-E.P.W. Fund (A.F.M. Employers' Pension Welfare Fund). In other cases, A.F.M.-E.P.W. Fund contributions by the employer provide some orchestras with the only source of pension income at retirement. In addition, it is safe to say that in varying degrees almost all orchestra members have credits to their account in the A.F.M.-E.P.W. Fund through recordings, other electronic media activity and through casual Local work outside of the orchestra work place. We believe, therefore, that a review of the Fund in Senza Sordino is space well used.

The A.F.M.-E.P.W. Fund was adopted in 1964, although employer contributions actually began as early as 1959. It provides for

- A pension that can be received as early as age 55;
- A death benefit and a disability benefit;
- A past service benefit, rather modest, which supplements the pension of any musician born in 1920 or earlier.

The modest past service credits can be understood in light of the fact that there was no extensive funding by employers for past service as one finds in private orchestra pension plans.

Full benefits under the Fund begin at age 65 when the basic Monthly Benefit commences. The benefit follows a specific formula; presently \$2.15 for each \$100. of contributions received on the employment of the musician. The \$2.15 is a maximum figure that decreases with the option of early retirement. Benefit payments have increased substantially in the 14 years of the Fund's existence. The original formula called for only \$1.25 of

monthly benefits for each \$100. of employer contributions upon retirement at age 65.

Service Requirements for Pension

To qualify for a pension, the musician needs credit for a certain number of years of employment on which contributions were made to the Fund. A musician born in 1910 or earlier needs only 5 years of credit; If born in 1911 to 1920 he needs 6 to 9 years of credit, and born after 1921 he needs at least 10 years of credit.

A full year of credit is granted for \$1200. of earnings; ¾ year for \$900. or earnings; ½ year for \$600. or earnings and ¼ year for \$300. year of earnings.

Death Benefit

A death benefit of \$2000. (\$4000. for accidental death) is provided for a musician who dies even if he has not yet achieved the pension credits necessary to qualify for a pension.

Calculation of Monthly Benefit

Assuming that a musician age 35 earns \$10,000 yearly for the next 30 years at an employer contribution of 5%, the musician's benefit at age 65 would be calculated as follows:

5% X \$10,000 (\$500. yearly contribution) X 30 for a total of \$15,000 of employer contribution. At \$2.15 monthly pension benefit for each \$100. of employer contribution (\$2.15 X 150), musician would receive \$322.50 Monthly Benefits.

Once a musician goes on pension (10 years or fewer for older musicians) he or his beneficiary is guaranteed of receiving 100 times the monthly benefits he would have received if he had been age 65. For example, if a musician retires at age 65, and dies after receiving only three monthly benefits, the balance of 97 payments shall be paid to his or her beneficiary in a lump sum. If the member is not retired, the monthly benefit he or she could have received at age 65 is calculated and 100 times that amount is paid to the beneficiary, if he or she was past 60 years of age.

Musicians who have filed beneficiary cards with the A.F. of M.-E.P.W. Fund and would like to change their beneficiaries, may contact the Local's office or write to the Fund office (730 Third Ave. New York, N.Y. 10017). *This is very important as death benefits will be paid only to the beneficiary on file.*

A yearly statement of contributions made into the musician's account is provided. Further information may be obtained by consulting the current issue of the Fund booklet or by writing to the address provided above.

THREE FOURTHS OF ICSOM ORCHESTRAS NOW IN STRIKE FUND

A report from John Palanchian, a Trustee of the A.F. of M. Symphony-Opera Orchestra Strike Fund indicates that there are presently 33 ICSOM orchestras participating. Five of these are awaiting eligibility to receive benefits. Since the inception of the Fund in 1970, almost \$800,000. has been paid in benefits, not counting benefits to the Seattle Orchestra now on strike. Seattle is the nineteenth orchestra to receive Strike Fund benefits at least once.

You may have noticed that the new ICSOM directory does not include the Union Printers' "bug". An apology has been received from our printer for this inadvertent omission. They certify that all camera work, platemaking, presswork and bindery was performed by Union employees of the company. A second mailing (made to individuals and organizations outside ICSOM) DOES contain the "bug".

HOUSE LIGHTS ON AGAIN AT KENNEDY CENTER OPERA

After nearly six months of negotiations and a two-week strike, the Opera House Orchestra finally has settled a contract with the Kennedy Center. Members of the negotiations committee were Gene Montooth, Chairman; Ed Kiehl, Sam Ramsay, Carolyn Parks and Julie Giacobassi, with Sam Jack Kaufman, President of Local 161-710, A.F. of M.

In the first three months of negotiations, we dealt with only one issue — job security. Since most of us had been playing at the Kennedy Center for three years or more, we felt the time had to come to demand tenure. The Executive Director of the Center, Martin Feinstein, was reluctant to grant tenure to an orchestra which he felt included some “weak sisters” (his words) that he wouldn’t be able to get rid of. Maintaining that he had been able to move people in and out of the orchestra at will for seven years, we insisted on a contract that included tenure for all our people.

Once management began to accept the inevitability of tenure, the next obstacle was a non-renewal procedure. We felt that because of Mr. Feinstein’s attitude, the procedure had to be as strong as the one contained in the National Symphony’s contract, which provides for committee review of any dismissals. In the absence of any music director (we play for touring ballet companies, musicals and locally produced operas), the problem was complicated by questions such as who would issue dismissals, and who would testify at arbitrations?

We continued to play and talk after the expiration of our contract on August 27, but we could not agree on any proposals, and set a deadline of October 15, after which we would strike if this issue could not be settled.

The timing of the strike was not good. The musical show, “Platinum”, was playing in the Opera House with twenty of our local musicians and a five-piece rock band from Local #802 in New York. In spite of requests from the orchestra, our local union, and ICSOM, neither the President of the Federation nor the International Executive Board would instruct these musicians to honor our picket line, and the show was able to continue until the end of its engagement on October 28, with only the rock band.

In the meantime, the orchestra and the union engaged Lenny Leibowitz who already had been generous with his time and counsel to this new member of ICSOM. With his assistance we continued our discussions with Mr. Feinstein at the Federal Mediation Service.

On October 27, the National Symphony, which had been on strike for four weeks, ratified a contract with its management, but because of their residence in the Kennedy Center Concert Hall, they refused to cross our picket line to go back to work. The Philadelphia Orchestra and the Pittsburgh Symphony also refused to play scheduled performances in the Concert Hall. The Washington Opera Society was forced to cancel two operas which were scheduled for four performances each during the month of November in the Opera House. Only the Eisenhower Theater continued to operate with a dramatic show, “Sammelweiss.”

Meanwhile, back at mediation, progress was being made. Mr. Feinstein agreed to grant tenure to fifty members of the orchestra who had played ballet and opera for three years or more, along with twenty-four musicians of the musical show orchestra. We had worked out a non-renewal procedure, and John Lanchbery, music director of American Ballet Theatre, agreed to act as our music director.

The status of nine members of the orchestra who had played for less than the required three years was the last obstacle to the strike settlement. Our position was that these musicians should be granted tenure once they completed their third year, but Mr. Feinstein had stated during the negotiations that only those musicians who already were eligible for tenure would be

granted it.

On the evening of October 31, Mr. Feinstein rejected our proposals regarding the nine musicians and announced that he would be leaving for a ten-day trip to Europe the next evening. If he had left before the settlement, our orchestra and the National Symphony would have been left out on the picket lines for at least another two weeks.

The next morning, November 1, the Greater Washington Central Labor Council, AFL-CIO, issued a statement in support of our strike and urged its member unions to honor our picket line. That evening, the stage-hands and wardrobe workers refused to go to work at the Eisenhower Theater. The film projectionist at the American Film Institute Theater walked out. The ticket takers met and voted not to cross our picket lines. It looked as if the entire Kennedy Center would be dark.

Mr. Leibowitz spoke with Mr. Feinstein and offered him a compromise which placed the nine musicians on a one-year probation period, after which they would be granted tenure if the music director did not dismiss them. The musician could appeal to arbitration if he or she felt that the dismissal was made for other than musical reasons.

Mr. Feinstein accepted and left for Europe. The committee agreed that the compromise was a good one and recommended to the orchestra that we end our strike.

We anticipated no substantive obstacles in negotiating the remainder of the contract upon Mr. Feinstein’s return, and so we voted unanimously to end the strike, thereby allowing our wonderfully supportive colleagues of the National Symphony to return to work.

The terms of the new contract include a new concept for wages paid for ballet and opera. The minimum scale is \$500.00 for up to 28 hours per week. For all hours above 28 in any week the minimum hourly rate shall be \$17.00. In the second and third years the scales will be \$525.00 and \$550.00 respectively with the hourly rate increasing to \$18.00 and then \$19.00. This represents a 12% increase in the first year over last years rates which were \$392.00 for eight shows and \$12.50 per hour for rehearsals.

For musical shows the weekly scale will be \$420.00 in the first year, \$440.00 and \$465.00 in the second and third years with \$12.50 per hour for rehearsals.

Doubling will be paid at the rate of 12% for the first double, 10% for the second, 9% for the third, for performances; half of that amount will be paid for doubling in rehearsals.

Starting with the second year of this agreement, pension will be raised from 5% to 6%. Also starting in the second year an amount equal to 1% of the total base wage scale will be contributed toward our Blue Cross — Blue Shield plan. Also each tenured member of the orchestra shall be entitled to three services per year off for illness without loss of salary. Christmas Eve and Christmas Day shall be off, and the employer will recognize a shop steward.

We would like to express our gratitude to the many ICSOM representatives who gave of their time with much needed advice and support. We are proud to be members of such a wonderful organization.

We were fortunate, indeed, to have Lenny Leibowitz as our counsel, and we appreciate the solid backing of Sam Jack Kaufman and the Executive Board of our union.

To the members of the National Symphony and especially the committee — Bill Foster, Fred Zenone, Linda Harwell, Tony Ames and Nick Marlowe — there are no words to thank you.

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 an official conference of the American Federation of Musicians of the United States and Canada, AFL-CIO.

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