

Senza Sordino

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THE STRIKE FUND

Henry Shaw

Twenty years ago ICSOM was formed by symphony musicians as an independent organization, outside the jurisdiction of the American Federation of Musicians, pledged to overcome the dreadful economic state and working conditions that we endured. The situation in 1962 reflected a commonality that dictated the necessity to work together as a family of orchestras or fail utterly in our goals. We knew that accompanying our fight to be allowed to ratify orchestra contracts (offered in so perfunctory a manner year after year) was the necessity at times to endure the hardship of work stoppages.

It was not surprising then, that after ICSOM made changes in its by-laws to avoid conflict with the A.F. of M. constitution and was accorded conference status, we received in 1970 from the A.F. of M. assurance of \$250,000, as a reserve into which we could dip if funds which were collected from participating orchestras in a newly formed Strike Fund, were dissipated. Such a fund had been a long standing ICSOM goal.

It is essential in the bargaining process to be able to back up positions, for the decision to say "NO" is inalterably affected by a worker's ability to feed himself and his family. The Strike Fund is an essential tool in the bargaining process. The affirmative votes of a majority of the orchestras in ICSOM to participate in the Fund speaks for recognition of that fact.

We all recognize the need for car insurance; health and welfare insurance; life insurance and other forms of protection that serve as buffers against economic difficulties and even disaster. Do we pray each night for a car wreck or a disabling illness? For our own demise so that our premiums, quite costly in some instances may be recovered so that we may "come out ahead" by receiving more than we paid in premiums? In such an outlook lies madness, as you must agree.

The Strike Fund provides benefits in case of strikes or lockouts. The payout (no repayment necessary) is without equal among such Funds in labor circles. It provides for fourteen weeks of benefits of \$100. a week and all for a niggardly \$75. a year from the musician. This insurance that provides us some insulation from economic devastation is incredibly inexpensive. It would seem that the facts sell the package, but some are not easily sold. I would suggest that we should not be lulled by a belief that we have control over our economic destiny because we enjoy the privilege of ratification of our contracts. The orchestra world abounds in tales of talks stopped in their tracks by associations that refuse "play and talk" proposals. Lockouts are commonplace in our profession, and precious little can be done by musicians when orchestra associations are bent upon such a course.

The Strike Fund has survived the 1981 assault upon its reserves. There is, however, a nagging problem of orchestra delinquency in Strike Fund payments. The delegates at the 1982 convention expressed a desire to see the Strike Fund maintained at all cost. Orchestras in the Fund must pay their obligation in total. Participation is an *orchestra* decision not an *individual*

one. We do not wish to see the Federation come down hard on individuals who choose to ignore payment, but whatever the consequences the viability of the Strike Fund will be maintained.

We urge the few who are delinquent in payments to be more prompt and we invite the ICSOM orchestras not now participants in the Strike Fund, in a spirit of unity and, as an orchestra delegate expressed it, "as a moral consideration," to join the rest of us.

We are in troubled times. The fortunate continue to reach accords relatively free of problems; others are forced to re-negotiate to stave off loss of their jobs. The less fortunate need the others. Let's react as we did in 1962. Let's hang together or we will hang separately, to repeat a worn but appropriate phrase.

DEATH TAKES GIFTED CALVIN SIMMONS

On Saturday, August 21st, the orchestra world lost one of its brightest rising stars, thirty two year old Calvin Simmons. About to enter his fourth year as musical director of the Oakland Symphony Orchestra, he had already been cited by *Time Magazine* as one of this country's five most promising young conductors. Regretfully, it will never be known what he might have achieved.

Calvin, as he was known to all, began his musical studies at the piano. It was as a member of the San Francisco Boys Chorus that he received his first opportunity to conduct. Shortly after graduating from the Curtis Institute of Music in Philadelphia he became the Exxon/Arts Endowment Conductor of the Los Angeles Philharmonic. Three years later, after conducting debuts with the New York Philharmonic, the Metropolitan Opera, the San Francisco Opera and the San Francisco Symphony, he accepted the position of Music Director with the Oakland Symphony.

To describe Calvin Simmons as a "young, gifted black" is no mere cliché. The hero's welcome he received at inner city school concerts is ample testimony to that fact as is his contribution to the Oakland community. Uncompromising in his desire to see the orchestra grow, Calvin led the Oakland Symphony to a new standard of excellence recognized by all. The ebullience of his personality and his innovative programming revitalized the orchestra. The warmth of his personality and the depth of his musicianship won him their admiration and respect.

Developing an effective, let alone pleasant relationship between conductor and orchestra is often an arduous task. Calvin Simmons' musical insight and devotion, patience, understanding and sense of humor combined to make it a simple one. He not only had a natural flair for music but for people as well.

Tax-deductible contributions to the *Oakland Symphony Calvin Simmons Memorial Fund* may be sent to the *Oakland Symphony, 2025 Broadway, Oakland, California 94612.*

David Burkhart,
Principal Trumpet and ICSOM Representative
Oakland Symphony Orchestra

THE 1982 ICSOM CONFERENCE

The 1982 ICSOM Conference was held in Los Angeles from August 9th to August 13th. An exceptionally good representation of ICSOM orchestras was present; 41 out of 47 orchestras. Chairman Fred Zenone addressed the conference and expressed satisfaction with the new Audio-Video contract which he characterized as "the best anywhere around." The contract is the first to be negotiated only for symphony, opera and ballet orchestra musicians. It represented the output of an enormous amount of time and effort not only on the part of the ICSOM Media Committee (Fred Zenone, Brad Buckley, Lew Waldeck, John Palanchian Don Muggeridge and Don Whyte) but A.F. of M. officials and the management team as well. Lew Waldeck, representing the Media Committee, participated in the National Public Radio negotiations. The A.F. of M. will now pay ICSOM representatives all expenses incurred while participating in media negotiations. We commend the A.F. of M. for recognizing the value of musician input into negotiation process. Fred spoke of negotiations with the British Musicians Association which resulted in permission being granted the Los Angeles Symphony Orchestra to perform four concerts in London. The orchestra had run headlong into British protectionist policy that took the combined efforts of the A.F. of M., the Major Manager's Conference and ICSOM to settle amicably.

The National Endowment for the Arts picture was characterized as "grim" and there is not much hope for improvement in terms of increased funds for the foreseeable future. Zenone spoke of the new computerized system for handling Conductor Evaluations that is viewed enthusiastically as an improvement over that used in previous years. Orchestra delegates were urged to go home and get involved in the program if they are not already doing so. Dialogue with the Major Managers Caucus has resulted in a willingness now on the part of that organization to discuss industry-wide symphony problems.

Vic Fuentealba spoke of the new Audio-Video contract as a "foundation block on which the principle of revenue sharing can work to our advantage." He also pointed to the collection problems being encountered by the A.F. of M. in regard to the Strike Fund and regretted the necessity to prefer charges against several orchestra musicians for failure to pay Strike Fund dues. Vic stressed the importance of our orchestras becoming more involved in TEMPO, a political action program of the A.F. of M. that seeks the election of public officials sympathetic to labor and to the arts and expressed his satisfaction with the extent of rapport between ICSOM and the Federation.

Daniel Windham, Director of the MAC program brought delegates up to date on the activities of this organization during the past year. The Fund, as you have read in past issues of *Senza Sordino* is an affirmative action program that seeks to assist talented young black musicians who are working toward professional orchestra careers. Presently the Fund offers an orchestra \$15,000, (or not more than half the cost) to subsidize an artistically acceptable black musician for a year's service. The program seeks to provide experience and knowledge that will be useful in obtaining a position in an orchestra at a later date through the normal audition process. The program instigated in 1976 has seated 12 Fellows in orchestras. In the past year Indianapolis and the New York Philharmonic participated in this program. Mr. Windham urged delegates to be the "third eye" in spotting talented black musicians around the country and to make them aware of the aid the MAF Fund can provide.

Anthony Mazzocchi is Assistant to the president of District 8 Council of the OCAW. As he addressed the conference he was quick to point out that workers are not disconnected from each other. That they are in fact dependent upon one another. What happens to his workers can happen to us. He analyzed the present highly destabilized economic picture and drew a

bead on how we approach a world that is unlike the one in which we had to work in the past.

Mazzocchi pointed to the corporation's role reversal tactic. "We are being made to believe that it is *we* that must give to the corporation; that *we* are the cause of the nation's present economic plight; high wages and low productivity. This offensive is being waged against labor in general in the face of swollen managerial staffs, mis-managed corporations and suspect corporation practices which have helped fuel the present crisis." He cited high corporate investment of domestic earned profits in overseas ventures, the products of which are resold in U.S. markets at low prices that undercut U.S. made goods. He pointed to large corporations that have used their wealth and control over jobs to convince and blackmail local, state and federal officials to provide them with tax breaks, abatements and loopholes which increase and shift the tax burden to the worker.

Mr. Mazzocchi accommodated us by chairing an evening workshop which was well attended, attesting to the fact that delegates were truly stimulated by his morning address.

Workers, he said, have no reason to wallow in self guilt. Such an attitude causes worker alienation from our labor organizations in varying degrees. When the worker does not see apparent results from his dues-giving he becomes even more alienated. We must strengthen our resolve and educate our constituencies on the facts. Above all we must understand each other's roles as workers to get mutual support as we draw from the same sources and compete for the same dollar for our living.

Nine papers were entered this past season in competition for the Ralph Mendelson Memorial prize, Irving Segall reports. This award, memorializes Ralph, a past chairman of ICSOM who died an untimely death. The award seeks to encourage future arts administrators to become familiar with the problems of the working musician and to establish a relationship between the arts administrators and the performing artists for their mutual advantage. The content of submitted papers pertain to the history of arts-labor relations. The winning paper is distributed to all universities as well as to other institutions.

ICSOM Counsel Phil Sipser brought into clear focus problems with which we will be faced in the bargaining process in the immediate years ahead. He said, in total, approximately 1 out of 5 people in the country was touched by unemployment in 1981; this is apt to worsen to 1 out of 4 in 1982. It is this fear of unemployment which led the Automobile Workers to make unprecedented concessions to their employers which touched off a syndrome which has been felt at many other bargaining tables this year. In our own profession the Kansas City, New Jersey and Florida (Miami) orchestras are dissolved or barely breathing. The orchestras in Buffalo, Detroit, San Diego, North Carolina, Seattle, Syracuse, National, Milwaukee and the New York Opera have made concessions either in the middle of an agreement or in a new contract. We can not ignore the fact that others may be asked to make concessions. We were warned that we must be able to deal with situations where managements plead for concessions because *other orchestras in the country are obliging*. The fact is that all orchestras are non-profit organizations and many are capable of weathering the economic storm without this knee jerk kind of "me too" appeal. Each orchestra is urged to take a very detailed look at the financial picture in his orchestra before acceding to any "unusual" requests.

Phil stressed the importance of becoming more politically aware and to realize that if we are to obtain more government funding it will be necessary to become active in supporting legislators empathetic to Arts funding and to use our collective strength wherever it may benefit us. He urged the formation of a Political Action Committee within ICSOM to coordinate such activities.

The front page article in the May, 1982 issue of *Senza Sordino* stated clearly that there is less government funding available to our orchestras this year. Adrian Gnam, Director of the Music Program for the National Endowment for the Arts, said nothing that could be considered encouraging in this respect for the immediate future. Gnam expressed appreciation for the input of the several musicians who served on the Orchestra Panel this year. Fred Zenone will continue to serve on the panel and in addition will assume the role of Co-chairman. Nancy Griffin has accepted a chair on the Panel replacing Henry Shaw who served for three years. She will undoubtedly be as capable a panelist as she is an ICSOM secretary. In addition to sitting on the Orchestra Panel this year, Fred also served on the Policy Panel.

Ernest Fleischman, Executive Director of the Los Angeles Philharmonic and formerly manager of the London Symphony Orchestra disclosed the interesting corporate structure of the London Symphony. The musicians own the stock, constitute the Board of Directors, manage the orchestra and indeed, fire managers. He stressed the importance of dialogue between musicians and management and pointed to an exceedingly good relationship in his organization built upon mutual cooperation.

Henry Fogel, Executive director of the National Symphony Orchestra, came to that organization to inherit a desperate financial situation. He is astute and knowledgeable and a spell-binding speaker. He made a presentation on organization theory, budget analysis and funding means.

Election for all line officers of the ICSOM Executive Board were held at this year's convention. Fred Zenone, National Symphony Orchestra, was re-elected Chairman; Brad Buckley, St. Louis Symphony Orchestra, was elected Vice-Chairman. He replaces Stan Dombrowski who had served for seven years as both Secretary and Vice-Chairman. Nancy Griffin, Seattle Symphony Orchestra, repeats as Secretary and John Palanchian, N.Y.C. Opera, was re-elected treasurer.

Tom Hall, violinist with the Chicago Symphony Orchestra, was elected as Editor of *Senza Sordino* replacing Henry Shaw who had served in that capacity for ten years. Filling Brad Buckley's former position as Southern Area Representative is Pat Brannon, Louisville Symphony Orchestra, chosen by the orchestra delegates from the Southern area.

All new officers bring to the organization a wealth of experience in orchestral affairs. Buckley has made a major contribution in aiding orchestras in the Southern Area and as an astute observer of the orchestra media scene, having served on the ICSOM Media Committee.

Tom Hall's article in the August issue of *Senza Sordino*, *A Cure For Stage Fright?*, was referred to by Donal Henahan, *New York Times* music critic in the column, *Music Views*, a feature of the Art section of the *Times*. Henahan's fine article reviewed the growing use of drugs to ease the anxiety associated with the orchestra audition ritual.

An evening caucus was held to discuss and analyze the new Audio-Video contract. The women's caucus brought back recommendations for organizing an ICSOM women's group to survey issues pertaining to maternity leave, sick leave, child rearing time off and the appointment of one woman in each orchestra to examine contract clauses dealing with these subjects.

Orchestras with negotiations still in progress had reports made and various reports and papers dealing with auditions, the new conductor evaluation forms (which will be computerized), a proposed plan to amalgamate medical plans and other subjects too numerous to treat in this report were addressed on the floor of the conference. Full articles on some of these subjects will appear in future issues of *Senza Sordino*.

This industrious and illuminating session ended with a call for greater specific interchange between orchestras, individuals,

union and ICSOM. Baltimore was chosen as the site for next year's conference.

We wish to acknowledge the presence and help of Dave Winstein, Vice President of the A.F. of M., Len Leibowitz, esteemed counsel (and newlywed), and to express our appreciation to Max Herman and Local No. 47 for their hospitality; to Mr. Fleischman and the Los Angeles Philharmonic for a wonderful evening at the Bowl, and to Don Muggerridge and Michael Nutt, our colleagues in the Los Angeles Philharmonic for taking care of all conference arrangements in so splendid a fashion.

Henry Shaw, Cincinnati Symphony Orchestra ICSOM Representative

NATIONAL SYMPHONY ACCEPTS WAGE FREEZE

In mid-June, the National Symphony Association's Executive Director, Henry Fogel, requested an urgent meeting with the Orchestra Committee to discuss the financial difficulties of the Association. When the meeting took place on June 18, he told the Committee that his reading of the continuing long-range funding problems of the orchestra — exacerbated by the fire which destroyed Wolf Trap, our summer performing facility — gave him no choice but to ask the musicians for a wage freeze for the coming year. Within a week he had an opportunity to bring this unpleasant message to the full orchestra, and by July 12 an agreement had been negotiated and ratified modifying our current Collective Bargaining Agreement and setting some conditions for the next Agreement, to be negotiated in 1984.

The letter of agreement achieves considerable savings for the Association by delaying the effective date of the wage increases in the current contract. The weekly minimum in the '81-'82 season was \$570, plus a \$3/week/year-of-service seniority increment. This year's \$50 across-the-board increase and also a seniority increase to \$4/wk/y.o.s. will come next August instead of this September, an 11-month delay. The \$60 increase originally scheduled for September '83 and a \$5 seniority will be delayed 10 months to July '84.

In addition, several conditions were set over the next contract. The initial across-the-board increase will be no less than \$75 and will come with still less delay, in April '85, a 7-month delay. The next increase (the amount will be negotiated) will begin after a 4-month delay by January '86, and in the third year of that contract, the negotiated increase will be restored to its normal September date.

Three paragraphs of the letter state conditions under which the Union can unilaterally re-open this new Agreement; if the Association fails to raise \$3 million in new endowment funds by January 1, 1983; if the financial condition of the Association improves to the point that the Union feels the reasons for the modification no longer exists; if the current Executive Director is no longer in that position.

There are three questions which may concern members of other ICSOM orchestras:

1) *Is this an example of the kind of "give-back" negotiations occurring with increasing frequency in industries hard hit by recession?* While significant financial concessions have been made in terms of delaying wage increases, we feel that some of the more negative implications of the term "give-back" have been avoided. There is no reduction from current salaries, and no reduction in the amounts of scheduled increases. The delay in the increase is shorter each year, and by September, 1986, full parity is restored. No other paragraph of the contract was touched; all fringe benefits remain intact.

2) *How was it possible to consider such an unprecedented request as a mid-term contract re-negotiation, assess the real need*

for concession, and work out an agreement in less than four weeks? Such a timetable would have been impossible were it not for the level of continuing communication which has existed between Board, Management, Committee, and Orchestra members for several years. There was already a good deal of understanding in the orchestra of the long-standing conditions underlying the current crisis. There was also some faith that those conditions could be changed for the better because the current management, which had been in place for less than a year, had for the first time instituted plans which appeared to be reasonable and workable. This, combined with the fact that we were not faced with an assault on the entire contract, made quick agreement possible.

3) Will there be a ripple effect from this agreement to other orchestras? Will other managements see this as an attractive tactic to use in order to hold down settlements? Who knows? If your management comes to you with a similar request, two questions need to be answered: Is the crisis real? Is there a realistic long-range program for restoring financial health? In our case we are convinced there is a genuine crisis and are persuaded that it will be fixed. Furthermore, the concessions were not coming from musicians alone. Staff salaries are all frozen for the coming year. Both Executive Director and Music Director will voluntarily take pay cuts. Additional non-salary budget cuts will be made as well. Major endowment and government-funding efforts are being instituted. Most importantly, management's stated intention that this was not to be a permanent loss of parity with other orchestras was translated into definite commitments which bring a gradual restoration over the period of the next four years.

National Symphony Orchestra Committee
William Foster, Secretary

SAN FRANCISCO SIGNS THREE YEAR AGREEMENT IN MARCH

On March 2, 1982 after countless meetings which spanned a period of 20 weeks, the musicians of the San Francisco Symphony agreed to a 3-year contract. The previous contract had expired on November 22, 1981, and the orchestra had been playing without a contract. The work of the negotiating committee began with a microscopic examination of the previous contract, and of orchestra input, both verbal and written. After a number of meetings a questionnaire was passed out to the orchestra to ascertain priorities and strike issues. Periodic meetings with the orchestra explaining the status of the negotiations were scheduled. These elements contributed to an atmosphere of trust and unity which was invaluable.

On February 20, 1982 the orchestra voted unanimously for a strike deadline of March 2, 1982. This was the week of the annual marathon followed by a week in which Isaac Stern was soloist; the two biggest fund-raisers of the year. During the week preceding the strike deadline, daily meetings of 12-14 hours duration were held. The final negotiating session lasted 28 hours during which time the orchestra did not rehearse, but was available for meetings with the negotiating committee. At the end of the 28-hour session the orchestra voted to accept the contract. Two of the most important issues were to retain our 5-day week, and to have the beginning of the contract year coincide with the beginning of the regular season. We were not successful in changing the beginning of the contract date.

With several exceptions we did retain our five day week with two successive days off. We have had a five day work week for a number of years and have found it to be the single most important issue of the contract.

Other gains were in salary:
1981-2 \$600.00 plus \$25 EMG (was \$520 plus \$25)
1982-3 \$660.00 plus \$25
1983-4 \$725.00 plus \$35

Seniority pay – 10-14 years \$300; 15-19 years \$450; 20-24 years \$600; 25-29 years \$750; 30 years or more, \$900.

Pensions – \$14,500 after 30 years of service at age 65 (62-winds) \$22,000 annually to be divided to augment the pensions of those musicians already retired.

Vacation – Added 1 more week of floating vacation making 9 weeks total

Auditions committees – \$25 for 4 hours, \$50 for 8 hours

Dental – Amount of insurance was increased and orthodontia was added (50% to \$1500 maximum)

Medical – Vision care added to medical, prescription drugs paid, psychiatric care to \$2000.

Instrument maintenance – \$50 yearly

Sabbatical leave beginning in 1983-4 – 2 players per year

Per Diem – 1981-2 \$33; 1982-3 \$37; 1983-4 \$41 plus hotel. \$25 extra per night for doubling up (per person). Tour fee \$6 per day or \$35 per week.

Concerning future negotiations the following observations can be made. Because of the complexity of some of the issues, sufficient time to understand the problems and possible solutions is necessary. All the committee members agreed however, that we had participated in too many meetings and over a longer period of time than was necessary or desirable. Our major weakness centered around the contract year which does not coincide with the start of the season. Prior to 1980, the symphony season opened in the last week of November. Since the majority of the orchestras were also members of the San Francisco Opera orchestra for the period from September thru the end of November, the starting date for the symphony was dictated by the close of the opera season. With the opening of the Louise Davies Symphony Hall in September, 1980, the symphony season now starting in September was separated from the contract year, the end of November. This has been a major issue during negotiations. Should a strike occur in mid-season, the Association does not have to pay artist fees; many ticket holders will not ask for refunds; the operating deficit is reduced with the elimination of orchestra payroll, and with a Christmas vacation week at the end of December followed by non-subscription New Years concerts, our season is in a lull. This is not the scenario needed for serious negotiations. We decided that the best leverage would be the symphony marathon week. With a strike deadline coinciding with such a major fund-raising event, 90% of the serious negotiation and agreements occurred within the week prior to the deadline, with most of the serious work being done in that last 28-hour session.

The tactic of management to wait until the last minute to get down to serious business worked to our advantage. Almost everything we were seeking was gained, even to putting our assistant librarian on the union roster, which was bitterly opposed by management. The successful negotiation of our new contract was due to the dedicated work and unlimited patience of our committee, Chris Bogios, David Schneider, Ray Ojeda, Don Carroll, Nancy Ellis and our union president, Jerry Spain.

Marguerite Figeroid, ICSOM Representative
San Francisco Symphony

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