

Senza Sordino

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MAJOR SETTLEMENTS

CHICAGO SYMPHONY ORCHESTRA CONTRACT REACHED AFTER THREE-WEEK STRIKE

After 25 negotiating sessions and a strike of three weeks, an agreement was reached covering the musicians of the Chicago Symphony Orchestra. Negotiated increases in salary will bring the basic weekly scale over the term of the three-year pact to \$720, \$780, and \$830. In addition, seniority increments will increase by \$5, so that a player will receive an additional \$10 per week after five years with the orchestra, an additional \$15 per week after ten years, continuing to an additional \$30 per week after 25 years with the orchestra. Retirement benefits were raised from the previous annual pension of \$12,000 for a 30-year player to \$15,000 for those who retire in the first two contract years and \$16,500 for retirees in the last year of the contract. The pension of a musician who retires in the first two years will automatically increase to the higher rate in the third contract year.

Raises proportionate to the wage increases were made in overtime pay and extra services rates. Ancillary payments such as tour and runout per diems and doubling fees were also increased. A progressive overtime clause was introduced which provides for an additional \$5 for each unit of rehearsal overtime after the first two similar units in a week. (A unit of rehearsal overtime consists of 30 minutes if scheduled, 15 if unscheduled.) Numerous other contract improvements of economic and non-economic nature were also agreed to. Modifications of the audio-visual agreement provide for a guarantee of two imprint fees for each television program, and for no service conversion unless approved by the CSO Members Committee.

CSO negotiations are conducted by a five-member negotiating team selected by the Members Committee; serving this year were Roger Cline, Donald Koss, Ray Niwa, Jerry Sabransky, and Isadore Zverow. Also participating are the president of the Chicago Federation of Musicians (Nicholas G. Bliss) and the union attorney (Michael C. Greenfield). A contingency committee assists the negotiators with bargaining related activities; as its name implies, this committee makes plans for foreseeable events well before they occur. For example, this committee arranges for and maintains an answering machine information line to keep members apprised of the general progress of the negotiations and to minimize the need for personal communications between orchestra members and negotiating team members when time does not permit individual discussions. The committee organizes a telephone network to ensure that all orchestra members can be reached on short notice, and it prepares for the payment of strike fund benefits, even though a strike has not been authorized or, for that matter, is not expected.

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NEW YORK PHILHARMONIC TRIES NEW APPROACH IN NEGOTIATIONS

The New York Philharmonic Committee began preparing for negotiations shortly after being elected in October, 1981. The existing contract was to expire on September 19, 1982. Because relations between the orchestra and management had been deteriorating for the last nine years, affecting the morale of the musicians, the committee decided to try an unorthodox approach which it hoped would produce a new contract and eliminate or reduce the adversary relationship which had developed between the two parties. Our plan was submitted to management in early November, 1981. We proposed that there be no lawyers at the negotiations, no "shopping lists," no last minute marathon meetings; we proposed concluding bargaining on June 19, 1982, the last day before summer vacation would begin and three months in advance of the end of the existing contract. Management accepted this plan with much enthusiasm and agreed to work towards a conclusion of the contract in this manner. In spite of a very strong effort to negotiate in this way, we were not successful. Although there were never any attorneys present, nor were there any marathon meetings, we were not able to eliminate "shopping lists," nor were we able to improve relations between management and orchestra, nor did we reach an early agreement. In fact, the settlement came four weeks and five days after the end of the old contract, during which time we continued to work and negotiate.

Negotiations between the orchestra and management committees actually began in April, 1982. Eventually there would be 23 meetings totaling 105 hours. At the first meeting, our committee made a presentation of the orchestra's position related to the Cost of Living Index, income tax bracket creep, and situations in other orchestras. We asked for very few changes in the contract, and these were realistic and not inflated for the usual bargaining strategy. We used our 1967 minimum salary as our base because that is the year the U.S. government uses for its Consumer Price Index, the base year in which \$1 purchases \$1 worth of material. Our minimum salary that year was \$13,000 (\$250 per week); our pension after 30 years of service was \$6,000 (46% of minimum scale). The CPI through July 31, 1982, was 290.6. Applying this multiplier to our 1967 figures yielded a minimum wage of \$37,778 (\$726 per week) and a pension of \$17,436. Adjusting for income tax, a person earning this amount of money, living in New York City with a family of four, would have to receive an annual minimum of \$46,185 (\$888 per week) to have the same purchasing power as in 1967; the pension would have to be \$19,330 per year, or \$644 per year of service credit, to equal the 1967 pension. Our actual 1981 mini-

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CHICAGO SYMPHONY ORCHESTRA*(Continued from page 1)*

No agreement had been reached by the time our prior contract expired. While the orchestra had previously adhered to a principle of "no contract, no work," it agreed with the negotiating team's recommendation to authorize a three-week extension of the old agreement in order to permit talks to continue during a scheduled Midwest tour. When those additional bargaining sessions proved to be unfruitful, the orchestra voted to strike, commencing with the first week of the subscription season.

In order to ensure that decisions of individual orchestra members are not influenced by peer pressure, all strike and contract ratification votes have been by secret ballot. In addition, the initial strike vote gave orchestra members three alternatives: (1) reject the final offer and strike, (2) reject the final offer and continue to play while negotiating, and (3) accept the final offer. That secret vote was 97 in favor of striking, 4 to play and talk, and 2 to accept the offer.

The orchestra maintained a very low profile for the first two weeks of the strike, engaging in no picketing or other public display. The purpose of delaying the start of public activities, including picketing, was to give the bargaining process additional time to work without generating unnecessary ill will on the part of trustees and other orchestra supporters. In addition, we did not wish to cause our fellow union members to jeopardize their wages by honoring picket lines before we had exhausted every other possibility.

As the impasse crystallized, a carefully measured escalation of public activities was implemented. A marathon of free chamber concerts was held at a large indoor shopping mall, at which informational leaflets were distributed to interested shoppers. The marthon, billed as "A Gift of Music to Chicagoland," was well publicized and received extensive and extremely favorable news coverage on the area's four principal TV stations.

At the end of the third week of the strike, picketing at the front and rear entrances to Orchestra Hall was begun. The picket lines were honored by deliverymen, stagehands, electricians, and other tradesmen employed at the hall. We acknowledge a sincere debt of gratitude to members of the Cleveland Orchestra, who assured us that they would not cross our picket line to perform at Orchestra Hall the following week. We were informed that the Scottish National Orchestra, then touring the U.S., would cancel its scheduled performance.

The contract settlement was reached after picketing had been in effect for only one day, although one should not assume that our picketing was, in itself, responsible for the agreement.

Three or four contracts ago, management persisted in believing that the negotiating team did not represent the thinking of the orchestra's rank and file, and it resisted bargaining directly with our negotiators. The orchestra has repeatedly demonstrated its solidarity and support of its negotiating team by voting overwhelmingly in favor of its recommendations. In so doing, we believe that we have strengthened the negotiating team's hand by persuading management that our negotiator's recommendations will be followed, whether it be to accept or reject a management "final" proposal. We feel that management is thereby inhibited from attempting to bypass the negotiating team and trying to divide the orchestra by appealing directly to the musicians. Notwithstanding, during the third week of this strike the General Manager wrote directly to orchestra members, asking that they accept The Orchestral Association's offer. That attempt at breaking the orchestra's resolve was widely perceived as an attempt to circumvent the negotiating team and undermine its recommendations.

These negotiations were extremely onerous and hard-fought by both sides. The work stoppage, which was reluctantly entered into by the orchestra, was deeply resented by the musicians because they felt the Association had forced them into the position of having no choice but to strike in the face of an obviously inadequate wage offer. There is a feeling among orchestra members that, for inexplicable reasons, The Orchestral Association was "spoiling for a fight" and that the strike, however unwanted by the musicians, was unavoidable. Much good will and trust which had been painstakingly built up over the years was eroded during the strike. The CSO has had lockouts and strikes of varying lengths during four of the past five contract negotiations, but no work stoppage seems to have generated as much hard feeling as did the most recent one.

While all agree that no one wins a strike or lockout, we feel that the strike of 1982 was successful in that we achieved gains well beyond what we had been offered at the time of the strike vote, offsetting a major part, if not all, of our initial loss. In addition, we held to the extremely important principle that we will not agree to perform under less than reasonable conditions, at least not without a battle. Our successes were achieved by hard bargaining, thoughtful planning, careful execution of those plans, and virtually absolute support from our orchestra colleagues and union.

Chicago Symphony Orchestra Negotiating Team

RALPH MENDELSON MEMORIAL PRIZE AWARDED

The first Ralph Mendelson Memorial Prize has been awarded to Mr. Mark Volpe, a law student at the University of Minnesota. Mr. Volpe, who will receive his law degree in May of 1983, has an undergraduate degree from the Eastman School of Music; he also attended Indiana University as a graduate student, majoring in clarinet. He will receive a \$350 cash award and a certificate of recognition.

The award, established as a tribute to the late Ralph Mendelson, a violist for 26 years with the New York Philharmonic and ICSOM chairman from 1970-1974, is to be given annually for the best paper written by a graduate student on labor relations in the symphonic or operatic field. The topic assigned this year was Collective Bargaining in Symphony, Opera, and Ballet Orchestras. Judging for ICSOM were Frederick Zenone, Irving Segall, and Philip Sipser. Judging for the Association of Arts Administration Educators (AAAE), which administers the award, were Dr. Edward Arien, Director of the Arts Administration Program at Drexel University in Philadelphia, and Hy Faine, Professor Emeritus in Arts Administration at the Graduate School of Business at UCLA.

In the preface of his paper, Mr. Volpe states that he "attempts to explain through an examination of orchestral contracts and the manner in which contracts are currently negotiated why orchestral musicians have been able to secure such dramatic improvements in their salaries and benefits." Mr. Volpe also briefly details ways in which collective bargaining in the orchestral world differs from that in more traditional settings. The paper concludes with a look toward future contracts.

A copy of the paper, which contains a well written history of the role ICSOM has played, will be sent to each ICSOM orchestra, to universities participating in the AA AE, and to various libraries and foundations throughout the country. We suggest that each orchestra reproduce the paper to make it available to as many members as possible.

Irving Segall

Ralph Mendelson Memorial Committee

A NEW COMPUTERIZED CONDUCTOR EVALUATION FORM

Catherine Compton

Two years of research have recently culminated in the complete revision of the ICSOM conductor evaluation questionnaire, its storage, analysis, and reportage. In August of 1980, the ICSOM delegates granted me permission to undertake this project on behalf of all ICSOM orchestras. My interest in making such a proposal developed during the previous four years while compiling conductor evaluations for my orchestra, the Detroit Symphony. In Detroit, the musicians' enthusiasm for the process has traditionally been matched by that of the management and the board of directors, who solicited these evaluations and frequently acted upon their indications.

As I compiled those hundreds of evaluation forms, my respect for my colleagues grew continually with respect to their ability to distinguish between conductors of varied accomplishments. At the same time, my knowledge of research in the social sciences told me that our method of reporting only the percentage of responses in each category left out a great deal of information. Two measures essential to research are the mean and standard deviation, both of which I felt should be included.

I majored in psychology at Oberlin College, where great emphasis is placed on experimental design and analysis. As a result of my training I was quite sure a better questionnaire could be designed which would give more useful and complete information about each conductor.

This project became feasible when Thomas J. Wilhelm, the coordinator of the Wayne State University testing and evaluation unit, offered to help. His love of music and his knowledge of the field of testing made him invaluable, in fact crucial, to such an undertaking. The director of testing and evaluation services, Dr. John E. Hechlik, approved the study as a general community research project. Eric Sayenga, assistant director of testing and evaluation services, also lent his expertise in experimental research design and survey data collection and analysis.

Once the conference gave us permission to proceed, we examined the existing questionnaire. Historically, a core set of eight questions had been used by most ICSOM orchestras; however, over the years many items had been added or subdivided until almost no orchestras were using the same set of questions. In addition to these inconsistencies, the mechanics of compiling the results were time-consuming and tedious. After collecting the completed forms from the players, the delegates prepared hand-compiled summaries, usually showing the number and percent answering in each category. Then they would send a copy for the file kept by the ICSOM vice-chairman. Their own copy could be shown under strictest confidence to their orchestra's artistic advisory committee or to the orchestra's managers, according to their own established procedures. Whenever an orchestra or manager wished to see evaluations from other orchestras, these were requested in writing from the vice-chairman, who duplicated the reports, page by page, sometimes as many as 100 pages for one orchestra's request.

Clearly delegates, orchestras, and managements would all benefit from a uniform, comprehensive set of questions, scientifically compiled and speedily and automatically reproduced. This has now been accomplished. A machine-scannable answer sheet with phase one of a custom designed program for analysis and printout is in place at Wayne State University. In phase two we will have a data base system which will allow for even more complex analysis.

The lengthiest aspect of this project has been the research and selection of the specific questions to be used. First we designated the Detroit Symphony Orchestra (DSO) as the sample

orchestra, mainly due to its proximity. We then examined the existing questionnaire used in Detroit. It had thirteen numbered items, some to be answered excellent, good, fair, or poor, and others yes, no, or undecided, two rating scales from one to ten, and a space for comments. These items were all evaluated for their significance, variance, and reliability as used by the DSO musicians to evaluate 26 conductors. The information from each individual answer sheet was entered into the Wayne State University computer and evaluated using the Michigan data analysis system (MIDAS). The reports indeed varied significantly between conductors, and the individual items agreed significantly with each other both within and between each individual's responses. The statistical correlations between items also indicated that the existing questions were not telling the whole story.

Our next task then was to find those questions which would divide the art of conducting into its basic components as they are perceived by professional symphonic musicians. Samples of sixteen questionnaires then in use by ICSOM orchestras were combined into one questionnaire of seventy-one items. The delegates to the 1981 ICSOM conference served as a panel of experts to evaluate all the items. The delegates' opinions identified a rank-order list, but there was still not a clear indication of how many of the items would best describe a conductor's performance. The delegates were of the opinion that the final questionnaire should have no more than twenty items, and preferably fewer.

The Detroit Symphony musicians were called upon once again, this time to apply all seventy-one items to two different conductors. When the individual items were grouped by a cluster analysis into fifteen groups, each group of items that tended to score alike contained one of the questions from the top choices of the ICSOM delegates. Furthermore, those questions stood out in their groups as having the greatest variance between conductors. This made them the best items to represent their groups on the final questionnaire. This was a very pleasant surprise, as the two methods need not have identified the same questions as being the "best" questions. The fact that they did further validates their choice as questions.

Before the first printing was ordered from National Computer Systems Incorporated, the form underwent one more trial run. The DSO used the new items on an interim scannable form for several conductors early in 1982. Both the Artistic Advisory and the Music Director Search Committees made good use of the results, benefiting greatly from their speedy, one-day tabulation. In Detroit, committees had the most influence in recommending conductors for return guest appearances and the orchestra will see some of these conductors this season. Because most conductors schedule their concerts three years in advance, the sooner such recommendations are made, the better chance they have of success.

The new items performed very well. A cross check of two conductors evaluated by both the new and old forms showed a high correlation between the new and the strongest of the old items. At long last, the layout of the final version could be worked out and printed. A final feature of the new form is space for answers to five optional questions which may be designated by any orchestra for its own use. That orchestra will receive tallies of these items, identical to the official items, except that they will not have word labels and they will not be reported to other orchestras. Several orchestras received the new forms in time to evaluate conductors and receive the results at the 1982 ICSOM convention.

NEW YORK PHILHARMONIC*(Continued from page 1)*

mum was \$31,760 (\$630 per week) and our annual pension for 30 years service was \$9,750, or 30% of minimum, the lowest it has ever been since 1944, when it was 43%; the highest it has ever been was 47% in 1973.

After our presentation, management responded by producing what we came to call their "blue book," our contract in a blue loose leaf binder, filled with many, many changes outside of money items, ranging from very major to very minor and trivial proposals. This was a "shopping list" which completely destroyed our intentions and for which we were totally unprepared. We were suddenly confronted with having to abandon our new rules and revert to the old rules of conventional negotiations. In addition, management would not discuss major money items until all of their proposed changes had been discussed.

By June 19 we had not made much progress. At this point the committee requested a week off from work, during which we would negotiate eight hours a day, but this request was denied. All meetings were thus suspended because of vacation and the South American tour.

Meetings resumed in New York on September 16. (There had been one meeting on tour.) At this and all following meetings the committee was joined by officials of Local 802, from whom we received strong support to the very end. At this time we presented our own shopping list, which contained many items of great importance to our orchestra but which we had originally excluded because of our desire to make strong gains in the important major clauses of the contract. Our minimum salary demand became \$900 per week when calculated with the CPI extended through September. We asked for exactly the same pension benefits our management receives: 52.5% of individual salary after 35 years of service at age 65; however, we asked for 52.5% of the average orchestra salary so that all would benefit equally. (A management person earning our 1981 minimum of \$32,760 would receive a full pension of \$17,199; a musician with 35 years of service would be eligible for \$11,375.) We also asked for longevity pay of \$50 after 25 years, 9 weeks vacation, and major improvements in health and welfare.

Settlement came when, after weeks of playing and talking, we announced our intention to cease work unless progress was made.

The final settlement produced far less in salary, pension, and longevity than we felt were necessary to regain our standard of living of 1967. The minimum wage will increase \$70 in the first year, \$60 in the second, \$50 in the third; new minimums will be \$700, \$760, and \$810. Everyone in the orchestra makes at least \$20 over scale, as in the old contract. The pension is \$460 per year of service for the first two years, \$500 in the third year. We have no service cap, and all years through age 70 are credits for the pension. However, the normal retirement age will be raised from 60 to 62 except for those who are now eligible for a pension (those who have 20 years of service or who are age 50 or over). Longevity pay increases to \$25 after 25 years.

Vacation is 7 weeks plus a relief week of 6 consecutive days. Dental insurance is improved to no-limit lifetime coverage, and major medical insurance is provided to those who retire at age

60 or later for a lifetime coverage of \$30,000. Extra rehearsals are paid at 10% of minimum pay for a 2½-hour call with 1½ pay for overtime at such rehearsals. Doubling pay is 6¼% of individual salary for each concert.

One non-money item of great importance to the orchestra was the service conversion clause of the new audio-visual contract. We have always been solidly opposed to any service conversions and rejected the audio-visual contract for that reason. In the master contract just concluded it is stated that the service conversion provision will *not* be used except with permission of the orchestra.

We are also pleased that, for the first time in quite a few years, we made no major give-backs, no concessions of gains we had fought for and won in previous negotiations.

It was very obvious that the managements of different orchestras work very closely together when several orchestras are negotiating at the same time. The resulting contracts are always very similar in money items even though the situations in different cities can vary a great deal, especially in regard to the cost of living.

The annual report of any non-profit organization must be filed at the state capital and with the IRS. These reports are free for the asking from these sources and contain a great deal of useful factual information. They reveal that in most cases the musicians share of an orchestra's total budget is less than 50%. We must all work to impress on orchestra boards of directors that the musicians are by far the most important part of the organization, that without them there would be no orchestra and thus no need for the hall, the board, the management. We must continue to impress upon them that a greater share of the budget must be spent on the musicians and not on increases in the size of the administrative staff or on allocations for alterations of the building. We must continue to urge them to seek gifts which are restricted to the musicians' welfare and not only for monuments to the donors. Only then will we achieve the peace and harmony between management and labor which will eliminate the needless waste of energy every three years in negotiating a contract and which will free those energies to realize our true purpose: the presentation of public concerts of the very highest artistic standards.

*John Ware, Chairman
New York Philharmonic Committee*

OVERSIGHT

Credit for the photo in the November *Senza Sordino* should have been given to Joyce Balint. Sorry about that, Joyce.

AN IMPORTANT REMINDER

ICSOM delegates are reminded that the deadline for payment of member orchestras' dues is December 31, 1982. Delays in payment can create cash flow problems, and ICSOM Treasurer John Palanchian urges all orchestras to remit dues on time.

*Season's Greetings
from
SENZA SORDINO*

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