

Senza Sordino

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New York Philharmonic Forms Cooperative Council

One of the accomplishments of the recent New York Philharmonic negotiations was the formation of a new Cooperative Council. Conceived by musicians serving on the negotiating committee, the eight-member Council comprises four musicians, the orchestra's managing director, the general manager, the personnel manager, and the music director. Orchestra representatives are elected to three-year terms.

Like many other ICSOM orchestras, the New York Philharmonic musicians have had artistic advisory committees. In New York, as elsewhere, such committees were totally advisory: they had no decision-making powers, and further, their advice was usually not taken! The Philharmonic musicians were frustrated at having very little input into decisions affecting the workplace. Orchestra committee chairperson Renee Siebert remarked, "With no say, you begin to feel this is just a job you come in and crank out—you have no stock in it. As musicians, we've all had plenty of experience planning, rehearsing, and performing concerts, but here, somebody just tells us what to do. We want more influence, and we think the institution will benefit from our involvement."

The Process

The Council, which has decided to meet once a week, has equal representation of musicians and management. The musicians feel that both sides are very committed to the process and are under public pressure to make it work. Both sides think they have a lot to gain from the process: the musicians want more influence on the workplace, and the management wants a good relationship with the orchestra. Some of the topics discussed so far include soloists, programming, scheduling, audience development, and fundraising. Rather than the management unilaterally imposing its decisions on the orchestra, the Council provides a way for management and musicians to make decisions jointly, guided by the artistic impact such decisions will have on the orchestra.

The musicians will be able to have an effect on scheduling. They have been shown the plans for the next five years and will be able to make changes in weeks that look too heavy, as well as in the times and programs for some of the Friday morning concerts.

The Council makes decisions by consensus. In the event that the parties are unable to reach agreement, the contract calls for decisions to be made by either the music director or the managing director. However, after an eighteen-month trial period, the Council will assess its effectiveness, and can disband if members feel the process is not working.

Orchestra Involvement

The musicians who serve on the Council see their role as representing the orchestra, and are looking at ways of polling the

orchestra. A suggestion box will be put up in the fall to give everyone a channel for communicating concerns and ideas. A questionnaire will be developed after the Council has had more time to explore issues of schedule, programming, budget, marketing, and development.

In May, the Council (minus Masur) started having weekly meetings with about eight to ten orchestra musicians at a time. (There has also been a meeting between Masur and the entire orchestra.) The orchestra has been very willing to participate, and people have talked freely in the small meetings. So far, there have been no meetings of the orchestra and the musician Council representatives without management present. Three to five pages of detailed written notes of every meeting are posted in the orchestra dressing rooms.

Outreach Activities

At present, there is no board representative on the Cooperative Council, and no musician representation on the board of directors. Eventually, both musicians and management want to involve the board. One project that has been suggested grew out of the recent negotiations, when members of the orchestra performed chamber music in people's homes. Noting that the New York Philharmonic loses a large number of first-year subscribers, the musicians have suggested performing chamber music and inviting first-time subscribers to gatherings at board members' homes.

Another project begun during negotiations involved the musicians' "adopting" a school in Harlem. The management had wanted to start such a project in the public schools, and is now working on that through an orchestra member of the Council.

The musicians think such outreach activities will make the orchestra seem part of the local community, not a "visiting orchestra." They anticipate the board will value that change in the orchestra's image.

The musicians hope that working through issues in the Council will expedite future contract negotiations.

In summary, the Cooperative Council seems innovative in having equal representation of musicians and management, having decision-making authority, and being accountable to the orchestra through written notes and easy access to Council members. To see an orchestra achieve meaningful influence at the workplace would indeed be encouraging.

Deborah Torch, Editor

(Information for this article was based on an interview with Renee Siebert, who chairs the New York Philharmonic orchestra committee.)

"Playing (less) Hurt"[®] Goes South for the Winter

This past February, the "Playing (less) Hurt"[®] Conference Series was taken to Florida by its founder and director, Minnesota Orchestra associate principal cellist, Janet Horvath. Sponsored by the University of South Florida, with assistance by the University of Minnesota, the three-day conference was co-directed by Don Owen, Professor of Trumpet at USF and member of the Florida Orchestra. The April 1992 issue of *Senza Sordino* covered the part of the conference related to hearing.



Ergonomics

Dr. Richard Norris, Director, National Arts Medicine Center, Washington, D.C., discussed ergonomics, the study of adapting equipment to suit the body. Orthotics such as slings, splints, stands, modified chin-rests and shoulder-rests, extended keys, key pads, etc., have been developed to alleviate the physical stress or strain of holding instruments. Adaptive seating that is biomechanically and ergonomically correct can minimize back and neck strain in musicians. Forward-sloping chairs or wedge cushions can help by bringing the torso directly over the sitting bones. When we find ourselves with low, backward-sloping folding chairs while on tour, an alternative to the wedge cushion is to place wood blocks or a two-by-four under the back legs of the chair. Various lumbar cushions are also readily available.

Overuse Injuries

Dr. Alice Brandfonbrener, Director of the Medical Program for Performing Artists at the Rehabilitation Institute of Chicago, discussed risk factors and treatment options. Repetitive strain injuries are increasingly being seen in the general public, and may account for over half of all occupational injuries, according to the National Institute of Occupational Safety and Health. Repetitive activity becomes harmful in combination with poor posture, excessive force, and stress. Dr. Brandfonbrener is studying joint laxity, or "double-jointedness," a condition that seems to be fairly common among instrumentalists and that may predispose them to injury. Clinical manifestations may reflect stress on muscles and tendons due to the added effort required to stabilize the loose joints. We must carefully consider our technical approaches to the instrument. For example, a 90° flexion or extension in the wrist puts ten times the pressure on the carpal tunnel. Swelling in this narrow passage due to too much raising or lowering of the wrist can put pressure on the nerve.

Treating overuse injuries requires a look at daily living activities that may aggravate the condition. For sore dominant-hand thumbs, avoid writing or other grasping actions; for ulnar nerve compression, avoid leaning on your elbows, or prolonged phone use; for shoulder problems, be careful with overhead activities such as painting or wallpapering; for carpal tunnel syndrome, be aware of extreme extension or flexion of the wrist.

Focal Dystonia

Dr. Richard Lederman, of the Department of Neurology and the Medical Center for Performing Artists at the Cleveland Clinic, discussed occupational cramp, or focal dystonia, as it relates to musicians. This disorder is characterized by an involuntary movement—a cramp, spasm, or retraction of finger, facial, or other muscles—triggered by playing the instrument. The condition is often not painful. It is seen more often in men than women, in the right hand of pianists and left hand of violinists. Playing is usually the only activity that is impaired. Studies indicate that this condition may have some correlation to previous injury. No satisfactory diagnostic test or consistently effective treatment can be recommended, although some patients report success with re-fingering. The injection of botulinum toxin, a potent neuromuscular poison, into cramping muscles seems to offer partial and temporary relief for some people.

Stress

David Sternbach, senior clinician in the D.C. Institute for Mental Health, specializes in stress management in musicians and the treatment of performance anxiety. Sternbach cited documentation of musicians' stress. Brass players in concert display marked cardiac arrhythmias and heart rates as much as 80% faster than normal. The average life expectancy of musicians is 20% lower than the general population. Other artists can destroy or throw away their mistakes. Many very stressful occupations are not performed in public, and breaks can be taken if necessary. Musicians have no control over many workplace conditions such as stage placement, backstage hazards, poor chairs, shifting work locations, irregular schedules, repertoire selections, stand partners, etc. Frequent changes of managers and conductors, who may have different styles and demands, contribute to a high stress level for musicians.

Statistics show that anything less than a ratio of three compliments to every one criticism is not tolerated well. In a profession where we may be constantly criticized by conductors, teachers, section-leaders, critics, and managers, this balance is frequently askew.

Inspiring master classes were presented by Kato Havas (strings), Seymour Bernstein (piano) and Arnold Jacobs (winds and brass), continuing the "Playing (less) Hurt"[®] tradition of a learning environment for doctors and therapists as well as musicians.

Janet Horvath

*"Playing (less) Hurt"[®] Conference Series Director
Associate Principal Cello, Minnesota Orchestra*

Clams

ICSOM Emeritus program coordinator Abe Torchinsky's new address was incorrectly listed in the April issue. The correct street number is 777 W. Germantown Pike (see page 4).

An LTD is Not a Ford Part I

Of all the components of an orchestra musician's compensation package, long-term disability insurance (LTD) is probably the least understood. It does not have the morbid simplicity of life insurance, the biweekly banality of a paycheck, the beauty of paid vacation, or the familiar complexities of medical insurance. In addition, thinking about long-term disability insurance requires us to confront the possibility of being disabled, which for many musicians involves not only the normal fear of bodily harm and helplessness, but also a profound and painful loss of identity.

For these reasons, long-term disability insurance receives little attention or thought until negotiation time, and even then, the discussion is usually about whether the management will provide LTD as a benefit and, if so, at what level. Management's concern is generally to purchase a policy providing the specified LTD benefit at the lowest cost. Virtually no attention is given to what's actually in the policy and which company is providing it. This rather casual approach works surprisingly well for life insurance. The definition of death is, after all, pretty straightforward; the payment of the death benefit follows promptly, and the matter is settled. The payment of LTD benefits is far more complex, and is completely dependent on the precise language of the group LTD contract, which, as far as user-friendliness goes, might as well be written in Aramaic. To add to the unpleasant complexity of the matter, LTD benefits can potentially be paid out over decades, so the stability and reputation of the insurance company are far more important when purchasing a group LTD policy than when shopping for group life insurance. A bit of folk wisdom from the insurance industry is quite appropriate to group LTD: "Find the carrier offering the most benefits for the least premium — and then stay away."

LTD is a very important benefit. There is good data suggesting a virtually 100% chance that at least one long-term disability (i.e., lasting at least ninety days) will occur in a group of twenty people of the same age, prior to their reaching age 65. The chance of a disability that has lasted ninety days then continuing for five more years is, depending on age, between 19% and 28%. This data is not from a population of musicians; however, the results of medical surveys done recently by ICSOM give no reason to believe musicians are any less at risk than the average wage-earner for long-term disability. Given how little physical damage would be required to knock most of us out of the business of playing in an orchestra, musicians may be *more* at risk of long-term disability than the average working stiff.

Although both life insurance and LTD address the same basic problem, that of replacing earned income lost due to the inability of the wage-earner to continue working, most families would be more at risk financially from the wage-earner's long-term disability than from death. As Sylvia Porter wrote, "If you're a typical American, you are far better prepared to die than to become disabled." Far more families have individual life insurance than have individual disability insurance, and having a family member disabled will often escalate the family's expenses substantially due to increased medical and custodial costs. Foreclosure statistics from the federal government graphically illustrate the financial risks caused by long-term disability. The data show that nearly half of home foreclosures were related to the disability of the mort-

gagee, and only 1 in 30 to the mortgagee's death.

Most of the knotty issues regarding group LTD policies revolve around the definitions in the LTD policy contract. To make an already difficult situation worse, the definitions are not only written in legalistic gobbledegook, but are designed to cover employment situations quite different from that of most orchestras. Language specifying that to be a "Member," and thus eligible for coverage, the employee has to be regularly scheduled to work at least thirty hours per week, or has to be an "active employee of the Employer, other than a temporary or seasonal employee," is not unusual, and raises the question of whether the insurance company could cogently argue that the musicians weren't really covered at all in the event of a claim. (This is even before your lawyer and the insurance company have started fighting about whether you're actually disabled, and, if so, whether disabled from "your own occupation" or "any occupation.") It is this kind of situation that makes the issue of the company's and agent's reputation and credibility so much more important than it would be with group life insurance.

In summary, long-term disability insurance is a key component of the orchestra musicians' benefit package, and one that needs to be researched and negotiated very carefully. That it often isn't so researched and negotiated is demonstrated by the fact that two ICSOM orchestras recently discovered that their group LTD policies did not cover them for disabilities incurred during summer weeks that the orchestras were unemployed, even though the collective bargaining agreements had no such exclusion.

Some key issues in a group LTD policy are: the definition of disability, whether benefits are paid in the event of a partial disability, the waiting period required before benefits can be collected, and the actual benefit paid. We will examine these and other issues in Part II.

Robert Levine
Milwaukee Symphony ICSOM Delegate

Worth Noting

On June 15, 1992, ICSOM chairperson Brad Buckley attended a meeting in Dallas of the AFM International Executive Board and the Player Conferences Council (ICSOM, ROPA, and OCSM). He presented the following topics on behalf of the ICSOM orchestras:

- an overview of conditions in the symphonic field;
- recommendations regarding what the union could do to help orchestras during this difficult period;
- the effect that the proposed Pamphlet B touring contract will have on the Kennedy Center House Orchestra;
- the divisive and difficult situation that exists in the Buffalo Philharmonic;
- types of services needed by ICSOM orchestras from the Symphonic Services Division.

ICSOM Turns Thirty

Delegates from ICSOM's forty-seven member orchestras will converge on The Antlers at Vail for the thirtieth ICSOM conference, August 19-23, 1992. Addressing the theme, "The Politics of Music," the conference will feature guest speakers Edward Arian and Joel Wachs.

Edward Arian, former bassist in the Philadelphia Orchestra, is the author of *Bach, Beethoven, and Bureaucracy* and *The Unfulfilled Promise: Public Subsidy of the Arts in America*. He is currently professor of political science at Drexel University in Philadelphia. He has chaired the Pennsylvania Council on the Arts.

Joel Wachs, member of the L.A. City Council since 1971, is widely recognized as an arts advocate, having authored most of L.A.'s legislation in support of artists and arts organizations. He served as Acting Chairman of the National League of Cities Task Force for the Arts, which drafted the nation's first comprehensive municipal policy statement of the role of the arts in our cities.

Kim Fellner, formerly public relations director for the Screen Actors Guild, will lead a workshop on using the media.

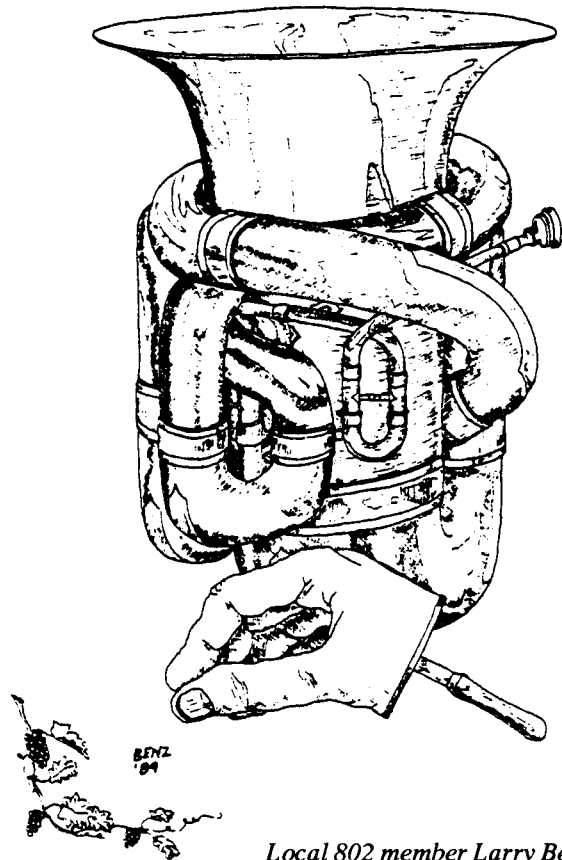
This year's negotiation workshop, led by ICSOM counsel Len Leibowitz, will focus on the role of the committee rather than on negotiation strategies.

Elections will be held for the positions of chairperson, president, secretary, treasurer, and *Senza Sordino* editor. All incumbents have agreed to run for office, but, as always, further nominations will be taken from the conference floor.

Former ICSOM chairpersons Irving Segall, Frederick Zenone, and Melanie Burrell will be guests of honor.

Those who attended the 1991 conference in Vail know what a beautiful setting and efficient facility we will have in which to carry out our conference agenda.

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