

Senza Sordino

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New ICSOM Leadership Unveiled in Vail Buckley Ends Eight Years At Helm

The 1996 ICSOM Conference, held August 21-24 in Vail, Colorado, saw the end of a dynamic era in ICSOM history. Bradford Buckley, ICSOM chairperson for the last eight years, retired from that post at the conference, passing the torch to Robert Levine, a member of the Milwaukee Symphony and for the last three years editor of *Senza Sordino*.

Brad has become known for his feisty, assertive style in defense of musicians, but his final conference as chairperson was characterized not by a sword, but by an olive branch. The conference keynote address was delivered by Paul Judy, founder and chairman of the Symphony Orchestra Institute, an organization formed to "improve the effectiveness of symphony orchestra organizations, to enhance the value they provide to their communities, and to help assure the preservation of such organizations as unique and valuable cultural institutions." Mr. Judy expressed his concern for the apparent dysfunction in today's orchestras and described structures, methods of revenue production, and personnel management that characterize various forms of business enterprises. He emphasized the need for musicians and managements to explore together new ideas for cooperative relationships that utilize the full potential of each person in the symphony organization. (Mr. Judy's address follows on page 2.)

A panel discussion on "Advantages and Disadvantages of Cooperating with Employers" explored the practical application of Mr. Judy's premise. Musicians on the panel were from orchestras in Colorado, New Jersey, Minnesota, and Cincinnati, orchestras already experimenting with various levels of musician involvement in organizational operations and decision-making. All participants agreed that cooperation is better than confrontation, if achievable without compromising the musicians' integrity, but the requisite elements of mutual trust, respect, open communication, and balance of power frequently remain elusive.

ICSOM counsel Leonard Leibowitz discussed the issue of job security, in particular, the enforcement of contract provisions controlling the discharge of musicians, whether for "just cause" or for

artistic inadequacy. Using several cases of termination of employment that went to arbitration, Mr. Leibowitz demonstrated how provisions of the collective bargaining agreement can be invoked to protect a musician from being fired for arbitrary or inadequately substantiated reasons.

Good news was reported to the conference concerning the recently negotiated Phonograph Recording Agreement, the availability of MPTF funding for orchestra radio broadcasts, and the successful tax appeal of two musicians who sought to depreciate the cost of musical equipment.

Bad news was, however, unavoidable. A panel on "How Orchestras are Dealing with Trouble" painted a picture of despair in orchestras like San Diego, Honolulu, San Antonio, and Louisville, where musicians are fighting battles of finances, apathy, union strife, artistic confusion, and public misunderstanding. Although there is hope for successful outcomes in these orchestras, much remains to be done in educating and inspiring boards, musicians, unions, management, and the public before health can be restored.

Getting timely and accurate information to the public during times of trouble was the subject of a very informative and entertaining presentation by Barbara Haig, a media consultant who has

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Chairperson Bradford Buckley



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helped the Milwaukee Symphony musicians during two labor negotiations. She led a lively session on public relations techniques for musicians who are trying to get their message out in today's media, emphasizing the value of media packets and fact sheets, speaking in sound bites and quotable quotes, smiling for the camera, getting to know the reporter, and telling the truth.

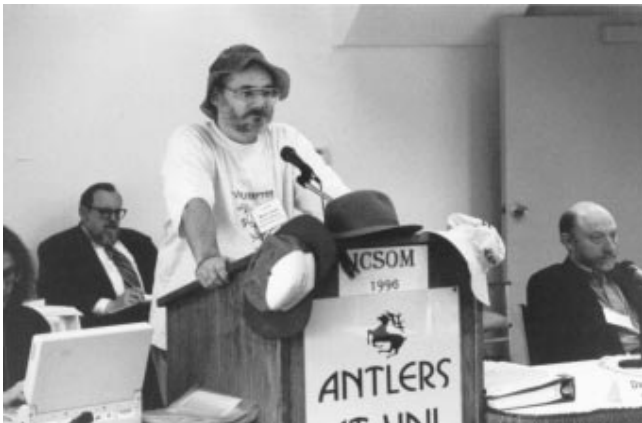
The final guest speaker of the conference was Nancy Meier, Executive Director of Arts and Business Council, Inc., who warned that the motivations and expectations of corporate donors to the arts are changing dramatically. Altruism and community service as motivators for giving are being replaced by corporate image and mutual benefit concerns. Applicants for funding must now demonstrate an ability to enhance the funder's image and bottom line as well as serve the public. Also, funders are increasingly looking at an organization's fiscal responsibility, not just its artistic responsibility, as an indicator of worthiness for funding.

ICSOM's duty is to orchestra musicians, supporting, protecting and developing their security and satisfaction as employees and as artists. But even as we have fought to protect the jobs of symphony musicians, we have been equally committed to finding ways to stop the assault on orchestra organizations – on their finances, on their artistic goals, on their place of value and respect in their communities. Under new chairperson Robert Levine, ICSOM will continue to pursue these objectives in service to orchestra musicians and the cultural institutions upon which they and society depend.

Marsha Schweitzer

Chairperson Robert Levine

revealing his destiny as a wearer of many hats.



Robert Levine is Principal Viola with the Milwaukee Symphony Orchestra. Prior to joining the MSO, he was a member of the Orford String Quartet, quartet in residence at the University of Toronto, and Principal Viola of the Saint Paul Chamber Orchestra. He has also played with the San Francisco Symphony, the Oklahoma Symphony, the San Jose Symphony, and the London Symphony of Canada. He has served as chair of the orchestra committee in both Saint Paul and Milwaukee and was editor of *Senza Sordino* from 1993 to 1996. He also edits *DOS Orchestra*, ICSOM's electronic newsletter about professional orchestras.

1996 Conference Keynote Address:

Paul Judy, founder and chairman of the Symphony Orchestra Institute, was the keynote speaker at the 1996 ICSOM Conference. The following is an abridgement of his address. Mr. Judy is a Life Trustee and former President of the Chicago Symphony Orchestra and a retired investment firm executive.

Symphony Orchestra Organizations: Employees, Constituencies, and Communities

In for-profit organizations, there are three main groupings of economic interest – customers, employees, and owners. It has been increasingly recognized that in a free-market society the customer is king and must be served, with steady improvements over time, or the economic viability of the serving organization will weaken and may fail. Employees, through organizational process, provide products and services to customers in a competitive market, and together contribute to the maintenance, advancement, or diminishment of their organization's viability. Owners provide directly, or by credit, the material resources which support the employee effort, in the hope of economic return. Many for-profit corporations encourage employees to become customer-oriented and also to become and/or think like owners.

If the resources provided by owners are inadequate given the scope of the organization, and/or the efficiency of the organization is poor, its economic viability is threatened, creditors may not be paid, capital will likely be lost, and employees will be without jobs and economic sustenance. If the capital provided is adequate to organizational scope, and efficiency is good, the enterprise will be sustained, owners will likely realize a return, and employment will be maintained. If the return is high, capital will be abundant and the enterprise can grow; employees will be able to receive more benefits and employment will be assured if not expanded.

Now what does all this have to do with symphony orchestra organizations? How do we develop a similar framework for thinking about the economic viability of this unique form of nonprofit cultural enterprise?

First, the customer aspect of a symphony orchestra organization looks very similar to that of a commercial organization, at least with respect to customers who buy tickets to concerts. But I know of no symphony orchestra since that of Theodore Thomas (before its conversion into the Chicago Symphony Orchestra) that has depended singularly on concert revenues and fees for its economic viability.

I have spent many hours penciling in various scenarios which might result in a self-financing orchestra and each effort has failed. Although we should stay alert to future possibilities, almost everyone has come to the conclusion, which I share, that free-market customer revenues will not sustain a symphony orchestra organization.

So we have to come up with some source of revenue to fill the gap. In America, like it or not, government is not a source for such funds, and politics being what they are, government funding is not

very reliable and has had strings attached even when it was more fashionable. Thank goodness, however, that in America we do have another kind of customer to whom we can turn – the philanthropic customer or charitable contributor – be that an individual or a private institution. And, again thank goodness, the philanthropic market in most communities is broad and deep.

Like all customers, however, the charitable contributor expects to be served and to receive value, directly or on behalf of others. He, she, or it has a wide variety of opportunities to give away money. And quite often, the individual charitable contributor, or the representative of an institutional contributor, is also a regular paying customer. In fact, in many cases, more than 50 percent of subscribers provide more than 50 percent of contributed income.

The symphony orchestra organization is therefore often being evaluated in many dimensions by a mix of people who make up its constituency – regular customers and charitable contributors. These dimensions include artistry, musical inspiration, educational service, physical appearance, customer friendliness and comportment, economic efficiency, and service to the community, just to name a few.

The economic framework for a symphony orchestra organization becomes more complex with the question: Who are the owners? Are they the directors or trustees? The largest contributors? The musicians? Management? In observing the way some symphony orchestra organizations operate, one might well conclude that one of these alternatives applies, albeit differently in each case.

To me, however, it is clear that the local community – the collective of individuals, families, and institutions directly affected – is the principal beneficiary of a central professional symphony orchestra organization. It is the community which has the principal beneficial interest in the existence and vitality of such an organization. The board holds the organization in fiduciary trust for the benefit of the community and oversees the organization's development in serving and creating value within the community in ways which earn the satisfaction and merit the support of an informed constituency. If through this process the organization succeeds, it is the community which principally benefits. If the organization fails, the community suffers a great loss.

So in contrast to for-profit organizations, employees of symphony orchestra organizations better assure their own economic viability by serving and expanding the base of constituents supporting their organizations – customers and contributors – and involving some constituents (i. e., volunteers) in the effort. This orientation and effort is all towards the goal of sustaining and desirably expanding their organization's economic health in order to provide and sustain clearly valued musical services in their communities.

The labor laws of the land make no particular distinction between for-profit and non-profit corporations. But, as earlier summarized, substantial economic differences clearly exist. Notwithstanding employee ownership trends, there is an argument that employee and owner interests are adverse in for-profit organizations. There are various ways which profits might be allocated between labor and capital. However, in the case of a symphony orchestra organization, there are no profits to be allocated, and it is clearly counterproductive for employees to consider the community to be an adverse party. Symphony orchestra organizations meet

their commercial shortfalls through the unobligated charitable support of constituents, and it is rather nonsensical for employees to think adversely about the hand that feeds.

Nor is it very sensible to think that some employees are different from others when it comes to economic interest. I think a man or a woman or a thing from Mars (not such a fantastic notion based on recent findings) visiting a symphony orchestra organization would be perplexed to observe adversarialism between management and players. I think it might appear to the Martian that all employees were pretty much in the same boat. Especially in a crisis involving organizational life or death, some difference in economic interest might be observed between the employees, as a group, and a constituency, as a group, but not between different groupings of employees. I think a Martian would conclude that the economic security of each employee depends upon the financial health of the symphony enterprise as a whole.

In this age, we dare not take constituents for granted. On the airplane this morning, as we made our final approach, it was interesting to hear to the captain say: We know you have choices; thanks for choosing United. And then on the way to the rental car lot, the shuttle driver ended his instructions with . . . and thanks for choosing National. Even more so, the symphony organization constituent, especially the contributor who is a subscriber and volunteer, needs to hear every employee say, whenever possible, loudly and clearly: Thanks for choosing to support the symphony orchestra.

In companies with advanced human resource practices, every employee is oriented and trained to become customer-sensitive, if not customer knowledgeable and responsive. To this end, machine operators accompany salespersons on field customer visits. Product design engineers spend as much time in customers' premises as in their own drafting rooms. Bookkeepers monitor customer focus groups, discussing possible product and service improvements. Employees are urged and trained to look outward and to realize that their organizations success, their own material benefits, and their opportunities for personal and professional growth depend upon excellent customer service and support. Substitute the word constituent for customer, and the situation should be no different in the symphony orchestra world.

Should a company develop products and services which will be of interest to any and all possible customers? Will we dilute and weaken our primary competence by the development and extension of a range of secondary products or services serving a hoped-for wider range of customers? Or, looking at the matter differently, should we exploit and expand our base competence and strengthen our viability by encompassing a wider range of presentations to a more diverse clientele? Many organizations, including symphony organizations, face these choices which are best resolved within the framework of a clear, widely understood, and agreed upon declaration of mission and values.

It would be nice if society, or on a more micro basis our communities, would just recognize and reward orchestral participation, skill, and dedication without so much fuss and questioning. It just doesn't happen that way. It would be nice if management and governance were infallible, knew all the answers, and did all the work

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needed to retain and expand the base of constituent support necessary to assure our organizational and personal economic security, without any effort or cooperation on our part. It just doesn't work that way. It would be nice if the organization of which we are a part would function superbly, provide our economic needs, and permit us to live an isolated and insular artistic life, without any personal involvement and commitment. Organizations just don't function very well under those circumstances.

In advanced human resource practice enterprises, how products and services are improved, how work is processed, how time is spent, and how greater effectiveness can be achieved, are dealt with in decision-making systems which provide that inputs, and in many cases binding decisions, are made at the lowest possible level. Information needed to provide such inputs or make such decisions is readily available to everyone involved. Also, there are patterns of primary specialization, but everyone is encouraged or expected to become multi-skilled in ways which support primary skills and enhance team performance. Employees have broad horizons and perform a variety of organizational functions. Training in skill development and team process is ongoing and intense. In such organizations, there are few if any dead ends; personal and professional growth opportunities are abundant.

In many symphony orchestra organizations, we have tended to put employees, and even working volunteers, in boxes. Everyone has a precise role to play and is expected to play that role rather singularly, narrowly, and intensively. We are too often, as Pierre Boulez has said, just cogs in a machine. We still operate too much in the shadow of Henry Ford. How many times do we hear, "Managers should manage and players should play?"

Unfortunately, too many people in management do not seriously wish to have players involved in anything more than music performance. Or, they don't wish, or don't know how, to provide the creative, energetic, and risky leadership necessary to motivate, orient, and train musicians, at least those who are interested, to broaden their skills and contribute more generally to organizational vitality and economic viability. The stock answer I hear is that players really don't want to do anything but play their instruments, or the union won't permit it, or the musicians really don't know much about these matters. These attitudes are quite often shared by key board members and undermine the will power of even the most forward looking executive director.

But the problem goes much deeper. It involves musician leadership, too, and in some cases, individual musicians. Too many musician leaders believe and preach that if a musician is encouraged or invited to do anything more than play an instrument, he or she is being exploited. Or he or she is doing management's job, or setting a bad precedent. And there are still too many musicians who feel that any organizational involvement or contribution beyond strictly defined musical performance tasks is a legal and moral affront or must be carefully and contractually defined through extensive bargaining and documentation. Thankfully, for the sake of the economic viability of most symphony orchestra organizations and that of their employees and for the sake of more fulfilling orchestral careers, these outmoded views, with their accompanying rheto-

ric, are held by only a small, albeit vocal, minority of orchestral musicians.

Of course, we have all seen or read about employees and volunteers from every sector of a symphony orchestra organization pulling together, and putting forth great effort, flexibility, dedication, and sacrifice, just when it has become excruciatingly apparent that the organization is failing. What is it about the human condition that moves us toward common purpose when it is probably too late?

I suppose we cannot expect easily to change the mind set existing at many levels in many symphony orchestra organizations. To effect concerted and comprehensive change, a number of people will need to be committed. There are some organizations where I sense management and governance might be ready to try a different approach, but musician leadership appears intractable. In other organizations, my sense is that musician leadership might be open and responsive to new directions, but the invitation, and the trust that would underpin it, is not forthcoming.

Musicians in many organizations are better off economically than ever before, but are contributing to organizational development, economic viability, and community value well short of their potential. Disengagement and uninvolvement tend to reinforce low morale in some orchestras, particularly in some smaller orchestras where, in fact, what is needed is an enthusiastic total organizational effort to uplift lagging constituent and community support. Overall, musician job satisfaction continues low; angst is high. Staffs are stretched, stressed, and underpaid beyond reasonable limits in many organizations. Ambiguities as to the roles of the volunteer chairperson, the executive director, and the music director continue in many organizations, and these ambiguities do not contribute to strong and clear leadership. Information sharing is modest. Trust levels would appear to be below average.

I urge each of you to devote at least the same, if not more, intellectual energy to thinking about and discussing how you and your colleagues can provide more organizational value within your communities, and deepen and broaden constituency support for your organization, as you do to reviewing the intricacies of trade agreements and bargaining status. Let constituency support and community value become keynotes in your thinking about orchestral employment. I can assure you that, over time, your pocketbooks, as well as your workplace satisfaction and personal growth horizons, will be well served by this added emphasis.

The full text of this speech is published in the October issue of the Symphony Orchestra Institute's publication, Harmony, which will be distributed to all ICSOM orchestras. Reprints of the speech as published in Harmony are available upon request via fax, mail, or e-mail from the Institute at (847) 446-5760 or SymphonyOI@aol.com, or from the Senza editor.

Senza Sordino invites and encourages your comments for future publication. Letters to the Editor may be addressed to Marsha Schweitzer, 905 Spencer Street #404, Honolulu HI 96822, faxed to 808-531-6617, or e-mailed to MSchwitzr@aol.com.

Be It Resolved . . .

The following resolutions were unanimously adopted by the conference:

Whereas, The Phonograph Record Labor Agreement is extremely important to symphonic musicians; and

Whereas, Musicians' hard-won gains were under severe attack by the recording industry during the 1996 negotiations; and

Whereas, The union was in the difficult position of defending the Agreement while simultaneously creating recording opportunities, a task which it undertook successfully; therefore, be it

RESOLVED, that ICSOM commend AFM President Steve Young for his spirited leadership in preserving the Phonograph Record Labor Agreement and the Recording Industries Music Performance Trust Fund and in resisting the efforts of the recording industry to divide the union.

Whereas, There is no more important aspect of ICSOM than its service as communication vehicle among its constituent orchestras; and

Bassoonists Again Reign Supreme At ICSOM

(Unlike last year's "Martian Bassoonists," these double reeders seemed pretty down to earth.)



right to left: Geoffrey Hale, Florida Philharmonic; James Martin, Cincinnati; Mary Plaine, Baltimore; Andrew Brandt, ROPA President; Steve Young, AFM President; Brad Buckley, ICSOM Chair, St. Louis; Bill Buchman, Chicago; Nancy Stutsman, Kennedy Center; Doug Fisher, Columbus; Marsha Schweitzer, Senza editor, Honolulu; Kenshi Morooka, an oboist from the Musicians Union of Japan (In the spirit of double reed comradery, the bassoonists invited our guest oboist to join in.) Brad is displaying the ceremonial gavel he was awarded at the end of the conference, having gone eight years as chairperson without one. (photo: Mark Schubert)

Whereas, That purpose is defeated if its Delegates are not in regular communication with the orchestra committees in those constituent orchestras; and

Whereas, In many instances the ICSOM Delegate of an orchestra is not a member of the orchestra committee; therefore, be it

RESOLVED, That ICSOM call upon all of its constituent orchestras in which the ICSOM Delegate is not a member of the orchestra committee to establish a policy whereby the ICSOM Delegate is invited to attend all meetings of the orchestra committee to transmit and to gather the information so valuable to allowing the full value of ICSOM membership to be enjoyed by the orchestra, its members, and the orchestras and members of ICSOM as a whole.

Whereas, Professional orchestra musicians are often required to play from printed music which is substandard in its notation and legibility; and

Whereas, Rental parts, especially those provided by guest artists, are frequently unavailable both to the orchestra librarian and the players to prepare ahead of time; and

Whereas, Printed parts of poor quality can lead to wasted rehearsal time, mistakes in performance, and increased stress for the musicians; and

Whereas, Widely available technology allows high-quality printed parts to be produced quickly and easily; and

Whereas, The Major Orchestra Librarians' Association (MOLA) is already working with music publishers, guest artists, and orchestra managements to improve the quality of all printed music; now, therefore, be it

RESOLVED, That ICSOM support MOLA in its efforts to improve the quality of printed music, and be it further

RESOLVED, That ICSOM encourage its member orchestras to seek management support for refusing to accept substandard printed parts.

Whereas, The Phonograph Record Labor Agreement and Music Performance Trust Funds are extremely important to symphony musicians; and

Whereas, The last negotiations were difficult and contentious; and

Whereas, The industry, marketplace, and workplace are changing at a heretofore unheard of speed; and

Whereas, Preparedness and research makes for the greatest flexibility and strength in negotiations; therefore, be it

RESOLVED, That the delegates to the 1996 ICSOM

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Conference recommend that the American Federation of Musicians establish a committee, composed of Federation officers, local officers, player conference officers, and the Federation public relations department, to begin immediately preparing for the next phonograph record agreement negotiations.

What's Wrong With This Picture?

There are three sets of siblings in this picture - or are there? Which of them, the Ridge brothers, the Tretick sisters, or the Levine brothers, really aren't?



left to right: David Ridge, San Francisco Opera; Bruce Ridge, North Carolina; Stephanie Tretick, Pittsburgh; Blythe Tretick, Phoenix; Robert Levine, Milwaukee; Richard Levine, San Diego (photo: Mark Schubert)

Whereas, The ongoing financial hardships in Louisville and San Diego have stretched their resources to the limit, and

Whereas, In the spirit of extending a helping hand whenever and wherever needed among our members; now, therefore, be it

RESOLVED, That the membership dues of the San Diego Symphony and the Louisville Orchestra be forgiven for the 1995-1996 season.

Whereas, The Sacramento Symphony musicians have made personal sacrifices amounting to over \$600,000 in wage and benefit cuts over the past three years; and

Whereas, The Board and Management of the Symphony are now threatening Chapter 7 bankruptcy unless the musicians make even greater sacrifices; and

Whereas, The musicians are unable to accept any more wage and benefit cuts and are courageously resisting all such proposals even in the face of possible loss of their jobs; and

Whereas, The delegates to the 1996 ICSOM Conference wish to lend their support and encouragement to those musicians; now, therefore, be it

RESOLVED, That the delegates to the 1996 ICSOM Conference urge the City of Sacramento, its leadership, and especially the Sacramento community, to direct the Board and Management of the Sacramento Symphony Orchestra to cease and desist its current efforts to silence the music in Sacramento, and encourage the musicians of the SSO to stand fast and continue to demand a fair and equitable contract which will permit them to both practice their art and support themselves and their families.

Whereas, ICSOM is an organization created to provide support for the needs and interests of professional orchestra musicians; and

Whereas, the Major Orchestra Librarians' Association (MOLA) is an organization created to provide support for the needs and interests of professional orchestra librarians; and

Whereas, There are issues in our professional lives which affect members of both ICSOM and MOLA; therefore, be it

RESOLVED, That ICSOM and MOLA work together on issues which are of mutual concern.

Whereas, ICSOM recognizes the value of music education and the importance of young musicians performing publicly; and

Whereas, Part of their education should include their understanding of the adverse consequences of students replacing professional musicians; and

Whereas, There is a situation existing in Beaver Creek, Colorado, in which students are being used by an employer to replace a group of professional musicians who have performed for this employer for over 14 years; now, therefore, be it

RESOLVED, That ICSOM go on record as deploring the replacement of professional musicians by students and that it urge the AFM, the MENC, and all music schools to advise students to avoid such employment.

Whereas, The "St. Louis Clause" is an important part of the collective bargaining agreements of many AFM orchestras; and

Whereas, Dues and assessments make many important

functions of orchestra committees financially possible, including, but not limited to strike funds, ICSOM dues, and legitimate orchestra committee expenses; and

Whereas, Union solidarity is undermined by allowing some musicians to avoid paying these not-overly-burdensome assessments that are paid in good faith by their colleagues; and

Whereas, The delegates to the 1993 ICSOM Conference have already passed a resolution urging the enforcement of this clause where it exists; now, therefore, be it

RESOLVED, That the delegates to the 1996 ICSOM Conference urge that any Local sign and approve collective bargaining agreements for orchestras who have successfully negotiated this clause into that orchestra's collective bargaining agreement.

Other official business . . .

Elected to office for two-year terms were Robert Levine (Milwaukee Symphony), Chairperson; David Angus (Rochester Philharmonic), President; Lucinda-Lewis (New Jersey Symphony), Secretary; Stephanie Tretick (Pittsburgh Symphony), Treasurer; and Marsha Schweitzer (Honolulu Symphony), Editor, *Senza Sordino*.

Appointed: Bradford Buckley (St. Louis Symphony) to chair the ICSOM Media Committee, which will represent ICSOM at the upcoming Audio-Video negotiations. William Buchman (Chicago Symphony) to succeed Tom Hall as ICSOM Conductor Evaluation Coordinator.

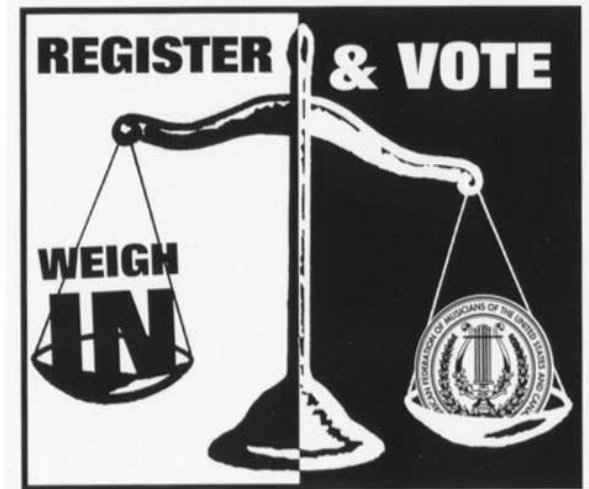
The ICSOM Governing Board



left to right: Charles Schleuter, Boston, member-at-large; Michael Moore, Atlanta, member-at-large; Mary Plaine, Baltimore, member-at-large; David Angus, Rochester, President; Robert Levine, Milwaukee, Chairperson; Stephanie Tretick, Pittsburgh, Treasurer; Lucinda-Lewis, New Jersey, Secretary; Marsha Schweitzer, Honolulu, Editor, *Senza Sordino*; James Clute, Minnesota, member-at-large. (photo: Mark Schubert)

From the Democratic Party 1996 Platform:

We believe in public support for the Arts, especially for high-quality, family-friendly programming. America is the leading exporter of intellectual property built on a strong foundation of artistic freedom. We are proud to have stopped the Republican attack on the Corporation for Public Broadcasting – we want our children to watch Sesame Street, not Power Rangers.



From the Republican Party 1996 Platform:

As a first step in reforming government, we support elimination of the Departments of Commerce, Housing and Urban Development, Education, and Energy, and the elimination, defunding or privatization of agencies which are obsolete, redundant, of limited value, or too regional in focus. Examples of agencies we seek to defund or to privatize are the National Endowment for the Arts, the National Endowment for the Humanities, the Corporation for Public Broadcasting, and the Legal Services Corporation.

Editor's preface: San Diego, the second largest city in California, no longer has a symphony orchestra. The San Diego Symphony Orchestra Association declared Chapter 7 bankruptcy on May 31, 1996, and since then the music has been silenced.

As recently as a decade ago, it was tacitly understood among musicians, management, boards, and communities that no labor unrest, management shortcomings, board lassitude, or economic recession could be so bad as to warrant the willful dissolution of the institution. We thought a way could always be found, if we all cared enough, to overcome such obstacles to preserve our organizations and honor the public trust. But then there were bankruptcies in Oakland, Alabama, Oklahoma City, Orlando, and now San Diego and Sacramento. During the 1980's and into the 1990's, bankruptcy became a recurring threat, and for some orchestras, a reality.

Bankruptcy has become a recognized labor relations tool for orchestra boards. It is the final nuclear weapon in their downsizing arsenal. It appears that if musicians don't agree to downsize willingly, some boards are now considering it reasonable to kill the orchestra, along with its collective bargaining agreement, perhaps as a strategic prelude to starting up something new – and cheaper.

The increasing willingness of boards to abandon the institutions they are charged to protect is indicative of a deeper abandonment of the fundamental artistic mission and purposes for which orchestras were founded. The survival of our art requires that we learn as quickly as we can the reasons for the deep trouble many of our orchestras are experiencing. This article is a first step. It is adapted from press reports and from a series written by San Diego Symphony cellist Ron Robboy for The Soundpost, Local 325's newsletter.

Silence In San Diego

The San Diego Symphony had been showing signs of distress for at least a decade (see "Capsule History," page 10), but the race to oblivion began in earnest around 1990. Within months after signing a three-year contract beginning 1991-92, the San Diego Symphony Association began pressing Local 325 and the musicians for concessionary renegotiations. No sooner were new terms reluctantly ratified, reducing the second year of the contract, than the board came back to the musicians a second time, and we acceded to further substantial givebacks for the third year as well.



One mitigating outcome of that second round, however, was the departure of Executive Director Wes Brustad, who had been attempting to gut the entire symphonic organization and create instead a year-round pops presenter. A new executive director was brought in, Michael Tiknis, who combined an aggressive marketing strategy with a respectful approach to labor relations. Shortly thereafter, board President Warren Kessler stepped away from his leadership role. He had been the Association's only significant fund-raiser, and he left his position with no effective fund-raising mechanism in place.

After repeated attempts by the Association to negotiate a one-year contract, the musicians and board ratified a new three-year agreement beginning 1994-95. Though meaningful gains over the previous season's renegotiated wages were achieved, they in fact only restored the salaries originally promised in 1991.

During the contract's first year, the Association's spending greatly exceeded revenues. Within a few short months, Local 325 and the musicians began facing mounting pressure to renegotiate once again. The overruns, evidently, were to be taken out of the musicians' hides, even though the musicians' portion of the budget had remained on target. Meanwhile, to compound the problem, the Board had all but abandoned fund raising. Sandwiched between a do-nothing board and continual

cash-flow crises, Tiknis resigned, and the board never did hire a new manager to replace him. Some payrolls were missed, and the board, amid massive public skepticism, announced a series of emergency fund-raising drives, none of which received proper planning or implementation. In spite of the board's ineffectiveness, during one of these fund drives the musicians offered a plan to establish an endowment funded by payroll deductions. The board accepted our plan and reduced our salaries accordingly. We learned later, however, that they had never set aside the money they had taken from our paychecks as had been agreed.

Through the fall of 1995, renewed demands, soon to take the form of ultimatums, were placed on Local 325 to accept "in concept" a new, radically downsized budget, slashed by one third, and based on half a year's work at \$780 per week. Perhaps the most alarming part of all this was that these figures – the weeks and budget – were produced out of thin air. With no professional manager advising them, the board had



AFM President Steve Young speaks at the San Diego Symphony Musicians' demonstration near the site of the Republican National Convention in San Diego in August. (photo: Julian Hintz)

begun bandying about figures as though they were playing Monopoly. We asked them directly: If we were, hypothetically, to entertain their figures, how would they fund the new payrolls they proposed? Their candid answer was equally direct: They hadn't a clue. As amorphous and ill-prepared as these proposals were, however, what made them utterly untenable was the board's complete unwillingness to engage in meaningful dialogue with the union; all the changes were being insisted upon unilaterally.

Even so, the musicians, in order to facilitate the kind of discussion necessary to produce real solutions, volunteered to accept additional wage reductions to \$780 per week – the very figure the board had proposed – but on condition that a manager be hired and medical insurance, already agreed upon, be prepaid. Unbelievably, the board refused our offer – God forbid they should have professional management – and insisted on keeping us at a higher salary!

As fall turned to winter, we continued to hear talk of Chapter 11 reorganization, which carried the threat of the courts throwing out our contract. Then, out of the blue – with no warning whatsoever to musicians, audience, or community – the board announced that it would be voting the very next day to authorize Chapter 7 liquidation. Never once had this been a topic of discussion at open board meetings, and certainly never with Local 325. Overnight, the threat of final and irrevocable dissolution of the institution – selling the hall, liquidating the music library, going dark forever – became the cudgel with which the Association attempted to extract sweeping concessions. We held our ground, however, and

at the first of the year Mayor Susan Golding finally weighed in: She proposed that we suspend the union contract and shut down until September 15 – i.e., until after the Republican Convention – with planning during the interim to determine what, if anything, we might come back to. When that plan was unanimously rejected by the musicians, the Association announced that we would play our last concert on January 13. Symphony Hall went dark for the remainder of the winter, but the threatened bankruptcy was not filed.

As spring approached, two prominent donors announced a major endowment campaign they would undertake independently of the long-since discredited board. The musicians, hoping (once again) to save the institution, went the extra mile and resumed performing. The effort, alas, was pronounced a failure, and the musicians have not been paid for their work.

On May 31, 1996, the Association filed for Chapter 7 bankruptcy in Federal Court. The musicians are now seeking the monies owed them through the bankruptcy process. A bankruptcy trustee will oversee the bankruptcy and the liquidation of the orchestra's assets, including Copley Symphony Hall and the entire music library. Richard Kipperman was appointed to act as interim trustee until the appointment of the permanent trustee. The musicians sought to elect the permanent trustee through a vote of creditors, as allowed under federal bankruptcy law. Both the interim trustee and the Association filed blanket objections to the musicians' creditor claims in an effort to disenfranchise the musicians as creditors.

(continued on next page)

(continued from page 9)

As agreement after agreement was broken, what was left was the understanding that art, jobs, and professional standards carry a lower priority in San Diego than the shallow facade of cultured sophistication. It has become evident that the intent has been to destroy the union contract and protected wages at any cost.

Something we hoped for as the Symphony board lurched from one disaster to the next was active support from the city's political leadership, at least to galvanize the efforts other civic leaders were undertaking. Two city council members did call for the resignation of the board, but fixated as San Diego was on the Republican National Convention (that all but boycotted union music), the leadership from the city that the symphony really needed never appeared. Instead, the Symphony was evicted from its summer pops site to make way for the Republican convention and was left twisting in the wind as millions of city dollars were spent on the convention. The Republican convention was not, of course, a bad thing for San Diego, but the symphony needed to be attended to at least as much, and wasn't.

The decision to dissolve the orchestra was greeted by Sandra Pay, the chair of the San Diego City Commission for Arts and Culture, with what she admitted to the *San Diego Union-Tribune* was "almost a feeling of relief." The arts commission had reduced the orchestra's funding in April 1995 in what Pay described as a "warning." The commission recommended in April 1996 that the city defund the orchestra completely. Pay reacted to the Chapter 7 filing a few weeks later by saying that it had given them an opportunity to design the symphony they need.

Some San Diego Symphony musicians have found new jobs in other orchestras; others are free-lancing, teaching, or working in non-musical jobs, at least temporarily. Those musicians who remain in San Diego are working to lay the groundwork for the rebirth of the San Diego Symphony. Prospects are uncertain at this time.

"Injustice anywhere is a threat to justice everywhere."
 – MARTIN LUTHER KING, JR.

The San Diego Symphony *A Capsule History*

1910 – San Diego Symphony founded, performing mostly in hotels and vaudeville theatres.

1927 – A new orchestra is founded by Nino Marcelli and begins regular performances in Balboa Park.

1935 – Ford Motor Company finances the Symphony's concert series and builds an amphitheater in the park. With WPA, the Symphony expands under Nikolai Sokoloff.

1953 – Robert Shaw becomes music director; he inaugurates first indoor winter series in 1958, his last year.

1966 – Symphony receives a half-million dollar Ford Foundation grant as endowment seed. The Association later spends the principal on operating costs.

1980-84 – Major Orchestra status and expansion to 36 weeks of concerts.

1984-86 – Symphony acquires Fox Theater, which it renovates at a cost of \$6 million. In spring 1986, Association declares emergency ten-day effort to raise \$2.1 million. The goal is met with unprecedented response by the general public. Within weeks, however, the Association then announces a further \$800,000 shortfall; its credibility is shattered.

1986-87 – Musicians are locked out and winter season remains dark. Musicians produce their own successful Summer Pops series at Mission Bay.

1990 – \$2.5 million gift from Helen Copley helps retire remaining debt on hall renovation. Newly named Copley Symphony Hall is now owned free and clear.

1991-93 – Association seeks concessions two years in a row. In attempt to save the institution, musicians grant reduced seasons and wages, resulting in pay cuts of more than 16%.

1994-Spring 1995 – Under new management, attendance and subscriptions increase by over 50%, and new contract restores musicians' wages. By spring 1995, contributed income has dropped precipitously as Association fails for four months to fill fund-raising director vacancy and never launches Corporate Partnerships campaign. Executive director resigns.

Summer-Fall 1995 – Association fails to pay some payrolls. Musicians propose to seed endowment through payroll deductions; Board reduces pay but never sets money aside. Chapter 7 liquidation is authorized by Board in December 1995, with no warning to musicians or public.

1996 – Mayor proposes suspension of musicians' contract and shutdown of Symphony until October. In support of effort by two major donors to raise \$10-20 million endowment, musicians agree to resume concerts in the spring. The endowment effort fails, and the musicians, who had continued working, remain unpaid. The Association files for Chapter 7 bankruptcy on May 31.

Orchestras In The News

Atlanta

The Atlanta Symphony went on strike on September 20, 1996 over, among other things, threats to reduce the size of the orchestra and the failure of management to discuss the musicians' "substantially reduced economic proposal of 5% in each of the three years of the contract." Management's last offer was only a one-year salary freeze with a reopener for years two and three. There are no guarantees of increases.

Contributions and letters in support of the Atlanta Symphony musicians may be sent to:

**Atlanta Symphony Orchestra Players' Association
(ASOPA)
953 Rosedale Rd NE
Atlanta GA 30306**

Sacramento

The Sacramento Symphony filed for Chapter 7 bankruptcy on September 5. On September 3, management had hand-delivered its final offer to each musician, circumventing the negotiating team, which had rejected the same offer two days before. Management demanded that the musicians accept the offer, including a 25% salary cut, four weeks cut from the season, and major concessions in benefits and working conditions, by 5 p.m. that same day. No vote was taken.

Financial contributions to assist the musicians with their health insurance may be sent to:

**Sacramento Symphony Players' Association
P.O. Box 221191
Sacramento CA 95822**

Philadelphia

On September 15, 1996, the Philadelphia Orchestra voted 100-0 to reject management's contract proposal, putting the orchestra on strike for the first time in 30 years. The key issue is the reduction and eventual elimination of the Philadelphia Orchestra's \$6,000 per year Electronic Media Guarantee. This is not only a personal financial concern for the musicians, but in terms of the long-term health of the entire organization, it represents the removal of any incentive for management to pursue new recording and broadcasting opportunities to replace those that have been recently lost. The Philadelphia Orchestra currently has no recording, radio, or television contracts.

An underlying issue is the perceived incompetence of orchestra management leadership, as evidenced by the recording and broadcasting problems, and also by the recent loss of support from the Pew Charitable Trusts, a long-time Philadelphia-based funder, and other fundraising difficulties, particularly in connection with the financing of a new orchestra hall.

Shortly after the strike began, Philadelphia's Mayor Rendell offered a play-and-talk proposal that would have put the musicians back to work on stage while negotiations continued, if the management would submit to a review of its performance by an independent panel. Management rejected the mayor's proposal; the musicians voted to accept it. "The musicians don't want more concerts cancelled. The musicians don't want to watch management kill this institution. If we can have the Mayor's independent review while we continue to negotiate, the musicians want to play for their patrons and supporters," stated Larry Grika, chair of the musicians' negotiating committee.

. . . And The Good News

Orchestras in **Los Angeles**, **Columbus**, and **Buffalo** ratified new contracts in September. **Oregon** recently settled after a short strike, the first in the orchestra's history.

A Message of Support from Riccardo Muti

Maestro Riccardo Muti, former Music Director of the Philadelphia Orchestra, sent the following fax message to "Members of the Board of The Philadelphia Orchestra:"

September 30, 1996

Dear Sirs:

I was unhappy to learn that the musicians of the great Philadelphia Orchestra have been forced to go on strike in order to preserve the heritage of that institution. If orchestras lesser than that of Philadelphia can offer their players greater visibility and recognition by means of tours, recordings and broadcasts, then they will begin to attract the top players.

In order to keep the Philadelphia in the top ranks of the world's musicians, the Board and Management must remember that the Philadelphia Orchestra is its musicians.

I urge that both management and musicians find solutions which will resolve this dispute, so that the Orchestra can celebrate its 100th Anniversary as the important and glorious musical institution it has been and should continue to be.

Sincerely yours, With my best wishes,
Riccardo Muti

Newslets

ICSOM On the Web

Striking & Negotiating Orchestra Musicians' Websites

Philadelphia

<http://users.aol.com/PhilOrch/Strike.html>

Atlanta

<http://userwww.service.emory.edu/~mmoor02/ASOPA.html>

San Francisco

<http://www.slip.net/~rnward/Neg-update.html>

The **Theatre Musicians Association** held its First International Conference in San Francisco on July 22, 1996. TMA seeks to promote the interests of musicians working under theatre contracts across the U.S. and Canada, including Broadway and Pamphlet B. As reported in *Intermezzo*, the newsletter of Chicago Local 10-208, TMA will seek to join ICSOM, ROPA, OCSM, and RMA as an official conference of the AFM. The TMA newsletter, *The Pit Bulletin*, contains interesting information on the instrumentation used in current touring shows and a tentative schedule of dates and cities where shows will be playing.

ICSOM now has its own site on the World Wide Web. While devoid of features of some of the hottest sites on the Web, such as live pictures of coffeepots, R-rated graphics, 3-dimensional rotating pictures of the starship Enterprise and the like, the site does boast some useful and interesting information for the orchestra activist. Included are a breaking news page, with up-to-date information on what's happening in the orchestra world, all editions of *DOS Orchestra* to date, all editions of *Senza Sordino* since September 1994 in Adobe Acrobat® format (with links to free downloadable Acrobat Reader software for all major computer platforms), some information about ICSOM, and links to other sites of interest, including all ICSOM orchestras on the Web.

Most current Web browser software will be able to reach the site at <http://www.icsom.org/icsom>. Older software may have to use <http://www.webcom.com/icsom/>.

Robert Levine, Webmaestro

In Future Issues

Orchestra Settlements 1995/96
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The Depreciation Deduction
Brad Buckley Retrospective

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Buffalo Philharmonic Orchestra
Chicago Lyric Opera Orchestra
Chicago Symphony Orchestra
Cincinnati Symphony Orchestra
Cleveland Orchestra
Columbus Symphony Orchestra
Colorado Symphony Orchestra
Dallas Symphony Orchestra

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