

Senza Sordino

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Three Strikes, We're Out Managements Balk, Toronto, Atlanta Ballet, NYC Ballet Musicians Walk

All three AFM symphonic player conferences were "blessed" with labor disputes this holiday season. Two of the three have been settled, in New York and Toronto, but a very difficult battle continues in Atlanta.

The **Toronto Symphony's** first-ever strike began on September 25 and ended on December 15, just in time to bring some Christmas cheer back to Toronto with a performance of *Messiah*. The new contract calls for a 29.8% salary increase over four years, with an annual salary of \$69,000 (in Canadian dollars) in the fourth year. Toronto Mayor Mel Lastman is credited with restarting negotiations that had been stalled since November 3. The Toronto Symphony musicians were represented by committee chair Gary Labovitz and attorney Leonard Leibowitz; management was represented by Albert Webster, formerly Executive Director of the New York Philharmonic.

Canadian orchestra musicians have faced severe obstacles in negotiations over the past decade, but perhaps none more so than the Toronto Symphony musicians, who lost eight weeks of their season to cuts in 1992. The recent settlement restores those cuts to a great degree. The strengthened resolve of Canadian musicians, as evidenced by the Toronto strike and previous labor action in Montreal and Ottawa, has produced improvements for many Canadian orchestras in recent years.

Unfortunately, it does not appear that financial strains on Canadian orchestras will let up anytime soon. Major reductions in government funding for the arts in Canada, forcing orchestras to quickly retool their development departments to raise more money from the private sector, combined with the possible assessment of payroll taxes on orchestras for some musicians heretofore considered independent contractors, could keep Canadian orchestras on the financial rocks for years to come. Let us hope that, as orchestras seek solutions to these problems, musicians will not be expected to shoulder alone a financial burden that must rightfully be shared by an entire nation.



On November 26, the **New York City Ballet** opened its annual *Nutcracker* production with its orchestra picketing outside, not playing inside, the theatre. The role of the orchestra was performed on opening night by a tape, reportedly compiled from several sources, possibly including a videotape made by the New York City Ballet Orchestra itself several years ago.

Contract negotiations had stalled over management's demand for more stringent attendance requirements. Bill Dennison of Local 802 said the musicians had offered to play during the holiday season while talks went on, but the Ballet management wanted the musicians to agree to play during the spring season as well, to which the musicians refused. The Ballet then locked the musicians out of *Nutcracker*. The last labor dispute at the NYC Ballet was in 1976.

On December 7 an agreement was finally reached. A 3-year contract was ratified that provided salary and pension increases, but also, while rotation was maintained, instituted a somewhat more restrictive attendance requirement. The orchestra returned to the pit and the *Nutcracker* was again whole.



The Atlanta Ballet Orchestra suffered perhaps the worst outrage of this or any other season—replacement by a scab orchestra. In September the Ballet musicians struck over the management's desire for unrestricted use of taped music and refusal to make pension contributions. (The Atlanta Ballet is the only major musical organization in Atlanta that does not participate in the AFM-Employers' Pension Fund.) By November, Ballet management sought students, including even the students of the striking Atlanta Ballet musicians themselves, as well as college faculty and students from around the country, to replace the regular members of the Atlanta Ballet Orchestra for this season's *Nutcracker*.

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Reports from the Field

by Editor Marsha Schweitzer

Another First-Timer at the AFM Convention

The 93rd AFM International Convention

Las Vegas, Nevada – July 19-21, 1999

When ICSOM was born 37 years ago as a dissident movement within the AFM, a choice had to be made between remaining a part of the Federation and working for reform within, or separating from the AFM and creating a new union for orchestra musicians. The recording musicians had faced a similar choice in the 1950s, and chose the latter route, giving birth in 1958 to a rival union, the Musicians Guild of America, which in 1961 merged back into the AFM. In light of that experience, ICSOM decided to take the other route. When it did so, it took on the mantle of the AFM's loyal opposition, fighting for change in the AFM, but from the inside. For 37 years ICSOM has been fighting the patient fight, carrying its message to the AFM Convention, sometimes successfully effecting change, but always from a position of opposition to the AFM power structure.

At the 1999 AFM Convention, the bastions of resistance finally began to visibly give way to our years of chiseling at the rock. From the first day of the Convention,



The All-Powerful ICSOM Secretary takes the Perfectly Powerless Senza Editor under her wing at the AFM Convention.

longtime delegates commented to me that this Convention was not like previous ones. As one player conference delegate said, "At past Conventions, when a committee chair asked us, 'What do you people want?' it was a perjorative. This time, it was a serious question." AFM President Young had appointed two active ICSOM advocates, Fred Sautter and Brad Buckley, to important committee posts, and the ITF's pro-worker legislative proposals were major topics of conversation throughout the Convention. When the voting was over, it was clear that the voices of rank-and-file musicians had been heard. We took only baby steps of reform this year, and many problems are still to be solved, but the AFM at this Convention leaned into the wind and ever so subtly changed direction.

The AFM player conferences—ICSOM, OCSM, ROPA, RMA, and TMA—representing most of the union's working musicians, were largely responsible for this change, which may in time prove to have been the beginning of a true paradigm shift. Elaine Bernard, director of the trade union program at Harvard University, said in reference to intra-union caucuses like ICSOM, "Caucuses are a fact of life in organized labor. It's a sign of democracy in the movement, not the death of the movement. The sooner the leadership recognizes that and seeks to incorporate some of their skills and abilities, the better off they are." At the 1999 AFM Convention, our union's leaders, by finally engaging their caucuses directly in union governance and putting their energy to work within the union's official structure, began to do exactly that. If this continues, changes will take place that some may find uncomfortable, but such change can only be good for working musicians and for union democracy. Future conventions will decide how far and for how long we will travel down this new road. I like the ride so far.

Music And The Internet

"Music and the Internet" Seminar

Cleveland, Ohio – November 3, 1999

On November 3 the Cleveland Bar Association sponsored a seminar entitled "Music and the Internet." Speakers included lawyers and businesspeople from coast to coast representing a wide spectrum of participants in the burgeoning Internet music industry. Topics discussed included modes and methods of digital distribution, artist contracts, Internet record labels and sales, copyright issues, DVD music, and Internet radio. Here are some of the thoughts and opinions expressed at the seminar about the present and future Internet music industry:

Copying music, free downloads, and Internet sales

There has always been music piracy; conversion from CD to MP3/Internet is not as problematic in that regard as was the conversion from vinyl to CD. ("Music became a software business when it became digital.") The real issue now is not piracy, but the control of the initial product distribution. Record companies fear the Internet because they are losing control of the original product.

Internet music outlets like MP3.com do not sell product, but make money with banner ads. Other Internet companies like EMusic.com do not offer free downloads, but enter into license agreements with record companies as an Internet distributor.

A free download is like a free CD to a radio station. The Internet, like radio broadcasts, distributes duplicatable product for free, without packaging or distribution costs, enhancing sales of the physical product.

Artists whose live performance and merchandising sell well find it easier to justify giving their recorded music away. Artists who don't do live performances or who depend more on income from recordings are less likely to want to give it away. In any case, the Internet is an adjunct to a musician's normal activities—conventional recording, touring, home-based concerts. The Internet will not replace everything else.

New opportunities on the Internet

The ability to collect statistics on Internet record buyers is valuable to record companies. The marketing aspects of Internet downloads are as great as the value of actual Internet sales.

The View Inside the TDU

*The TDU National Convention
Cleveland, Ohio – November 5-7, 1999*

Teamsters for a Democratic Union (TDU) is a movement within the International Brotherhood of Teamsters that seeks to end the traditional top-down dictatorial union style that has characterized the Teamsters Union for most of its history and bring bottom-up rank-and-file power—union democracy—to their union.

That's one way to describe TDU—the drab, clinical way. Here are the statements of three Teamsters who spoke at the TDU Convention in November in Cleveland.* They provide colors of deeper hue descriptive of TDU:

The boss offered me a vacation at his villa in the Dominican Republic. He offered me a promotion to Supervisor. “Wouldn't you like to be in control?” he said. But I said, “I am happy with who I am, representing my friends – my people.” . . . We got a great contract. They respected us.

“Don't make waves with the company. You're lucky to have a job.” That's what the *union* said to us. (I thought to myself that a non-union job couldn't be worse than this.) The union said, “Strikes are not necessary. Member involvement is dangerous. The main thing is getting a contract signed.” Yes, members are dangerous – they want a good contract. . . . If you want things to change at the top, you have to make movement at the bottom.

Unity, yes – but not the kind where you follow the great leader like sheep, but the kind where rank-and-file workers stand together for a good contract.

Marketing governs Internet music sales more than artist or quality; the Internet offers a great marketing opportunity, reaching a different demographic than those who buy product at record stores. Older audiences are willing to pay for digital downloads and mail sales; younger audiences are not.

Making available hard-to-find music is a new niche for Internet. The best content draw on the Internet is unique product not available on CD.

Artist-record Company relationships

Artists can get a bigger cut from direct Internet sales than from physically produced and distributed CDs. Most cost in record production is in CD manufacture and distribution; the Internet involves neither.

“If you don't own the master, the master owns you.” The new trend is partnership between artist and company rather than the artist selling all rights to the company. How the artist-company relationship will evolve has yet to be determined, but surely power will shift from the record company to the artists and consumers.

Intellectual property rights

Software companies gave up on encryption; record companies are wasting time and money researching encryption. CDs are not

Many speakers were terrified to get up and speak before an audience, even a friendly one. Some were self-conscious because their English was “not so good.” But they nevertheless forced themselves up to the microphone because they knew their fellow freedom fighters needed to hear their stories—for inspiration, instruction, and catharsis. Emotion was the currency of exchange in the room, and it flowed freely, abundantly, as money flows through the stock market during a high-volume day on Wall Street. By lunchtime I was spent, emotionally drained, purged of pent-up frustration and steeled for the next dose. We all, the Teamsters and I, were cleansed, as at a revival meeting, prepared to return to the front lines of our union battles with our spirits renewed and our resolve restored.

I discovered amongst the Teamsters that the world is full of great union activists and rank-and-file members who love them. But the obstacles and challenges these activists face are monumental. Corruption, greed, terrorism, misunderstanding and hatred permeate the workplace environment, emanating from employers, government, and sometimes even from union officers. That good union activists are making headway against these forces is testament to the incredible courage and determination of these people. Not only the future of our unions, but the future of business, industry, and the civil society as a whole depends on them. God bless TDU.

** Cleveland is a focal point of more than one union democracy movement. It was the birthplace of TDU and also a site of ICSOM's formative meetings in the early 1960s. One of the galvanizing events that brought the nation's orchestras together to form ICSOM was the lawsuit by the Cleveland Orchestra musicians against their AFM local for the right to ratify their collective bargaining agreement.*

encrypted—it's too late to start encrypting; “the toothpaste cannot be put back in the tube.”

DVD music

DVD technology is already here, but the evolution of multi-channel sound has been slow in music recording. The movies are way ahead, already producing 6-channel audio. DirectTV is now sending 6-channel digital audio signal.

DVD is like “CD on steroids.” DVD's higher sampling rate reintroduces the ambiance of analog that was lost in the early CDs. Converting analog to DVD will capture the missing overtones lost on CD; owners of old analog tapes are urged to digitize soon in DVD before material is lost. (But artists beware of low royalty rates: “Artists got screwed converting to CD.”)

DVD is the salvation of the recording industry. Quality of content is the drive behind DVD. DVD will revolutionize not only the delivery of music, but the art form itself, creating a new sound medium to write for, create for. It's the “collision of art and format.”

DVD is, at least for now, immune from Internet distribution; DVD files are not easily downloadable because they are too large.

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The scab orchestra did not come cheap. In addition to wages, the management paid the scabs' airfare, per diem, and housing. The management was not willing to spend a little money to provide a pension to its union musicians, but *was* willing to spend a great deal more money to get rid of those musicians all together.

The *Atlanta Journal-Constitution* reported that "the replacement orchestra . . . needs more rehearsal to be ready for prime time. There were French horn miscues in "Waltz of the Flowers" and scratchy strings in the overture. The celeste got lost at the top of Act II and played many wrong notes. The amplification emphasizes the thinness of the strings." Settling a contract with the union would have cost the Atlanta Ballet less money than the scab orchestra cost and would have preserved the organization's artistic quality, but doing so would not have achieved management's goal. When the boss is willing to sacrifice both money and quality to prolong a labor dispute, a union-busting motive is the inescapable conclusion.

What the scabs don't understand is that by weakening the union that is fighting for a good job with the Atlanta Ballet, they are insuring that there will be fewer good jobs for them to fill in the future—their future—in the music business. The Atlanta Ballet's current musicians will suffer in the short term, but the young scabs who seriously seek careers in music will be hit later by their own boomerang.

Mark McConnell, ROPA Delegate for the Atlanta Ballet Orchestra, writes, "Apparently, they have offered work for the rest of the season to the scabs, so it seems as there is no speedy resolution in sight. Our Music Director, Robert Chumbley, is also the Executive Director. He has himself hired many of the scabs. One must wonder how he plans to look us in the face should a settlement be reached. I believe that he may feel that he is charting new ground for the ballet world by breaking the Union."

More Professionals Seek Union Representation

The International Federation of Professional and Technical Engineers is celebrating the addition to its membership of 23,000 engineers, scientists, and technical employees of Boeing in Washington and six other states. IFPTE President Paul Almeida explains, "Professional and technical workers, who were once thought to have lifelong jobs, are now confronted with an increasing demand for greater skills and education, wage and benefit reductions, and potential job loss. In increasing numbers, these workers have come to understand the necessity of being represented by an organization that will be able to address their concerns."

Professional and technical workers now comprise the majority of members represented by unions affiliated with the AFL-CIO. Almost 60% of the workforce is white-collar, up from 42% in 1960. Almeida concludes, "Labor must be always committed to its historic social mission of lifting up the lowest paid among us. But to finish the job of revitalizing labor, unions must aggressively reach out to professional and technical workers. These goals are not incompatible."

Scab Alert

This notice from the SSD went out in mid-December via email to ICSOM orchestra musicians, as well as to Orchestra-L, the ROPA email list, and the Symphonic Forum on the AFM website:

The Atlanta Ballet musicians of Local 148-462 have been on strike since late September in a battle with their management over the use of taped music, service guarantees and pension contributions. To date, tentative agreement has been reached on the first two items but although management agrees "in concept" to the need for pension, it can't/won't commit itself to any amount – in the third year of the agreement.

In retaliation to our strike, management used taped music for the first production of the year. Ticket sales fell off, and they canned the canned music.

For the second production, management, with "not enough money for the pension," found money to hire replacement musicians, pay their transportation to Atlanta, provide hotel rooms, and pay them per diem and wages. This management won't pay their own musicians a pension contribution on an annual \$4,000 salary, but they will pay non-union musicians travel, food and hotel.

This is outrageous in and of itself. But what is even worse is that musicians are walking across the picket line and replacing the Atlanta Ballet musicians (some of whom have played for the ballet for up to 20 years).

Don't let the replacements be your students.

The Atlanta Ballet is on the International Unfair List. Under the AFM Bylaws, members of the AFM "shall not render musical services for organizations, establishments or people who have been placed on the List." Any member who violates this is subject to a fine of up to \$10,000 or expulsion from the AFM. Ignorance will not be accepted, as it is the responsibility of a Federation member to ascertain that the organization has not been placed on the Unfair List.

Management and conductors are calling music teachers and symphony musicians around the country, looking for people who are desirous of "good experience." Some professionals are recommending students, and then encouraging those people to take the work. Don't do this. As long as your students walk across our picket line and do our work, the management will not have any compulsion to sit down and make a deal with us.

The real experience that any scab musician will have is to learn how angry other musicians will be when uninformed and naive people have stolen their livelihood. Pictures of the strikebreakers have been taken. Names and addresses have been compiled. Whatever "experience" these students receive in Atlanta will be remembered by all the union musicians that they may work with in the future.

This is the first time that non-union musicians have replaced an entire orchestra. Management knows the professors and universities where this is encouraged, and students show up from these institutions regularly. If it is successful here, it could happen to you next.

If you are approached for recommendations, say NO. Use the opportunity to inform your students about the strength of the union, the protection of jobs and the true meaning of the statement that "An Injury to One is an Injury to All."

Editorial:

World Trade Organization “Feels Our Pain”

The WTO, as described by the Earthjustice Legal Defense Fund, is “an outgrowth of the General Agreement on Tariffs and Trade (GATT) that had been struck just after World War II to speed up and facilitate trade among countries. The WTO is secretive, completely immune to public pressure, and immensely powerful. In the quest for free trade, the WTO can—and does—run roughshod over national laws and regulations enacted to protect the environment, public health, working people, and a host of other vulnerable concerns.” Larry Kelber in *LaborTalk* calls the WTO “an economic supergovernment. . . . Its trade decisions can override the labor and environmental laws of any government, including that of the United States. It is the handmaiden of giant multinational conglomerates, helping them to shape a global economy that maximizes their profits and power.”

Five days of demonstrations beginning on November 29 effectively shut down the attempted WTO Ministerial Summit in Seattle and drew worldwide attention to the secretive activities of the WTO. The protesters represented a broad spectrum of progressive labor, environmental, religious, social, and human rights activists, joining together in an inspiring alliance for the good of the entire planet. The unifying message that prevailed was “Fair Trade, Not Free Trade.” Many other cities around the world also held sympathetic protest rallies.

ILWU longshoremen shut down the Port of Seattle and dozens of ports along the West Coast in solidarity. “By taking time out from work to voice our concerns, the ILWU is telling the transnational corporations that they cannot run the global economy without the workers of the world,” said ILWU President Brian McWilliams.

“Free trade” is not really the issue in the protests against the WTO; unregulated exploitation and abuse are. New jobs for workers in developing countries are only beneficial if they are *good* jobs. Economic development that exports profits to make the rich in foreign lands even richer while impoverishing the land, people, and social fabric at home will not make this a better world. Sound

global policies will lift up developing nations and their people without dragging down others, while respecting the world’s land, cultures, and natural resources.

What does this mean to musicians? Globalization has been a fact of life for a long time in the music business. American orchestras have for years suffered from the exportation of recording work to Europe and other places where prices and conditions have generally been more favorable to record producers. The Seattle Symphony musicians succumbed to this downward economic pressure by undercutting national AFM recording rates, which played a role in their eventually leaving the AFM. The recording musicians and others in the film industry in Los Angeles are supporting legislation in the state of California to attempt to control “runaway” film productions that have taken much studio work to Canada and other countries.

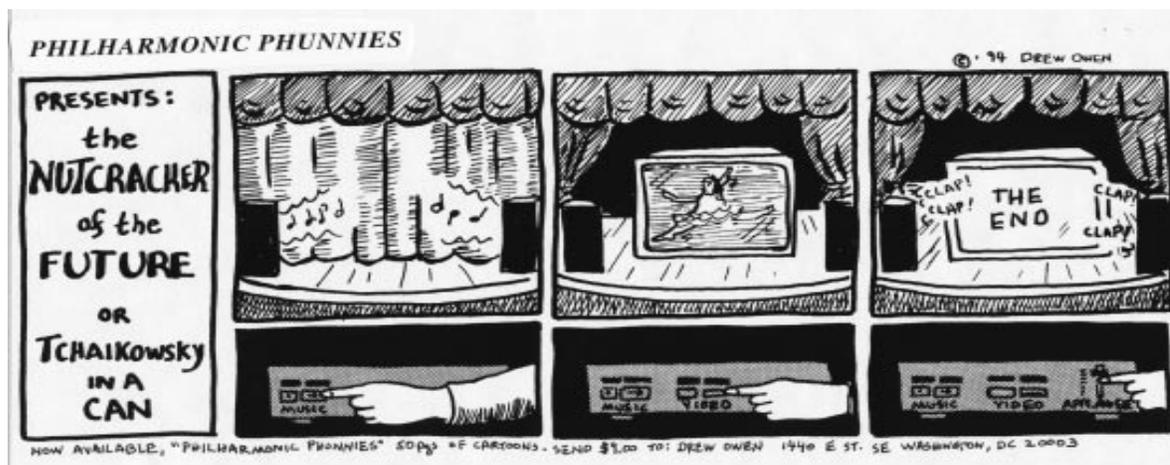
We do not condemn the musicians who have done this work; they are mostly the hard-pressed employees of organizations that did what they felt they had to do to survive in the cruel world of WTO, NAFTA, and global corporate oppression. But by agreeing to sell their services for less than they are worth, these musicians locked themselves into a future of economic enslavement and pulled others down into that black hole with them. Workers on both sides of the economic border suffer at the hands of the international business forces that drive these events.

Only by collectively challenging, on a global scale, the right of employers to force us into such untenable situations can we fix this, for the sake of musicians and all other working people around the world. That’s what the WTO protest is all about.



We are free today, substantially, but the day will come when our republic will come to impossibility because its wealth will be concentrated in the hands of a few. — President James Madison

As a result of the [Civil] war, corporations have been enthroned and an era of corruption in high places will follow, and the money power of the country will endeavor to prolong its reign by working upon the prejudices of the people until all wealth is aggregated in a few hands and the Republic is destroyed. — President Abraham Lincoln



The masters of the government of the United States are the combined capitalists and manufacturers of the United States. The government of the United States at present is a foster child of the special interests. It is not allowed to have a will of its own. — President Woodrow Wilson



On behalf of the Board of Directors of the Atlantic Federation of Musicians, Local 571 A. F. of M., of which I am a member, I must challenge the misleading and inaccurate information contained in the 1998 ICSOM Conference Resolutions, published in the October 1998 edition of *Senza Sordino* (page 9).

The resolution in question directs the ICSOM Chairperson to submit legislation to the 1999 AFM Convention "that will prevent any repetition of the injustice that was done to the musicians of the Symphony Nova Scotia by their local in raising their work dues in an undemocratic and inequitable manner."

There was nothing undemocratic nor inequitable in the passing of Local 571's resolution to raise symphonic work dues. It was passed by a majority of 80 to 3 at a meeting attended by only three of the 37 musicians under full-time contract with Symphony Nova Scotia.

The symphony musicians did have a concert that afternoon but the board placed the dues issue at the top of the agenda in order to give them time to attend. You ought to ask their OCSM representative why such an important issue was ignored by so large a majority of the symphony musicians.

What bothers us about this poor showing is that so little attempt was made to change the minds of those attending the meeting, who may well have seen the players' point of view had convincing arguments been presented.

The board was unanimous in seeking this raise. We were faced by what we considered to be a dangerous drain on the financial resources of the local by the demand of the SNS musicians to hire an outside negotiator for contract negotiations. We have seen too many locals bankrupted by agreeing to such demands without finding a way to pay for them.

Our local president at the time, Peter Power, the chair of the players bargaining team by virtue of his office, is an experienced negotiator with an outstanding track record in symphony negotiations, as well as years of representing the AFM on the national bargaining team for wages and working conditions negotiated with the Canadian Broadcasting Corporation.

The majority decision of the local on this matter much to our astonishment, was set aside by a trial board from the Canadian office when the symphony musicians exercised their right to appeal the decision. It was reversed on a technicality. The board accepts that decision, though we do not agree with it.

Moreover, and more to the point, the disputed resolution was never at any time acted upon. I would stress the fact that no money

was ever deducted from the musicians' paycheck above and beyond the collection of work dues already established for all musicians in the local, pending the settlement of the dispute.

It is entirely improper for your magazine to publish without question, and as though it were established fact, that an injustice was done to the symphony musicians.

That is a libel against the Atlantic Federation of Musicians, Local 571. Democratic procedures were scrupulously followed, and it is for the symphony musicians to answer why they resorted to procedural technicalities to defeat the will of the majority instead of defending their position in the clear and open forum of an association meeting.

We do not dispute *Senza Sordino's* journalistic duty to report the resolutions of the conference. We do however question the journalistic ethics of *Senza Sordino* in publishing such a one-sided view of an issue under dispute. And even more do we find fault with the ICSOM conference chairperson for failing to establish the other side of the story.

In doing so, it is ICSOM which has acted in an undemocratic, inequitable and unjust manner by accepting as fact the musicians' biased and carefully edited view of a legitimate dispute between the SNS bargaining team and the Local 571 board, who have always tried to reconcile the concerns of any of our members with the good of the local, as we did in this case.

After all, that is what we were elected to do.

Sincerely,
Stephen Pedersen
Board of Directors, Local 571, Halifax, Nova Scotia



As the representative for the musicians of Symphony Nova Scotia in the hearing to settle the dispute between Local 571 and the SNS Players Association, I would like to respond to the allegations made in Mr. Pedersen's letter.

Mr. Pedersen maintains "there was nothing undemocratic nor inequitable in the passing of Local 571's resolution to raise symphonic work dues. It was passed by a majority of 80 to 3" What Mr. Pedersen does not say is why those 80-plus people showed up to a meeting of the local, which was a lot more than they usually get to a general meeting. The executive board of the local phoned members of Local 571 who they felt would be supportive of the executive's resolution to come out to the meeting. These members were told two things—that they could all face a dues increase (which the executive knew would never pass), which they said was what the symphony musicians wanted (which was a fabrication), or they could vote in a resolution aimed only at symphonic work. I do not dispute the wonderful campaign that the executive embarked upon. I am sure the orchestra would do the same thing if there was something we wanted passed and were made up of over 700 people instead of 37.

"Voicings" graphic design and concept by Michael Gorman and Norman Foster (bass and clarinet, respectively, of the Honolulu Symphony)

Why was “such an important issue . . . ignored by so large a majority of the symphony musicians?” The issue was not ignored at all. At an SNSPA meeting we implored the President of the local to have the proponents withdraw the resolution prior to the general meeting. I also wrote to the President twice regarding this issue and the possible consequences, to which he never responded. At the time we did not know that the resolution had been drafted and signed by the executive, a fact which they tried to obscure by submitting in their rebuttal a second Notice of Motion with the signatures of other musicians.

The bylaws of Local 571 state that any Notice of Motion must be published in *The Sound*, the Local 571 newsletter, “at least 30 days prior to the general meeting at which time the motion will be considered.” The executive violated their own bylaws, because they obtained those other signatures in less than 30 days, likely on the same day as the general meeting. Only at the hearing did it come out that there were indeed two Notices of Motion, with the President’s signature on the original first Notice of Motion, but not on the second. (This error in the procedure for filing the Notice of Motion, which was the basis of the overturning of the members’ action by the Canadian AFM office, is the “technicality” to which Mr. Pedersen refers.)

The SNSPA decided there was no point in having the whole orchestra go to the general meeting because we knew the executive was stacking the meeting. It would have been demoralizing and upsetting to attend such a meeting, with the result already predetermined, prior to having to play a concert. We sent three people, chosen for their knowledge of Robert’s Rules of Order, to the meeting to document the proceedings.

“So little attempt was made to change the minds of those attending the meeting . . .” The atmosphere and attitude of those attending was something approaching a mob scene. The executive made no attempt to control the catcalls and derogatory comments of the other members. Their minds had already been made up for them by the executive’s campaign. The whole reason for the dues increase was to make back, several times over, what our negotiations cost. We explained this to the members: that our negotiator cost \$7,000; that the local receives almost \$14,000 annually in dues from SNS alone; that we had achieved a landmark agreement of five years, at the end of which SNS will be paying roughly \$16,000 annually. In other words, for \$7,000 plus expenses the local will be taking in approximately \$75,000 over the five years. In essence, the local wanted to renege on a “contract” to pay for our negotiations, as per AFM Bylaws Article 5.24, by charging us back those costs through a punitive dues increase. The “dangerous drain on the financial resources of the local” is a red herring.

The local assumed that it would be business as usual to use the local president at that time, Peter Power, as our chief negotiator and so had not budgeted for our negotiations. The local also did not recognize that the bargaining environment had changed from one of wage improvements in the 1980’s and early 1990’s to a 24% cut and status quo offers. Mr. Pedersen also does not point out that apparently some of Peter Power’s negotiating training came from attending negotiating seminars given by the SNS management’s chief negotiator !

Mr. Pedersen also maintains that “the disputed resolution was never at any time acted upon.” The day after the general meeting the SNS office was instructed to deduct dues at 4%, up from 2%. Dues were then deducted from our cheques until the Canadian AFM office issued a Stay of Judgement at my request. 2% of the dues was then put into escrow until the trial board made their decision. After the resolution was overturned, as Mr. Pedersen says, “on a technicality,” dues were then returned to the SNS musicians.

“It is entirely improper . . . to publish without question, and as though it were established fact, that an injustice was done to the symphony musicians.” It may not have been improper, but it certainly was unfortunate that the trial board only ruled the resolution out of order rather than establish the injustice. They could have done so but would have had to face the political realities. The SNSPA had it on good authority that an injustice had been done to the symphony musicians under Article 5.24 of the AFM Bylaws, and could have chosen other avenues to redress the wrongdoing.

As I have already established above, “democratic procedures were [not] scrupulously followed,” nor was the general meeting a “clear and open forum.” Instead of questioning “the journalistic ethics of *Senza Sordino* in publishing such a one-sided view of an issue under dispute,” Mr. Pedersen should question the ethics of the local executive in how they handled our legitimate request for “competent representation in negotiations as the situation requires and the orchestra members may reasonably request [Art. 5.24].”

“ICSOM . . . has acted in an undemocratic, inequitable and unjust manner by accepting as fact the musicians’ biased and carefully edited view of a legitimate dispute.” There never was any legitimacy in Local 571’s actions. It took months of negotiations with the local to provide funds for our negotiations, achieved only after the AFM Vice President from Canada directed them to do so. This cost the SNSPA valuable time and energy and made our position appear weak to the orchestra management. One Notice of Motion was passed off as the original; the wording of the Notice of Motion changed from what was printed in the local newsletter to the one that was presented at the general meeting; the general meeting was stacked, out of control and ill-timed before our concert.

“The Local 571 board . . . have always tried to reconcile the concerns of any of our members with the good of the local.” It is the executive of the local who put the good of the local at risk by following this course of action. By choosing to keep this matter internal, the SNSPA spared the local from much more aggressive measures available to us, which included but were not limited to filing for the Orchestra Services Program (OSP), decertifying, court challenges, or labour relations charges. \$7,000 in negotiator’s fees over five years looks like a bargain for the local compared to the cost of an OSP-provided negotiator, or to the local’s loss of \$16,000 a year in work dues. Indeed, the SNSPA would like to put this matter behind us in the interest of moving on and repairing a damaged relationship.

Rob McCosh
Symphony Nova Scotia Players Association
President, Organization of Canadian Symphony Musicians
(OCSM)

Newslets

The 2000 ICSOM Conference will be held at The Galt House in Louisville, Kentucky starting Wednesday, August 23 and ending Sunday, August 27. Further details, including how to make reservations, will be sent to ICSOM Delegates in the coming months.

Dennis Dreith, longtime President of the Recording Musicians Association (RMA), has resigned that position to become Administrator of the Motion Picture Special Payments Fund. One way or another, Dennis will continue to work for recording musicians and all working musicians. **Steve Gibson** of the Nashville RMA Chapter succeeds Dennis as international RMA President.

The Milwaukee Symphony broke the tropical Cold War ice by becoming the first major U.S. orchestra to perform in Cuba since 1962. Although some instruments and equipment were delayed by a replacement cargo plane being denied landing permission in Havana, and many orchestra members played while under siege by unwelcome digestive tract invaders, the concerts went on, drawing appreciative crowds and rave reviews.

The ICSOM Imprint

When the Senza editor was new to the job, she wrote this story about a personal ICSOM experience in her own orchestra. Thinking it too maudlin for publication at that time, she tabled it indefinitely. But at last summer's ICSOM Conference, North Carolina Delegate Bruce Ridge recalled it, regretting that it had never made it into print. Well, Bruce, here it is:

Bruce Ridge, bassist and ICSOM delegate from the North Carolina Symphony, was subbing in the Honolulu Symphony for a couple of weeks. During a rehearsal of Mahler's *Symphony #1*, the conductor attempted to begin the second half of the rehearsal before the allotted intermission time had ended. The concertmaster was standing in preparation for tuning, but the union steward was also standing, gesturing to the maestro that there were still two minutes to go. At the same moment I looked over toward Bruce, who was standing slightly offstage, about five feet from his bass, and also, like the union steward, looking at his watch, fully aware that intermission had not yet ended, and not about to assume playing posture until the proper time. I caught his eye, and we smiled.

It was a smile that spoke volumes. It reflected a commonality of understanding that instantly bridged the gap between his orchestra and mine. It reflected a mutual work experience in which ICSOM has played a major role for both of us, maybe not consciously, in the forefront of our thoughts, but deeply, subliminally, over a period of many years. Our separate but similar union educations and indoctrinations converged and became manifest on that stage at that moment.

I have wondered many times if ICSOM was accomplishing anything, if we were making any headway or just beating our heads against brick walls, speaking to deaf ears. Bruce proved to me that we have made incredible strides. Two orchestras, even though 5,000 miles apart, play by the same rules and know what they are, not only regarding the playing of Mahler, but also regarding the enforcement of contractual working conditions. The mark of ICSOM and unionism is deeply stamped across the entire continent, and beyond.

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Affiliated with the American Federation of Musicians - AFL-CIO

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The ICSOM Website
<http://www.icsom.org>



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