

Senza Sordino

Official Publication of the International Conference of Symphony and Opera Musicians

VOLUME 40 NO. 4

Online Edition

August 2002

Labor's View of the Entertainment Industry

The New Labor Forum is a semiannual publication of the Queens College Labor Resources Center, City University of New York. Each issue contains about a dozen articles covering the wide spectrum of current labor issues, written by the leading labor writers from around the nation. The Fall/Winter 2001 issue included an article on the entertainment unions, "Entertainment Unions Tune Up For Turbulent Times" by Lois Gray, which contained some provocative ideas, and even a description of the rise of ICSOM and the RMA in the AFM's history. Here are some excerpts:

... The average American spends nine and a half hours a day watching television, listening to recorded music or the radio, reading, viewing videos, surfing the Internet, or enjoying some form of entertainment. It is, therefore, not surprising that entertainment is America's leading product. It is also one of our most highly unionized industries.

... The entertainment industry has traditionally consisted of four major segments, each with its own marketing structure: live performing arts (including theater, dance, music, and cabaret), motion pictures, broadcasting, and recording. Common to all is the impact of rapid and continuing technological change ... The market for live performances was hard hit by the emergence of recording, film, and radio productions, which, in turn, found competition in television, which subsequently found its audience diminished by cable and videotapes. The Internet now competes for time and advertising dollar with all of the old media. ... For entertainment workers, technology both creates and destroys jobs.

... Mergers and acquisitions initially aimed at dominance in one sector have extended across media lines where owners are attracted by the synergy of producing content that can be distributed in all competing channels and marketed around the world. ... When Ben Bagdikian published the first edition of *Media Monopoly* in 1983, he shocked his audience by announcing that a mere 50 companies controlled most of what Americans read and watched on television and in the movies. By the time of his sixth edition in 2000, after consolidation had spread worldwide to include recording and the emerging Internet-interactive sector, the number of dominant companies had shrunk to 6.

... Facing concentrated ownership on the employer side, unions in entertainment are fragmented into multiple organizations with frequently clashing agendas.

... Consolidation of both domestic and international bargaining power is obviously needed. Innovation in membership outreach and mobilization will be required to cope with the rise of the new media and proliferation of productions outside the unionized sphere. Although entertainment unions have traditionally avoided political action for fear of dividing their membership, recognition that public policy is key to dealing with many of their issues suggests the need for a rethinking of political neutrality, along with strategies for building supportive alliances in the broader labor movement and community.

... In the AFM, movement toward internal reforms has come not from the top but from rank-and-file rebellion in major sections of membership. Musicians employed in symphony orchestras organized themselves as a caucus to assert their demands on national leadership, and the recording musicians followed a similar path of rebellion and independent action. AFM conciliated both groups by promising them a force in decisions within the union's policy-making structure and at the bargaining table. The national conferences of symphony and recording musicians, which continue to function on a semi-autonomous basis, have pressed for further changes in union structure and policies. The AFM has responded not only by establishing Departments for Symphonic Services and Electronic Media to serve these constituents, but also by appointing a committee to consider ideas for restructuring the organization.

... Facing the growth of multinational corporations that can move work across international borders and undercut gains achieved in collective bargaining, U.S. unions have a pressing need for international allies. Critical concerns include 1) international piracy of records and films, which threatens the intellectual property rights and compensation of writers and performers; 2) national trade restrictions that reduce the demand for entertainment products; 3) weak collective bargaining rights in developing countries; and, most importantly, 4) coordinated action to cope with the power of mega-media conglomerates. According to John McGuire of the Screen Actors Guild, "Meaningful cooperation with other unions in other countries is now a basic necessity. Basic union contracts which were once local in scope now need to be national and even international in scope."

Theater Musicians Explore Pamphlet B

The Theater Musicians Association (TMA) met in Detroit August 19-20 for their annual conference. At the top of their agenda was coming to terms with the newly renegotiated Pamphlet B, the AFM-negotiated agreement that governs travelling theater productions.

Ever since Pamphlet B was created, there have been tensions between the musicians who travel with the shows and those who are hired locally to fill out the rest of the pit orchestra. In many cities where Pamphlet B shows tour, the local union has negotiated local contracts for theater work with the venues in which the touring shows take place. In recent years there have been several theater strikes based on those local agreements that have kept the shows from going on, put local musicians on picket lines, and left travelling musicians sitting in their hotel rooms unpaid, waiting to start work.

The new Pamphlet B walks a very fine line between the interests of these two groups of union musicians and the demands of the employer group, the League of American Theaters and Producers, Inc. There are much-improved salaries, per diem, benefits, and working conditions for travelling musicians, but there is also a new no-strike, no lockout clause that effectively keeps the local musicians from being able to fight as aggressively as they once could for a better local deal.

AFM president Tom Lee said, "The Federation, as you know, has been trying to balance the interest of touring musicians who desire job security on the road with the time-honored right of local union musicians to engage in lawful economic strikes. ... Apart from the union's internal debate as to what to do in these most difficult circumstances, the League—in powerful terms—announced that no Pamphlet B agreement would be achievable unless the Federation agreed to a traditional no-strike provision which applied to sympathy strikes as well.

"Against this complex background, the Committee determined that the only viable alternative was to recognize that a no-strike provision was inevitable and to use it as leverage to obtain the best possible package agreement with the League. And as reflected by the economic benefits [we achieved], that is precisely what we did."

Part of that complex background were management's powerful bargaining weapons—the constant threat of the computerized Virtual Pit Orchestra (VPO) and the increasing pressure from nonunion touring shows.

New TMA officers were elected – President: Vicky Smolik (St. Louis); Vice-President: George Troia (Detroit); Secretary-Treasurer: Nancy Schick (St. Louis); Directors: David Schoenbrun (Northern California), Jeff Driskill (Southern California), James Sims (Dallas), Aileen Friedel (St. Louis), Art Linsner (Chicago), Keith Claeys (Detroit), John Spooner (traveling musicians) and At-Large Directors Richard Genovese (Philadelphia) and Richard Tremarello (Milwaukee). Ann Dolan was appointed new *Pit Bulletin* editor.



Mostly Mozart Festival Orchestra Strikes for Job Security

The Mostly Mozart Festival Orchestra, represented by Local 802, New York City, voted on August 5 to ratify an agreement that ended its four-day strike.

The union had proposed a system of peer review in which a committee of musicians would hear an appeal from a musician who had received a notice of non-renewal and be able to either uphold the notice or, if they saw fit, to set it aside; Lincoln Center rejected that proposal, seeking to maintain the previous system, in which an arbitrator from the American Arbitration Association would be the final word.

The compromise agreement calls for arbitration by a three-person panel including a musician, a representative of Lincoln Center and an outside arbitrator. It also provides for an audition committee made up of musicians who will conduct auditions and make recommendations to the music director. Both provisions help to satisfy the musicians' need for more job security as the Mostly Mozart Festival searches for a new music director.

Lincoln Center and the Festival Orchestra also agreed to present two free concerts at Avery Fisher Hall on August 20 and 21, for which the musicians received one week's pay. All of the scheduled performances featuring the Festival Orchestra, nearly two-thirds of the Mostly Mozart Festival, were canceled because of the strike, and were not reinstated. The parts of the Mostly Mozart Festival that featured touring orchestras and artists were not canceled.



Another New York labor story – A majority of the 10 actors who perform daily at the Ellis Island Immigration Museum voted for representation by Actor's Equity in mid-August. The actors, who perform and understudy in shifts, six times a day, seven days a week, in the 30-minute show "Embracing Freedom – The Immigrant Journey in America," receive no benefits or sick pay, the union said. The Statue of Liberty-Ellis Island Foundation fought the actors' efforts to organize.



The 2002 ICSOM/Unity Conference took place in Ottawa, Canada, August 14 - 17. New officers elected were:

Jan Gippo (St. Louis)	Chair
Brian Rood (Kansas City)	President
Laura Ross (Nashville)	Secretary
Scott Weber (Cleveland)	Treasurer
Marsha Schweitzer (Honolulu)	Editor, <i>Senza Sordino</i>

Reports on the Conference will appear in future issues.

Playing At Our Jobs' Funeral

My clock radio woke me up on the morning of July 30, 2002, to these words, "As you may have heard, the Mostly Mozart Festival has been canceled due to a musicians' strike. But you can't preempt what's already done. Here's a recording of the Mozart Clarinet Concerto ..."

Former AFM president James Petrillo, recognizing in the 1940s the threat to live musical work that recordings represented, said that now a musician can play at his own funeral. It seems that we can also now scab our own gigs. In 2000 the New York City Ballet Orchestra was replaced while on strike by possibly its own recorded product. Many pundits say that the Virtual Pit Orchestra (VPO) will virtually replace theater musicians as an entire class, many of whom are now unemployed just as, two or three generations ago, the theater musicians of the 1930s were put out on the street when silent movies became talkies.

We say that orchestras do so little recording that it shouldn't occupy so much of our time and thought and angst. We make our living almost entirely from our live work, we say. But as the NYCB found out during their 2000 strike, and as Hawaii Public Radio—5,000 miles away from the Mostly Mozart labor action—so innocently insinuated, the existence of recordings is increasingly undermining our ability to use our ultimate labor weapon, the strike, to apply pressure in negotiations regarding our live work. Jobs that are not directly lost to displacement by digital substitutions are being eroded by the incessant threat that they could be.

Recordings always have, and will increasingly continue to affect our live work. How long before our recordings (digitally preserved, modified, and enhanced) will cause seasons to be shortened, orchestra size to be reduced, or full-time jobs made part-time? In the brave new digital world, will people flock to concert halls to see and hear us (or our virtual images) on big-screen TVs with DVD surround sound? Will they pay the same ticket price to see and hear us virtually as in reality? What was the effect on live theater when movies were invented? What will be the effect on screen actors when virtual clones can regularly replace their live bodies on movie sets?

When I was in Boston Symphony Hall a few years ago I saw a lobby display of historic old instruments. Included was a tenoroon, the first one I had ever seen "in the flesh." This display led to a recurring nightmare in which a group of schoolchildren is taking a tour through a museum with a similar display of old instruments in glass cases. They stop by a case containing a 20th century bassoon, and one child asks what that funny-looking thing is. The teacher explains that a long time ago people actually used that device to make music, by blowing through the tube. "It sounded much like the 'bassoon' sample that you use in your computer to build music. Now we achieve the same effect so much more easily using electronically generated sounds."

According to the theatre musicians at the recent TMA Conference, the difference between a live pit orchestra and the virtual pit orchestra (VPO) is barely noticed by theater patrons, not even noticed enough to cause significant numbers of them to protest either the diminution of artistic values or the economic

gouging manifest in paying as much for one machine as they once paid for 30 live musicians.

So what?, we say. The theater audience is going for the live action on stage, and the music from the pit is incidental to the experience they are paying for. Symphony orchestras have been dealing successfully with the increasingly visually oriented audience by spicing up our concert production values—adding stage decorations, multimedia programming, background visuals, light shows, big-screen close-ups, more colorful or revealing costumes, etc. But the undeniable fact remains that orchestras exist because of the *sounds*, not the *sights*, they make, and ultimately the fate of orchestras will rest on the public's demand, or lack of it, for the sound of a live orchestra. The ticking time bomb for all of us in the music business is that once the last generation of people who remember what a live orchestra sounds like are dead, so will be the live orchestra, whether in the pit or on stage.

So what is the future of real, live musicians in a digital world? Past technologies have decimated the ranks of musicians, but not destroyed the profession completely. Live musicians working in a genre where recording technology has had the least impact—notably classical music—have fared better than others during the last five decades, but our blessed insulation from the effects of technology is rapidly becoming a thing of the past. An orchestra that has not made a single recording will be just as affected by the insidious indirect effects of the burgeoning digital industry as the most-recorded orchestras.

The Mostly Mozart strike also demonstrates the other major mitigator against our orchestras in the marketplace—global competition. The portions of the Mostly Mozart Festival involving the local orchestra were canceled, but the parts involving foreign orchestras, soloists and chamber groups were not canceled. We have bemoaned for decades the loss of recording work to low-cost Europe, but now, newly liberalized immigration laws and policies have made it easy for employers to replace Americans not only by taking the work across borders, but also by importing foreign musicians to take the work out from under us in our own home towns.

The *New Labor Forum* (see "Labor's View of the Entertainment Industry," page 1) says that the 50 companies that controlled the mass media in America in 1983 had shrunk to 6 companies in 2000. Could it be that the 100 or so orchestras that provide live and recorded music to Americans in 2002 will dwindle to 20 or so by 2020? Which of us will be left? Will most of us then have to reside in exploitation-friendly third-world countries in order to find jobs? Where is the critical mass in the music business—the point at which there are so few practitioners remaining that the species cannot reproduce and becomes extinct? Or becomes an avocation for the independently wealthy because no one can make a living at it anymore?

There are many other scenarios for our future, some not so pessimistic, but in uncertain times like this I remember the maxim, "Hope for the best, but prepare for the worst." So, where do we go from here? What road do we travel? I am haunted by another maxim, "If you don't know (or don't care) where you are going, any road will do."

Marsha Schweitzer, Editor

Newslets

The Governing Board regrets to inform ICSOM members that due to a variety of problems that came up this year, the 2001-02 ICSOM Directories were not printed. For next season plans are being made to enable each delegate to update his/her own orchestra's information online, as the wage charts are now done. Emeriti updates will be done similarly to the way they are handled now. Hard copies will be created and mailed out as in past years.



After their final concert at Blossom Music Center on August 24th, the Cleveland Orchestra musicians honored their retiring colleagues **Charles Couch**, trumpet, and **Robert Zimmer**, violin and librarian, at a backstage party. Mr. Couch was the Cleveland Orchestra's ICSOM delegate from 1986 to 1991.



Shreveport On, San Jose Off

We have a contract settlement in Shreveport. It's not something we are happy about, but it does save our core, which was on the chopping block, so to speak. We took a 9% pay cut (from \$15,600 down to \$14,200, base pay, principal pay is down to \$17,000), we lost five core positions (from 29 down to 24), three of which were unfilled, anyway. No agreement is in place as to which players will lose their jobs, although at least three players will likely leave this summer in any case. We saved our 5% AFM pension, the \$800 health payment remains in place.

You may remember Andy Brandt's message [*Senza Sordino*, June 2002] about the "non-renewal" notices that were sent to every contracted musician in the Shreveport Symphony. This was the board executive committee's way of saying it wanted to axe the core and go completely per service. As you can see, this did not happen, but we took a pretty heavy hit.

Yours in Solidarity,
Henry Edwards
Shreveport Symphony ROPA Rep

On a even sourer note, the San Jose Symphony is in the process of Chapter 11 bankruptcy. There will be no 2002-2003 season. When the orchestra will resume concerts is uncertain. – Ed.



“The stage is not merely the meeting place of all the arts, but is also the return of art to life.”

– Oscar Wilde (1854-1900)
Anglo-Irish playwright, author

International Conference of Symphony & Opera Musicians (ICSOM)

A Conference of the American Federation of Musicians - AFL-CIO

ICSOM Governing Board

Chairperson

Jan Gippo
St. Louis Symphony
1620 Horseshoe Ride Road
Chesterfield MO 63005
(314) 537-5374 (Voice/FAX)
jgippo@worldnet.att.net

President

Brian Rood
Kansas City Symphony
9919 Rosewood Lane
Overland Park KS 66207
(913) 649-9919, cell (913) 706-4164
BrianFRood@aol.com

Secretary

Laura Ross
Nashville Symphony
1609 Tammany Drive
Nashville TN 37206
(615) 227-2379, cell (615) 202-4276
FAX (615) 259-9140
lar2vln@comcast.net

Treasurer

Scott Weber
Cleveland Orchestra
85 Woodland Trace
Aurora OH 44202
(330) 562-7335
scottwbr@aol.com

Editor, Senza Sordino

Marsha Schweitzer
Honolulu Symphony
905 Spencer Street #404
Honolulu HI 96822
(808) 531-6617 (Voice/FAX)
MSchwitzr@aol.com

MEMBERS AT LARGE

Jay Blumenthal
New York City Ballet
484 W 43rd Street #24M
New York NY 10036
(212) 695-5895
blujay@rcn.com

Michael Moore
Atlanta Symphony
953 Rosedale Road NE
Atlanta GA 30306
(404) 875-TUBA (Voice/FAX)
michael@atlantabrass.com

Mary Plaine
Baltimore Symphony
630 Deepdene Road
Baltimore MD 21210
(410) 433-6063
mclaine@att.net

Fred Sautter
Oregon Symphony
8520 SW Brentwood Street
Portland OR 97225
(503) 292-0279 / FAX 292-7460
fsautter@attbi.com

ICSOM Orchestras

Alabama Symphony Orchestra
Atlanta Symphony Orchestra
Baltimore Symphony Orchestra
Boston Symphony Orchestra
Buffalo Philharmonic Orchestra
Charlotte Symphony Orchestra
Chicago Lyric Opera Orchestra
Chicago Symphony Orchestra
Cincinnati Symphony Orchestra
Cleveland Orchestra
Colorado Symphony Orchestra
Columbus Symphony Orchestra
Dallas Symphony Orchestra
Detroit Symphony Orchestra
Florida Orchestra
Florida Philharmonic Orchestra
Fort Worth Symphony Orchestra
Grant Park Symphony Orchestra
Honolulu Symphony Orchestra
Houston Symphony Orchestra
Indianapolis Symphony Orchestra
Jacksonville Symphony Orchestra
Kansas City Symphony
Kennedy Center Opera House Orchestra
Los Angeles Philharmonic
Louisville Orchestra
Metropolitan Opera Orchestra
Milwaukee Symphony Orchestra
Minnesota Orchestra
Nashville Symphony Orchestra
National Symphony Orchestra
New Jersey Symphony Orchestra
New York City Ballet Orchestra
New York City Opera Orchestra
New York Philharmonic
North Carolina Symphony
Oregon Symphony Orchestra
Philadelphia Orchestra
Phoenix Symphony Orchestra
Pittsburgh Symphony Orchestra
Rochester Philharmonic Orchestra
Saint Louis Symphony Orchestra
Saint Paul Chamber Orchestra
San Antonio Symphony
San Diego Symphony Orchestra
San Francisco Ballet Orchestra
San Francisco Opera Orchestra
San Francisco Symphony Orchestra
Syracuse Symphony Orchestra
Utah Symphony Orchestra
Virginia Symphony



www.icsom.org

Senza Sordino is the official publication of the International Conference of Symphony and Opera Musicians, Inc., and is published four to six times a year. ICSOM is a conference of the American Federation of Musicians of the United States and Canada, AFL-CIO. Unauthorized reproduction of any part of *Senza Sordino* is strictly forbidden. Copyright © 2002. All rights reserved. ISSN 1074-7850

ICSOM Council

Leonard Leibowitz
322 West 48th Street
New York NY 10036
(212) 765-4300 / FAX 765-2775

ICSOM Emeritus Program

Abe Torchinsky
777 W. Germantown Pike #1028
Plymouth Meeting PA 19462
Phone: (610) 277-3981
AbeT825844@aol.com

Orchestra-L and WebMaestro: Robert Levine

Subscriptions: \$10 per year, payable to *Senza Sordino*
c/o Marsha Schweitzer, 905 Spencer Street #404, Honolulu HI 96822

Senza Sordino is the official voice of ICSOM and reflects ICSOM policy. However, there are many topics discussed in *Senza Sordino* on which ICSOM has no official policy; the opinions thus expressed in *Senza Sordino* are those of the author(s) and not necessarily of ICSOM, its officers or members. Articles and letters expressing differing viewpoints are welcomed.