

# Senza Sordino

Official Publication of the International Conference of Symphony and Opera Musicians

VOLUME 50 NO. 2

Online Edition

May 2012

## Haven't We Won These Battles?

by Julie Ayer

Observing the so-called “war on women” occurring in national politics recently, I am struck by the irony of assuming battles fought decades ago are behind us. Those of us who lived through the fight for equal rights for women, and succeeded in no small measure, are appalled at the rhetoric from some politicians threatening the erosion and possible reversal of some of those rights. I’m afraid the lessons for this generation of both men and women are that one cannot take anything for granted, and the rights gained by our predecessors are more easily lost than preserved.

These thoughts lead me to reflect on parallel struggles that occurred in our industry. The birth of ICSOM coincided with the historic civil rights movements of the 1960s, but true equal rights for women in orchestras did not begin then. Conductors retained power to hire and fire until the audition process was reformed in the early 1970s through negotiations to guarantee participation of musician committees.

The use of screens changed everything. When musicians took control of their destiny, including a voice in the audition process, “the other half of humanity” were taking blind auditions and winning them. They did not have to share the regrets of musicians of previous generations, including Elsa Hilger, assistant principal cellist of the Philadelphia Orchestra, who said during the tenure of conductor Eugene Ormandy (1936–1976), “I would have been principal, but my pants weren’t long enough.”

The Code of Ethical Practices for National and International Auditions was unanimously approved in 1984 by ICSOM, the Major Orchestra Managers Conference, and the AFM. It is not a contract but is to be used as a guideline. However, it does articulate that “[t]here should be no discrimination on the basis of race, sex, age, creed, national origin, religion or sexual preference.”

Women’s dressing rooms were non-existent in the pre-ICSOM era, at home or on tours, and men’s facilities were barely adequate. The Minnesota Orchestra’s women’s dressing room in Orchestra Hall is still lacking, in spite of two remodel/expansions in the past 38 years.

After all these years, both the men’s and the women’s dressing rooms are finally slated to be expanded during the planned Orchestra Hall remodel of 2012–2013.

Even the mere fact of pregnancy in the workplace was frowned upon, and women were threatened with firing, as described by Russell Brodine’s memoir *Fiddle and Fight*: “When [St. Louis Symphony] Manager Zalken presented the 1962–1963 contracts to the musicians, there was one clause in the women’s contracts that had *not* been agreed to by either the Orchestra Committee or the Union.” The so-called pregnancy clause contained language such as “audience distraction” and “if the pregnancy is visually apparent or causes interference to render proper services, then this contract may be terminated.” The clause disappeared after an orchestra meeting at which men and women alike were outraged and objected to such discriminatory contractual language. “I read that clause over three times; each time it sounded more disgusting.” At the orchestra meeting to discuss this, Brodine said, “figuratively speaking, this contract is always with us... but I’ll be goddamned, if it’s such a good contract that anyone should have to take it to bed with them.”

Sixteen years after this incident, in 1978, the Pregnancy Discrimination Act was passed to protect women from discrimination in the workplace. At the 1980 ICSOM Conference, for the first time, women held their own session, discussing concerns specifically related to their professional lives and their status as symphony musicians. Topics included improved contract language for maternity and paternity leave, child care, tours, auditions, and committee representation.

When I interviewed I. Philip Sipser, ICSOM’s first counsel, in 2000, he could not emphasize strongly enough how important it was to stay within the AFM, even during a time when both the locals and the AFM were not particularly helpful to orchestra musicians, to say the least. “The symphony field is the only field in which the lawyer does not represent the entire union, only some of its members, completely unique in labor history... and here was a group of rank-and-file who organized themselves, kept the movement alive, retained counsel, fought a three-front battle against the AFM, locals and management... and lived to tell about it.”

If this is not inspiration enough to steel us for more battles ahead, it is also a cautionary tale. Union bashing seems to be the way of the world in 2012. Within our workplace across this country, orchestras have become a diverse and thriving environment of dignity and equal rights for all members. Collective bargaining is our way of  
*(continued on page 6—see PROGRESS THROUGH THE YEARS)*

### In This Issue

Haven't We Won These Battles? .....	1
Officers' Reports .....	2
Mandatory/Permissive Subjects of Bargaining .....	4
Alabama on the Mend .....	5
Louisville Settlement .....	10

## Chairperson's Report by Bruce Ridge



Chairperson Bruce Ridge,  
(2006–)

### Honoring the Former Chairs of ICSOM

As ICSOM prepares to celebrate our 50th anniversary this August in Chicago, I have been studying the lives and work of the musicians who have held the position of ICSOM chairperson before me, and I am humbled and inspired by their accomplishments. I suspect, though, that many of our current members are unfamiliar with the names and accomplishments of the leaders who are so responsible for the success of ICSOM and who have had such an impact on the

lives of musicians today. While the musicianship and leadership of each of these nine former chairs of ICSOM deserve volumes of appreciation, here are a few all-too-brief observations on their achievements.

### George Zazofsky (1962–1969)

A retrospective in the April 1972 issue of *Senza Sordino* said that “between 1962 and 1969, ICSOM and ZAZOFSKY were virtually synonymous.” The first chairperson of ICSOM was a violinist with the Boston Symphony Orchestra (BSO) from 1941 until 1970, when he left the orchestra to become professor of violin and chamber music studies at the University of Miami. A graduate of the Curtis Institute of Music, Zazofsky was an annual soloist with the Boston Pops and also performed the Berg Violin Concerto with the BSO under Erich Leinsdorf. He served on the faculties of Brandeis University and the New England Conservatory of Music.

Zazofsky was a courageous, even revolutionary leader. *Senza Sordino* described him as “a leader when leadership was what our organization desperately needed.” Under his watch, and under an enormous amount of scrutiny, ICSOM created new bylaws and developed a purpose statement—a statement still in use today. Zazofsky began the movement that would lead to the AFM Symphony, Opera, and Ballet Strike Fund, as well as hiring independent counsel for ICSOM, a move strongly opposed by the AFM. During his tenure, ratification of symphony contracts by the musicians became more common, and ICSOM earned the right to participate in national media negotiations.

Chairman Zazofsky once said, “All these events couldn’t have culminated successfully without the labor of love, dedication, and good common sense which prevailed in all member orchestras.” He passed away on April 19, 1983, at age 69, just three days before he was to have attended the annual ICSOM Conference. The *New York Times* reported the news of his passing. Today, there is a plaque in Boston’s Symphony Hall honoring George Zazofsky as the first chairperson of ICSOM. The plaque reads, in part, “Symphony, Opera, and Ballet Musicians Are Forever in his Debt.”

(continued on page 7—see Former CHAIRPERSONS)



INTERNATIONAL CONFERENCE OF  
SYMPHONY AND OPERA MUSICIANS

A Player Conference of the  
American Federation of Musicians of the  
United States and Canada, AFL-CIO

[www.icsom.org](http://www.icsom.org)

### 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  
The Cleveland Orchestra  
Colorado Symphony Orchestra  
Columbus Symphony Orchestra  
Dallas Symphony Orchestra  
Detroit Symphony Orchestra  
Florida 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  
Puerto Rico 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  
Syracuse Symphony Orchestra  
Utah Symphony Orchestra  
Virginia Symphony

### Governing Board

**Bruce Ridge, Chairperson**  
North Carolina Symphony  
505 West Aycock Street  
Raleigh, NC 27608  
919-833-8720 • Cell 919-971-1160  
[bruceridge@earthlink.net](mailto:bruceridge@earthlink.net)

**Brian Rood, President**  
Kansas City Symphony  
9919 Rosewood Lane  
Overland Park, KS 66207  
913-706-4164  
[brianrood@sbcglobal.net](mailto:brianrood@sbcglobal.net)

**Laura Ross, Secretary**  
Nashville Symphony  
1609 Tammany Drive  
Nashville, TN 37206  
615-227-2379 • Fax 615-259-9140  
[lar2vln@comcast.net](mailto:lar2vln@comcast.net)

**Michael Moore, Treasurer**  
Atlanta Symphony  
953 Rosedale Road NE  
Atlanta, GA 30306  
404-875-TUBA (Voice/Fax)  
[mooretuba@bellsouth.net](mailto:mooretuba@bellsouth.net)

**Richard Levine, Senza Sordino Editor**  
San Diego Symphony  
6304 Radio Drive  
San Diego, CA 92114  
619-263-2545 • Fax 619-263-7087  
[senza@richlevine.com](mailto:senza@richlevine.com)

**Matthew Comerford, Member at Large**  
Chicago Lyric Opera Orchestra  
2014 North Pinetree Drive  
Arlington Heights, IL 60004  
847-392-4135  
[macmusic3654@yahoo.com](mailto:macmusic3654@yahoo.com)

**Paul Gunther, Member at Large**  
Minnesota Orchestra  
5532 Rowland Road  
Minneapolis, MN 55403  
612-232-8689  
[pbgunther@gmail.com](mailto:pbgunther@gmail.com)

**Cathy Payne, Member at Large**  
San Francisco Symphony  
751 23rd Avenue  
San Francisco, CA 94121  
415-666-3261  
[paycat@aol.com](mailto:paycat@aol.com)

**Meredith Snow, Member at Large**  
Los Angeles Philharmonic  
13610 Emelita Street  
Van Nuys, CA 91401  
818-786-3776  
[meredsnow@gmail.com](mailto:meredsnow@gmail.com)

**Susan Martin, General Counsel**  
Martin & Bonnett, P.L.L.C.  
1850 North Central Avenue, Suite 2010  
Phoenix, AZ 85004  
602-240-6900 • Fax 602-240-2345  
[smartin@martinbonnett.com](mailto:smartin@martinbonnett.com)



**Subscriptions:** \$10 per year, payable to *Senza Sordino*, c/o Michael Moore, Treasurer, 953 Rosedale Road NE, Atlanta, GA 30306. Report delivery-related problems to Richard Levine, Editor, 6304 Radio Dr., San Diego, CA 92114.

*Senza Sordino*, the official publication of the International Conference of Symphony and Opera Musicians, Inc., is published four to six times a year. Copyright © 2012. All rights reserved. Unauthorized reproduction prohibited.

## President's Report by Brian Rood



As musicians we recognize that hearing is vital to our livelihoods. Yet, the very nature of our work may cause temporary or even permanent hearing loss. Studies abound about excessive and sometimes unhealthy sound levels in the workplace. Sound shields, musician specific ear plugs, and even language in our collective bargaining agreements have helped to reduce the occurrence of noise induced hearing loss (NIHL) in our workplace.

We know that sound is measured in units called decibels (dB). On the decibel scale, an increase of 10 means that a sound is 10 times more intense or powerful. To our ears, each additional increase of 10 dB sounds twice as loud. A 20 dB sound seems twice as loud as a 10 dB sound, 30 dB seems twice as loud as 20 dB, and so on. The humming of a refrigerator is 45 dB, normal conversation is approximately 60 dB, and the noise from heavy city traffic can reach 85 dB. Sources of noise that can cause NIHL include motorcycles, firecrackers, and small firearms, all emitting sounds from 120 to 150 dB. Long or repeated exposure to sounds at or above 85 dB may also cause hearing loss. Sound levels onstage and in the pit often exceed 95 dB for extended periods of time. Although being aware of decibel levels is an important factor in protecting one's hearing, distance from the source of the sound and duration of exposure to the sound are equally important. A good rule of thumb is to avoid noises that are "too loud" and "too close" or that last "too long."

With my experience serving on orchestra committees and having attended various ICSOM presentations on musicians' hearing issues, I thought I had this area pretty well covered. Recently, I unintentionally discovered another hearing disorder that I had never previously heard of.

On March 15, during an orchestral rehearsal, I encountered sudden hearing loss (SHL). Out of the blue, with no rhyme or reason, my right ear began to feel very full and under great pressure. I was unable to hear out of the ear and knew that something was very, very wrong. We had just finished reading a brand new piece, which I was excited to play because there was a piccolo trumpet solo in my part. After trying to play just a few more notes, I knew I needed medical attention.

Fortunately, my otolaryngologist (ear, nose, and throat doctor, or ENT) saw me within the hour. After a battery of hearing tests and a thorough examination by the ENT (including using different sized tuning forks), it was confirmed that I indeed had suffered sudden hearing loss. I was instructed to begin a regimen of 60mg of prednisone daily as soon as possible for the next 7 to 10 days. I still did not comprehend how serious the situation was. My ENT then told me that even though we were starting the corticosteroid treatment immediately, there was only a fifty-fifty chance that some or all of my hearing might return. His words hit me like a ton of bricks.

As I drove home it dawned on me that my life might well be different going forward. Would I be able to return to work? How would I earn a living if not with my symphony job? More importantly, would I ever be able to clearly hear the voices of my wife and our two young children again?

After I started on the medication, I sat in front of the computer and studied every Internet resource I could find. I then phoned a friend to musicians everywhere, Janet Horvath, author of *Playing (Less) Hurt*. Janet was in NYC getting ready to speak at a seminar. She took time out of her busy schedule to talk with me. I will forever be grateful to Janet for her calming influence and expert advice.

Through my research I found that my occupation was likely not a contributing factor to this condition. Interestingly, the exact cause of SHL is never found in most cases. Possible causes range from recent viral infections and immune system disorders to tiny blood vessel ruptures or even strokes.

Fortunately, within a couple of days my tinnitus began to subside. After five days some of my mid-range hearing returned. I saw another ENT for a second opinion and was heartened by restoration across several frequencies. Another hearing test was conducted nine days after the event, and it showed that most of my hearing had returned to normal as compared with a hearing test from two years earlier.

There are different types of SHL. According to a guideline on SHL published by the American Academy of Otolaryngology-Head and Neck Surgery Foundation, prompt and accurate diagnosis is important, and it's crucial to distinguish sensorineural (nerve or inner ear) hearing loss from conductive (mechanical) hearing loss. Prompt recognition and management of sudden sensorineural hearing loss (SSNHL) may improve hearing recovery and patient quality of life. SSNHL affects between 5 and 20 per 100,000 population, with about 4,000 new cases in the U.S. every year. SSNHL is usually defined as a greater than 30 dB hearing reduction over at least three contiguous audiometric frequencies, occurring over 72 hours or less. SSNHL affects men and women equally, and the median age for its onset is between 40 and 54.

SHL can affect people very differently. SHL is usually unilateral (that is, it affects only one ear), and it is often accompanied by tinnitus, vertigo, or both. The hearing loss may vary from mild to severe and may involve different parts of the hearing frequency range. SHL may be temporary or permanent. About one third of people with SHL awaken in the morning with a hearing loss.

Sudden hearing loss is a medical emergency. One's best chance for recovery is to seek medical attention immediately. Corticosteroids are the primary agents used to treat SSNHL. Between 40% and 60% of those with SSNHL will recover to functional hearing levels. Those that recover 50% of their hearing in the first 2 weeks following the onset of SSNHL have a better prognosis than those who do not recover at that rate. Recurrence of SSNHL is rare but possible.

(continued on page 6—see *SUDDEN HEARING LOSS*)

## Understanding Mandatory and Permissive Subjects Of Bargaining

by Susan Martin, ICSOM General Counsel

Under the National Labor Relations Act (“NLRA” or “Act”), an employer must bargain collectively with the representative of its employees over matters affecting “wages, hours, and other terms and conditions of employment.” Generally, once the parties reach a good-faith impasse, the employer may implement any change in a mandatory subject reasonably contained within its final proposal. Employees may also engage in self-help remedies including a strike. An employer at a unionized workplace may not unilaterally change a mandatory subject of bargaining, even one not contained in a collective bargaining agreement, without first giving the union timely notice of the proposed changes and an opportunity to bargain about them. A union can waive its right to bargain over mandatory subjects during the term of a contract, but only if the waiver is “clear and unmistakable.”

In contrast, the law prohibits both the employer and the union from conditioning a collective bargaining agreement on the other party’s acceptance of a proposal on a *permissive* subject of bargaining. The bargaining parties also cannot make agreement on a permissive subject a condition to agreement on a mandatory subject. It is an unfair labor practice for either party to insist to impasse on a permissive subject of bargaining. Under certain circumstances, the insistence to impasse on bargaining demands about permissive bargaining subjects suspends the other party’s statutory bargaining obligation. It is also a violation of the Act for the union to strike or threaten to strike to compel agreement on a permissive subject of bargaining.

There are many instances where unions or employers want to reach agreement on permissive subjects of bargaining. It is fine for either party to make proposals on permissive topics of bargaining. However, insisting on those proposals to the point of impasse or making them part and parcel of a package deal is not permitted. It is an important and effective tool for musician representatives to be aware of the distinction between permissive and mandatory subjects of bargaining.

**Some Mandatory Subjects of Bargaining That Might Surprise You:** What constitutes “wages, hours and terms and conditions of employment” for purposes of deciding whether a subject is a mandatory or permissive subject of bargaining is determined on a case-by-case basis. Wages and hours are clearly covered by a duty to bargain. Those who attended the 2011 ICSOM Conference might remember three examples from “Delegate Duel” that constituted mandatory subjects of bargaining. First, we reviewed a Supreme Court case that held that the price of food in the vending machines at work is a mandatory subject of bargaining, even where those vending machines were owned by a third party. Second, we mentioned that the installation of video surveillance cameras in or around work or break areas is also a mandatory subject of bargaining. In addition, we noted that although benefits for employees who are already retired are not a mandatory subject of bargaining, retirement benefits for future retirees who are currently members of the bargaining unit are a mandatory subject of bargaining. Other less than obvious mandatory subjects of bargaining include, for example, employee background checks, discipline policies (including what

constitutes grounds for discipline), free-meal policies, changes to policies regarding transportation to work, requirements that employees sign in and out of work, and relocation decisions. Insisting on retaining unilateral control over a mandatory subject of bargaining is also, in and of itself, a mandatory subject of bargaining and could constitute evidence of bad faith bargaining, depending on the circumstances.

Commonly seen unilateral changes in working conditions that may be unlawful because they involve mandatory subjects of bargaining include changes to policies such as harassment policies and work rules. By way of example, suppose in the second year of a three-year agreement, management suddenly decides to announce a work rule banning all iPads and cell phones onstage during rehearsals, claiming that they are a distraction to other musicians and an annoyance to the conductor. Is this a mandatory subject of bargaining? Most likely it is. It directly impacts the terms and conditions of employment. This sort of work rule change is not intrinsically within management’s rights. Employers need to bargain about changes in working conditions before implementing them. Most collective bargaining agreements contain dozens of rules regulating rehearsals, and this one is no different. The employer must bargain about changes to those rules, assuming the employer has not waived the right to make such changes during the midterm of a contract and assuming the union has not granted the employer an overly broad management rights clause that allowed the employer to make such unilateral changes.

**And Now, Some Permissive Subjects That Might Surprise You:** There are many permissive subjects of bargaining. Again, a permissive subject is one the parties may bargain about, but can’t insist on and don’t have to discuss at the bargaining table. A frequently encountered permissive topic is the scope of who is in the bargaining unit and the work encompassed in the bargaining unit. Determining the inclusion or exclusion of employees covered by the contract is a permissive topic of bargaining regardless of whether the unit was certified by the National Labor Relations Board (“NLRB”) or whether the employer voluntarily agreed to recognize the unit. The rationale behind finding this topic a permissive subject of bargaining is really to protect the union. For example, in one case where the company was found to violate the law when it insisted on changes that limited the scope of employees who were covered by the agreement, a court stated that if an employer could require bargaining over the scope of the unit, “an employer could use its bargaining power to restrict (or extend) the scope of union representation in derogation of employees’ guaranteed right to representatives of their own choosing.” Sometimes it is not clear on the face of a proposal that it is really affecting unit composition because the employer claims, for example, that it really addresses work assignments. However, if the sole effect of the proposal is to exclude a group of employees from the bargaining unit, it is a permissive subject of bargaining and neither party can bargain to impasse on it.

In addition to unit composition, other examples that have been found to be permissive subjects include pension benefits for persons who

## Alabama on the Mend

*by Kathleen Costello, ICSOM Delegate*

have already retired, matters relating to internal union procedures such as requiring a vote on the employer's last offer or requiring employees to personally sign grievances, a clause seeking to define what work was within the unit, legal liability clauses requiring a union to accept legal liability for violations of no-strike provisions, and insisting on stenographers at negotiations or arbitrations.

**Being in the Collective Bargaining Agreement Doesn't Make a Subject Mandatory:** Often, permissive subjects of bargaining are incorporated into a final collective bargaining agreement. Even if a permissive subject of bargaining is incorporated into the final agreement, it does not lose its character of being a permissive subject. The Supreme Court has held that, "By once bargaining and agreeing on a permissive subject, the parties, naturally, do not make the subject a mandatory topic of future bargaining."

In sum, just because the contract has been signed and is in place does not mean that the duty to bargain disappears until the next round of negotiations. Whenever management seeks to introduce a new rule or policy during the term of the agreement, it may have a duty to bargain even where the rule or policy is not expressly addressed in any of the existing contract provisions. Failure to bargain before implementation of any new rule or policy may be an unfair labor practice.

In August the musicians of the Alabama Symphony Orchestra wrapped up negotiations resulting in a three-year contract through the end of the 2013–2014 season. The current season was reduced from 41 weeks to 40 weeks while maintaining a freeze in overall salary. In the following two seasons the musicians will receive raises of 4% and 3.75%, respectively. Health benefits were not a part of the negotiations and remain the responsibility of the Alabama Symphonic Association. These negotiations also resulted in meaningful increases for per-service musicians over the length of the contract.

The negotiating committee was focused on reaching an agreement that signified a greater commitment to the orchestra on the part of management, both with regard to orchestra salary and length of contract. In the time following the close of these negotiations, the organization has seen a great deal of turnover in management positions. Key positions in the development department have recently been filled after remaining vacant for several months.

In spite of the instability that this trend could cause, Alabama Symphony Executive Director Curt Long has recently stated publicly that the orchestra is on track to end the fiscal year with a balanced budget. The organization has also recently reached its financial goal in raising funds for the orchestra's upcoming Spring for Music appearance at New York's Carnegie Hall this May. Over 500 local symphony supporters have decided to join the orchestra and will make the trip to New York to hear the concert. This season also marks the first year of a search for a new music director for the organization. Maestro Justin Brown will finish his tenure as music director this season and will assume the post of music director laureate for the following two seasons.

## 2012 ICSOM Conference

### *ICSOM: The First 50 Years*

**August 22–25, 2012**

**Westin Michigan Avenue Chicago  
909 North Michigan Avenue  
Chicago, Illinois 60611**

*Delegates, ICSOM officers, AFM officers and staff, and speakers will be mailed Conference packets in mid-May. Others interested in attending should contact Secretary Laura Ross*

*All attendees must register in advance for the Conference with Secretary Laura Ross*

**Further details are available at  
[www.icsom.org](http://www.icsom.org)**



Photo by Barbara Zmich

SSD Director Jay Blumenthal (*left*), ROPA President Carla Lehmeier-Tatum, and ICSOM Chairperson Bruce Ridge attending the American Orchestras Summit II at the University of Michigan. The summit ran from March 21 through March 23. All three participated on panels at the Summit, and Ridge gave a keynote address (currently available on the ICSOM website at [icsom.org/ridge-michigan-2012.html](http://icsom.org/ridge-michigan-2012.html)). The Summit coincided with the San Francisco Symphony's American Mavericks Festival in Ann Arbor.

## Progress Through the Years

(continued from page 1)

life, and without the union protections, most of these gains would not have been possible. The historic grassroots labor movement *within* the musicians union fifty years ago, along with the unprecedented government-sponsored symphony grant program of 1966, transformed the lives of symphony musicians, students, teachers, managers and all those who are touched by great music.

By 1965, many ICSOM orchestras had gained the right to ratify their master agreements, coinciding with the extraordinary Ford Foundation Symphony Program of 1966. It established an unprecedented \$80.2 million matching-grant endowment plan, to be distributed to 61 orchestras—and all but a handful succeeded in reaching that goal. The guiding light of the Symphony Program was W. McNeil Lowry. The *New York Times*, on April 9, 2012, had this to say about Lowry: “[T]he nation’s unofficial mentor in chief during much of the 1950s and ’60s, a cultural figure of remarkable influence who was virtually unknown to most of the public. . . . By 1962 Mr. Lowry expanded its arts programs with \$6.1 million in grants to nine nonprofit repertory theaters, and later with stipends to writers, filmmakers, art schools, music conservatories and dance organizations.”

The Ford Foundation grants, growing local subsidies, and the establishment of the principle of federal support attest to the gradual emergence of the American symphony orchestra from its own economic “Dark Ages.”

—W. McNeil Lowry, *Monthly Labor Review*, May 1966

The following are excerpts from the Congressional Record of the 92nd Congress, First Session, October 19, 1971, read into the Record by Senator Jacob Javits and Representative John Brademas, December 2, 1971:

### MANIFESTO FOR THE ARTS

The standard of living in this country cannot be measured by dollars alone—nor in miles of concrete highways and numbers of automobiles, nor by the gross national product. More important than these material or statistical factors are the values we cherish and the way we live. Deep in every community, in every family, is a hunger for what enriches life. . . .

...

The arts are an essential part of our common heritage and must be given a wholly new precedence that will bring them into wide use in our educational system and make possible new activity in our communities and in our homes. As a nation we must accord to the arts a place of honor.

...

So we ask for new legislation embodying a new national program for the arts designed to help pay for the public service and educational work of the arts.

...

What we ask is modest, when measured in terms of other federal projects. Above all, what we ask for is a wholly new precedence

for the arts and humanities—for that which gives our living richness and meaning.

*Julie Ayer is a Minnesota Orchestra violinist and is the author of More Than Meets the Ear: How Symphony Musicians Made Labor History.*

## Sudden Hearing Loss

(continued from page 3)

As I write this column it has now been six weeks since the event took place. My hearing has pretty much returned to previous levels. I realize how truly fortunate I am to have recovered. Many who experience sudden hearing loss either lose their hearing permanently or recover less than 100% of their prior hearing ability.

For every patient who recovers at least some hearing after SHL there is another who is not as fortunate. Since mid-March I have encountered other ICSOM musicians affected by SHL. No doubt there are more across the AFM. Additional research needs to be done. Is there something about what we do as musicians or the environment in which we work that may contribute to a greater rate of SHL? We know that seeking medical treatment immediately dramatically increases full or partial hearing restoration. What else can we do to assist those who suffer sudden hearing loss permanently?

My first program back at work included Dvořák’s New World Symphony. Like many orchestral musicians, I first performed this piece in high school over thirty years ago. Yet, on that weekend, I couldn’t have been happier to perform it again. (I may have even had a tear or two in my eyes.) Realizing how close I came to losing it all reminded me just how much I enjoy being a musician. I have rediscovered the magic of beautiful music, the emotional interaction between musicians and audience that only happens during live performances, and the joy that comes with creating beautiful art one phrase at a time. When the pressures and stresses of being in an orchestra or committee responsibilities begin to overwhelm me, I hope to remember what happened to me. I hope to remember just how lucky I am to be in an ICSOM orchestra doing what I have loved to do ever since I first picked up a trumpet as a young boy.

*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.

## Former Chairpersons

(continued from page 2)

### Sam Denov (1969–1970)

Born in 1923, Sam Denov remains active as an author, having just published a new memoir, *Boom and Crash Musician: A Percussive Memoir* (2012). His latest book follows his 2002 opus *Symphonic Paradox: The Misadventures of a Wayward Musician* as well as a classic instruction book for percussionists, *The Art of Playing Cymbals: A Complete Guide and Text for the Artistic Percussionist* (1966). [Editor's Note: Denov's latest book is available from [www.outskirtspress.com/crashandboommusician](http://www.outskirtspress.com/crashandboommusician). There is also an inexpensive Kindle edition (without photographs).]

Chairman Denov joined the percussion section of the Chicago Symphony in 1954 and retired from the orchestra in 1985. A veteran of the United States Navy who served during World War II, he also was previously a member of the San Antonio Symphony and the Pittsburgh Symphony. He served ICSOM in many capacities. He was one of the delegates to ICSOM's first meeting in 1962, the first vice-chair (1963–1966, and again in 1968–1969), and also served as editor of *Senza Sordino* (1965–1966).

During Chairman Denov's tenure, ICSOM initiated a relationship with the National Arts Council and continued the effort to create the AFM Symphony, Opera, and Ballet Strike Fund. He served as one of the first trustees of the Strike Fund. In Chicago, Denov was one of the founders of Chicago Musicians for Union Democracy, which in 1962 defeated James C. Petrillo, veteran president of Local 10 (Chicago) and former AFM president, in one of the pivotal moments that led to the creation of ICSOM. In that capacity, Denov also helped desegregate the Chicago local.

Delegates at the 2009 ICSOM Conference in Norfolk, Virginia passed a resolution by unanimous consent honoring Chairman Denov for "his many contributions as an early leader in the orchestra field" and expressing "ICSOM's respect and admiration as an ICSOM founder."

### Ralph Mendelson (1970–1974)

The December 1971 issue of *Senza Sordino* reported:

For the crucial contract committee the members of the New York Philharmonic inevitably look to Ralph Mendelson who has become, over the years, their articulate spokesman and highly skilled negotiator. His keen grasp of detail, his inordinate patience and tenacity have won him the respect of our union chieftains, our legal advisors, and, one can be sure, the respect of management. That his talents have now been recognized by the constituent bodies of ICSOM is a tribute to their good sense.

Chairman Mendelson was a violist with the New York Philharmonic for 26 years, until his untimely passing in 1979 at the age of 52. He was involved with ICSOM from the second meeting in 1962, served as vice-chair (1969–1970), and was one of the first trustees of the AFM Symphony, Opera, and Ballet Strike Fund.

A veteran of the United States Navy and a graduate of Juilliard, he served on the faculty of Hunter College, and performed as a member of the New York Chamber Quintet and the Musical Arts Trio.

To honor the service of Chairman Mendelson, ICSOM established the Mendelson Fund, which has provided scholarships to students for events such as the Congress of Strings. Currently, the fund is maintained by a one dollar per capita dues contribution that provides support for the Sphinx Organization, a wonderful institution that encourages diversity in the field of symphonic music.

Upon his passing, *Senza Sordino* reported that Chairman Mendelson was "was one of our most knowledgeable and articulate spokesmen... astute, introspective, highly intelligent, totally dedicated and totally involved."

### Irving Segall (1974–1980)

Under the leadership of Chairman Irving Segall, orchestras achieved a new and elevated level of influence within their locals.

A violist with the Philadelphia Orchestra from 1963 until 1994, Segall also served as chair of the Philadelphia Orchestra members Committee, and previously performed with the Baltimore Symphony as well as the WCAU Radio Orchestra. He loved playing so much that even after his retirement from the orchestra he continued to perform as an extra musician with the Philadelphia Orchestra. Known for his wonderful sense of humor, Segall also performed with Frank Sinatra, Dean Martin, and Jerry Lewis.

During the tenure of Chairman Segall, who had previously served as vice-chair (1972–1974), ICSOM achieved a voice in the grant funding process for the National Endowment for the Arts (NEA), and Segall was ICSOM's first representative on the panel.

A website, at [www.irvingsegall.com](http://www.irvingsegall.com), has been established dedicated to his memory. A biography on the website states:

Men who came to the bargaining table pounding fists, ready to plunge political knives into the backs of their opponents, were met by Irv's love for people and his compassionate nature - and they were calmed. They truly felt that they had been listened to and heard. He built bridges and lasting relationships - he made friends of everyone he met. Irv was devoted to justice. He had a very strong sense of what was "the right thing to do."

Upon Segall's passing, Fred Zenone wrote, "Our lives are better because Irving Segall was among us."

### Frederick Zenone (1980–1986)

Widely acknowledged as one of ICSOM's most visionary leaders, Chairman Zenone achieved unprecedented liaisons with many groups, including the American Symphony Orchestra League (now the League of American Orchestras), the NEA, and the Major Orchestra Managers Conference. One of the most famous pictures in ICSOM's history, published in the *New York Times*, is of Zenone walking arm-in-arm with Mstislav Rostropovich (then  
(continued on page 8—see FORMER CHAIRPERSONS)

## Former Chairpersons

(continued from page 7)

the music director of the National Symphony) and current ICSOM Media Committee Co-Chair Bill Foster while on the picket line in Washington, DC.

Chairman Zenone was a cellist with the National Symphony Orchestra from 1969 until 1999. His tenure as ICSOM chair was marked with great achievement for the organization and musicians everywhere. Among other things, his pioneering work led to the creation of the Audition Code of Ethics, a new audio/video agreement for orchestras, the AFM bylaw requiring that locals pay for delegate expenses to the ICSOM Conference, a jointly funded study on musicians' health issues, and the requirement that symphony, opera, and ballet agreements be submitted to orchestras for ratification. He was instrumental in the development of "swat teams" that would travel to troubled orchestras to work with managements to solve problems. He also worked to open lines of communication with European orchestras. He served on the Orchestra Panel for the NEA from 1980 until 1983.

The 1999 ICSOM Conference was dedicated to Zenone to honor him upon his retirement from the National Symphony. After his retirement, he continued his work as an advocate for the field by serving as president of the Symphony Orchestra Institute.

Chairman Zenone passed away on October 22, 2010, and his death was reported in the *Washington Post*, as well as in other major newspapers across the country. There was an outpouring of affection and admiration for this great leader. The League of American Orchestras posthumously awarded him their Golden Baton Award. The 2011 ICSOM Conference was dedicated to his memory. Zenone was called "an orchestra statesman" and "a transformational chair." Brad Buckley wrote that Fred's "influence will continue even though he is gone."

### Melanie Burrell (1986–1988)

Another in a long line of pioneering ICSOM leaders, Chairperson Burrell is the only woman so far to serve as ICSOM chair. I have never met Ms. Burrell, but recently we spoke by phone, and she was inspiring as she recounted her love for ICSOM and the excitement that surrounded the organization during her tenure.

A cellist with the Denver Symphony (the predecessor orchestra to the Colorado Symphony), Burrell also served ICSOM as regional vice-chair (1973–1981), and president (1984–1986, 1988–1990). During her tenure, the level of communication among member orchestras increased, and she was a strong spokesperson for the organization, being quoted prominently in the *New York Times* and the *Chicago Tribune* among other major news outlets.

At the 1981 AFM Convention, she addressed the floor with a brave and courageous speech, stating that the Federation's work dues structure was unfair to orchestra musicians. It was reported, however, that unsympathetic AFM delegates voted to continue the work dues. This speech led to the bylaw requiring that AFM locals reflect the work dues and other financial support provided by their member

orchestras by paying for legal counsel in negotiations. The October 1987 issue of *Senza Sordino* reported:

One of the major endeavors this past season involved membership on the work dues committee established by former AFM President Victor Fuentealba following the 1986 ICSOM conference. Burrell described the many angles explored but to no avail, by the work dues committee. "Ultimately, the committee addressed the minimal services the union can provide to orchestras, and recommended a by-law expressing the need for orchestras to have legal representation during the negotiations and grievance arbitration proceedings." The by-law was ratified at the AFM convention, although revised to include a phrase empowering the AFM president to determine what is "competent" representation."

### Bradford Buckley (1988–1996)

Chairman Buckley, ICSOM's longest-serving chair, is also one of the most iconic figures in ICSOM's history. In many ways a larger-than-life figure, he is known for his "feisty, assertive style" in defense of all musicians. Buckley is regarded as one of the most ardent advocates for symphonic musicians that the field has ever known.

A contrabassoonist, Buckley joined the St. Louis Symphony Orchestra (SLSO) in 1968. He is also a former member of the Jacksonville Symphony. He served as chair of the SLSO Musicians' Council for many years, as well as serving as vice-president of Local 2-197. A faculty member of Washington University, he has performed under the direction of Walter Susskind, Jerzy Semkow, Leonard Slatkin, Hans Vonk, and David Robertson as a member of the SLSO. He has lectured at the International Double Reed Society and recorded the *Five Red Hot Duets for Two Contrabassoons* by Donald Erb.

Within ICSOM, Chairman Buckley also served as regional vice-chair (1978–1982) and vice-chair (1982–1984). For many years, he was chair of the ICSOM Media Committee. He also played an instrumental role in the creation of the Regional Orchestra Players' Association (ROPA), advising the founders of that great organization in 1984 as they followed the model established 22 years earlier by ICSOM. Buckley also has served as co-chair of the NEA Orchestra Panel.

The tenure of Brad Buckley was marked by an elevation of the profile of ICSOM, and an increased influence within the AFM. Most notably, the adoption of the Roehl Report served to create the Symphonic Services Division. The Roehl Report was one of the most significant achievements in ICSOM's history, and it wouldn't have been possible had Chairman Buckley not formed so many strong coalitions within the union and throughout the Players Conference Council.

In November 2011, Chairman Buckley announced his retirement from the SLSO at the end of that season, leading Roger Soren (formerly Louisville Orchestra, now Colorado Symphony Orchestra) to write:

Brad has been a mentor to so many ICSOM bassoon and contra players. He helped me both as an orchestra committee member

and as a contrabassoonist, and I'll always be in debt to him for that. Anyone who wants to hear great musicianship and a beautiful tone should listen to Brad play the opening of the Ravel Left Hand Concerto on the Slatkin/Alicia de Larrocha recording. Bravo, Brad, for all you've done for the orchestra world!

#### **Robert Levine (1996–2002)**

Chairman Levine is widely regarded as one of the most intelligent musicians to ever lead ICSOM, and he is undoubtedly one of the most prolific writers about orchestral music and unionism that the field has ever known. Principal violist of the Milwaukee Symphony since 1987, Levine has previously been a member of the Saint Paul Chamber Orchestra, the Oklahoma City Symphony, and the London (Ontario) Symphony. He has also been a member of the Orford Quartet in residence at the University of Toronto and has performed at the Grand Teton Festival, the Palm Beach Music Festival, the Strings in the Mountain Festival, and the Festival Rolandseck in Germany.

Levine studied at Stanford University, the University of Reading (UK), and the Institute for Advanced Musical Studies in Switzerland. He is the president of the Milwaukee Musicians Association, Local 8 of the AFM, and is also a member of the board of directors of the League of American Orchestras.

A senior editor at *polyphonic.org* (*The Orchestra Musician's Forum*), Chairman Levine is a noted blogger, both on *polyphonic.org* and at his own blog, the *AFM Observer*. Countless musicians and union members followed the events of the 2010 AFM Convention by reading Levine's accounts on the *AFM Observer*. He has also written for *Harmony* and the *Union Democracy Review*, among many other publications.

Levine has also served as editor of *Senza Sordino*, and his tenure as chair marked the advancement of ICSOM into the Internet age. Chairman Levine developed ICSOM's first website in 1996 (along with Chairman Buckley), and also created the online news and discussion list, Orchestra-L. Orchestra-L was a visionary idea and has led to stronger communication within ICSOM, and stronger unity throughout the entire field. Orchestra-L followed the earlier version of online ICSOM communication, DOS Orchestra, from the early 1990s.

Under Chairman Levine's leadership, relationships among the Players' Conference Counsel were improved, and two "Unity Conferences" were scheduled, in Las Vegas and Ottawa, where ICSOM met along with ROPA, the Recording Musicians Association (RMA), the Organization of Canadian Symphony Musicians (OCSM), and the Theater Musicians Association (TMA). His work led to an investigation into the structure of the AFM through the Investigative Task Force, as well as increased presence for ICSOM on AFM Convention committees. Six new orchestras joined ICSOM during Levine's tenure (Charlotte, Fort Worth, Jacksonville, Kansas City, Nashville, and Virginia)

#### **Jan Gippo (2002–2006)**

Chairman Gippo is unique in the history of ICSOM chairs, as he was probably the only chairperson to emerge from an ICSOM Conference where he arrived not knowing he would be running for the office. He answered the call of duty at a time of need, and served with great integrity.

A graduate of the New England Conservatory of Music, Gippo joined the St. Louis Symphony Orchestra (SLSO) as principal piccolo in 1972. He has served on the faculties of Webster University and the University of Missouri-St. Louis. He has presented recitals and master classes across the United States and abroad, and he has raised over \$120,000 to commission more than 15 new works for the piccolo. He has served as an editor for *Flute Talk* magazine and is the founder of the piccolo committee for the National Flute Association.

Within the SLSO, Gippo served as chair of the Musicians' Council, and also as chair of the SLSO pension committee. As ICSOM Chair, Gippo memorably addressed the 2005 AFM convention, and continued the evolution into the internet age with the creation of Delegate-L, an internal on-line news and discussion list for delegates and committee chairs that provides for a more confidential exchange of information, along with the more public Orchestra-L.

I worked closely with Chairman Gippo, serving on his Governing Board from 2005 to 2006. Together we traveled to San Juan to meet with the Puerto Rico Symphony, and we worked together at the 2005 AFM Convention. Gippo announced his retirement from the St. Louis Symphony in 2008. Upon his retirement, I wrote: "His distinguished career is certainly one to be emulated. I was always impressed by Jan's resolve. In an all-too-often insincere world, Jan is the genuine article."



The accomplishments of each of these ICSOM chairs would not have been possible without the support of countless musicians who served selflessly on the ICSOM Governing Boards and on numerous committees over these past 50 years. The titles of some of those positions have changed over time, from vice-chair to president, from regional vice-chairs to members-at-large. The titles of secretary, treasurer, and *Senza Sordino* editor have remained constant, though, and those positions are perhaps the most labor-intensive, and as crucial to the operation of ICSOM as the chair.

In reviewing the lives and tenures of these remarkable leaders and musicians who have served in the top position in ICSOM, we can see that we all have a great legacy to preserve. We owe each of these legendary ICSOM chairs our gratitude. But even more, we owe them our commitment to service. We all should be inspired by their sacrifices and accomplishments as we work to emulate their successes in ICSOM's next 50 years.

## Louisville Settlement

Louisville Orchestra musicians voted to return to work under a bridge contract that allows for binding arbitration, a reduction to 57 orchestra members, and a compromise on sick leave and vacation leave. Orchestra committee chair Kim Tichenor said that the agreement would not have been possible without the efforts of Louisville Metro Council President Jim King. With oversight by King, the musicians will work with Louisville Orchestra, Inc. to find a mutually acceptable, nationally recognized consultant who will oversee operations and make recommendations on a longer contract, as well as about future orchestra initiatives and management policies. A 30-week season is due to start later this year.



Photo by BoxcarPR

Louisville musicians hold a press conference on April 5, 2012 outside of the Kentucky Center for the Performing Arts.

Follow ICSOM on Twitter at  
[www.twitter.com/ICSOM](http://www.twitter.com/ICSOM)  
and on Facebook at  
[www.facebook.com/ICSOM](http://www.facebook.com/ICSOM)

Subscribe to Orchestra-L by  
sending a subscription request to  
[orchestra-l-subscribe@yahoogroups.com](mailto:orchestra-l-subscribe@yahoogroups.com)

Visit ICSOM's website at  
[www.icsom.org](http://www.icsom.org)

## Call for Photos

Delegates, both past and current, are requested to send photos (hardcopy or electronic) to Secretary Laura Ross for possible inclusion in displays at ICSOM's 50th anniversary celebration this summer.