

Senza Sordino

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Behind the History: A Personal Perspective

by Richard Levine, Editor

As ICSOM progresses through our 50th year, it seems only right to ponder where we have been and where we are headed. Beyond that, it's important to ask ourselves why we have faced the struggles of the past and how that might or should inform and influence our future decisions.

I claim neither originality nor completeness for any of my observations or analyses. They are undoubtedly influenced by my strong personal bias that orchestras benefit from a separation and specialization of duties, allowing those best suited to particular jobs to perform them without unnecessary distraction. I go so far as to believe that we should encourage the successful functioning of our managements, boards, and staff without taking on their duties.

Of course, we all have our biases. We have unique histories, vantage points, goals, and tolerances—not only as individuals but also as orchestras. So it's no surprise that orchestral musicians will draw different conclusions from our past. Those same differences apply to people who influence our professional lives but who are not themselves orchestral musicians. We somehow learn to deal with differences of style and opinion among musicians (albeit sometimes with great difficulty). As long as the success of our institutions is also tied to non-musicians, it behooves us to consider what affects them and to discover ways of dealing with their differences as well.

Recognizing that orchestras have such varied histories, it is astounding that the landscape of common struggles is so vast. For whatever reason, our field has not provided us with easy gains. Of course, that's not uncommon in the labor movement. But many musicians I've met don't like to associate themselves too strongly with the labor movement. And often the most prominent musicians have reason to keep their distance, as they are able to cut beneficial deals on their own. This basic distinction between the privileged and the masses predates the origins of ICSOM.

Somewhat surprisingly, although such divisions can tear away at the united front required for successful concerted action, they did not play a significant part in ICSOM's formation and have not been among the major issues it has addressed. In fact, musicians with the most to lose have often led the fights that have brought us where we are today.

The early history of ICSOM was dominated by an internal struggle of a completely different nature, one that put orchestral musicians at odds with local union officers who were not committed to proper representation. Musicians demanded and attained the right to negotiate and ratify their collective bargaining agreements. Without that step, it's hard to imagine that musicians would have seen any of the many major improvements in working conditions that were ushered in through ICSOM's influence.

We have indeed seen tremendous gains in our contracts—so much so that some have claimed we have become victims of our own success. Although that seems plausible, I disagree. Yes, musicians wanted living wages, good health insurance, pensions, decent touring conditions, and other benefits of a good job—and those benefits are costly. But they did not come overnight, nor were they forced upon organizations that were incapable of providing them. These improvements came about incrementally; and they were somehow manageable, otherwise they could not have occurred.

If we are going to blame our industry's difficulties on the improvements we have attained, just consider the analogy for small businesses. When a small business grows but doesn't know how to expand successfully, would we say that it fails because of its success? I think it's more accurate to view its demise as due to a lack of management skill—especially since some businesses are able to handle such expansions. Expansion is known to require changes, and if management is not up to the task, it will not be able to modify operations in appropriate ways while retaining core values and success.

When a business is privately owned, the owner decides whether it is better to expand or not. Some owners choose to stay small and happy. (Whether the future will reward them as planned is an open question.) Some choose to expand and fail for lack of business acumen. Others have the necessary business skills and succeed. Still others might realize they are not equipped to handle an expansion and accept the guidance of people with more knowledge, experience, and skill.

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Chairperson's Report by Bruce Ridge



In San Antonio on June 8, the non-profit arts advocacy group Americans for the Arts released its new extensive study on the economic impact of the arts. *Arts and Economic Prosperity IV* is the first such comprehensive study done since the onset of the recession. While the numbers are down from the 2007 study (*Arts and Economic Prosperity III*), the new report demonstrates clearly that the non-profit arts and culture sector is remarkably resilient.

The latest study found that the arts in America generate \$135.2 billion in economic activity every year, while supporting 4.13 million full-time jobs. This activity led to \$74.1 billion in event-related expenditures by American audiences for arts and culture events. The arts generate \$86.68 billion in resident household income, leading to \$22.3 billion in revenue for local, state, and federal governments annually, representing a very strong return on government's collective investment of only \$4 billion in arts allocations.

An average attendee to arts events and concerts spends \$24.60 per event, in addition to admission costs. The value of "cultural tourism" for our cities was again confirmed, as non-resident spending averages over \$15 per event above that figure. Cultural tourists have always spent more in their destination cities than other travelers, making our orchestras and other arts organizations true ambassadors for our cities.

These numbers are even more impressive when viewed in context with the environment in which the research took place. The study was conducted throughout 2010, a time when unemployment in America was 9.7%, or more than twice the rate for when the first Americans for the Arts study was conducted. The consumer confidence index had plummeted, and home foreclosures had reached 2.9 million. Still, the non-profit arts and culture industry demonstrated impressive resiliency, illustrating that the arts continue to play an essential role in our country's economic health, and in the recovery currently underway.

Arts and Economic Prosperity IV was compiled by researching 182 study regions, and the local results are encouraging as well. For example, when the 50th-anniversary conference of ICSOM convenes in Chicago, the city of our founding, we will be meeting in a city where the arts generate over \$2.1 billion in annual economic activity, and where ICSOM musicians are vital to the economy of the region.

There are other indicators of the resiliency and importance of the arts. *Giving USA* reports (in a study conducted in collaboration with the Center on Philanthropy at Indiana University) that arts giving in America increased by 4.1% in 2011, to a total of \$13.12 billion. This followed an increase in 2010 of 5.7%. As reported by the *Huffington Post*, arts contributions are recovering from the 2008–09 depths almost twice as fast as other categories of charitable contributions.

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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
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Indianapolis Symphony Orchestra
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Secretary's Report

by Laura Ross



Life presents us with many challenges along the way. Sometimes it is the challenge to find the downbeat of an incompetent conductor. Sometimes it is the challenge to read the right notes on a Kalmus part or the challenge of finding a way to diplomatically tell the musician who's playing the electronic

cannon in 1812 to move the speaker without throttling him/her in the same process. But life presents more challenges too. We have the challenge to successfully compete and thrive in the glutted, competitive world of symphony or would-be symphony musicians. And we have the challenge to attain adequate compensation, recognition, working conditions and respect for ourselves, the professional orchestral musician.

—Richard Decker, ICSOM Secretary, 1988–1990

Recently the ICSOM Secretary's files, branded the George Zazofsky Archives at the 2003 ICSOM Conference, have come into my possession for the first time. I am amazed to realize I have been ICSOM's secretary for the past ten years—four years longer than I served as secretary of the Regional Orchestra Players' Association (ROPA). I've always been aware that my knowledge of what preceded my tenure in ICSOM was based solely on what I had observed as a ROPA officer. Little of ICSOM's history and procedures were known to me because my orchestra only joined ICSOM in 2000.

Since 1988, when the Nashville Symphony hosted a ROPA conference (while in bankruptcy, I might add), I have had the good fortune to work with many of ICSOM's leaders. Former chairman Brad Buckley has been a mentor, a friend, and an electronic-media guru. As he retires from the St. Louis Symphony, I wish Brad and his wife Shirley the very best as they move into the next phase of their lives together. Fred Zenone was a thoughtful individual who cared so deeply about our orchestra industry that he continued to work on our behalf into his retirement. When former chairperson Robert Levine took on the mantle of assistant conference coordinator from 2004 to 2010, his assistance and mentoring of local conference hosts as we traveled from city to city took a huge weight off my shoulders. Former president David Angus has been a source of information, advice, and historical perspective. Marsha Schweitzer, who used to edit *Senza Sordino*, inspired me with her articles on union strength and solidarity.

However, today I write in celebration of ICSOM's secretaries. The ICSOM Delegate Manual History section's compilation of officers lists secretaries thus:

Harold Laudenslager, Detroit Symphony Orchestra (1963–1964)
 Roy Cox, Toronto Symphony Orchestra (1964–1966)
 Robert Maisel, St. Louis Symphony Orchestra (1966–1974)
 Stanley Dombrowski, Pittsburgh Symphony Orchestra (1974–1980)
 Nancy Page Griffin, Seattle Symphony Orchestra (1980–1988)
 Richard Decker, Syracuse Symphony Orchestra (1988–1990)
 Lucinda-Lewis, New Jersey Symphony Orchestra (1990–2002)
 Laura Ross, Nashville Symphony Orchestra (2002–)

With the exception of my immediate predecessor, Cindy Lewis, I knew nothing of ICSOM's previous secretaries until I started unpacking the archives and discovered new perspective and respect for these unsung individuals.

In ICSOM's first year, 1962, there was but one officer: Chairman George Zazofsky. Harold Laudenslager was elected as ICSOM's first secretary in 1963. While he only served one year, the 1963–1964 file was filled with communications—including among the officers, with orchestras as they ratified ICSOM's bylaws for the first time or inquired about membership, and reminders about the upcoming conference and outstanding dues. The files preserved by Harold Laudenslager and his successors, Roy Cox and Robert Maisel, surprised me because they had prepared and included carbon copies of identical correspondence for each individual member orchestra about a variety of issues. Roy Cox, ICSOM's second secretary, was from Canada. His files included a number of postcards and other handwritten and typed correspondence which made me wonder if it was due to the expense of phone calls to another country.

Robert Maisel, ICSOM's third secretary, served for eight years, finally stepping down when the paperwork continued to expand and “the increasing procrastinating in getting out the Minutes made it clear that someone else should take over.” Files for these years include his handwritten notes along with news items and communications to delegates from the office of ICSOM's first counsel, I. Philip Sipser. Maisel's final task was to serve as acting chairman during the 1974 Conference since Ralph Mendelson's orchestra, the New York Philharmonic, was on tour and Vice-Chairman Dave Smiley had died earlier in the season. When Maisel expressed willingness to serve in another capacity, the delegates took him up on his offer and elected him vice-chairman for four more years.

Serving as ICSOM secretary in those early days would have been a challenge—typewriters may or may not have been electric and may or may not have had memory allowing a person to retype the same letter again and again. Xerox was relatively new (1959), so they used carbon paper, Photostats and mimeograph (remember the purple ink?) to make duplicates, in addition to sending materials out to be typeset and reproduced. They communicated by postcard, telegram, and handwritten or typed letters. One early issue that consumed delegates' attention was advocating for the establishment of the National Endowment for the Arts—Henry Shaw testified before Congress and the files contain a letter signed by Senator Hubert Humphrey.

Files during Stanley Dombrowski's tenure include Conference minutes, but little else. However, I found in his later records settlement bulletins issued by Chairman Irv Segal in 1978 but prepared by Nancy Griffin. The dates confused me because she was not elected secretary until 1980. I recently spoke to Nancy because she will be attending the Conference this summer, so I asked her about the discrepancy. She told me she had been suggesting the idea of settlement bulletins at Conferences; following the 1978 Conference she was asked to prepare ICSOM settlement bulletins.

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A Book Review: *Retirement Heist* by Ellen E. Schultz

Reviewed by Brian Rood, ICSOM President

Title: *Retirement Heist: How Companies Plunder and Profit from the Nest Eggs of American Workers*

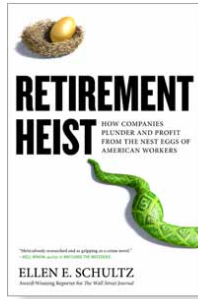
Author: Ellen E. Schultz

Publisher: Portfolio Hardcover

Publication Date: September 15, 2011

ISBN: 978-1-59184-333-7

Hardcover: 256 pages



While I was eager to delve into Ellen Schultz's *Retirement Heist*, I was unprepared for how outraged I would become reading the introduction alone. Schultz's writing is straightforward and easy to comprehend. That is not the issue. Rather, the issue is how convincingly she makes the case that the "real retirement crisis" is that companies were permitted to slash benefits to boost profits, lay off older workers before their retirement benefits would fully kick in, and partner with pension industry consultants, regulatory boards, and even members of Congress to pilfer previously earned benefits away from workers in order to improve balance sheets and provide even greater compensation to top executives. With solid evidence based on filings from the Securities and Exchange Commission (SEC) and the Internal Revenue Service (IRS), as well as original analyses of company data and memos, award-winning author Ellen Schultz clearly documents the history behind and reasons for the current retirement crisis so many American workers face today.

In 1981, when President Reagan took office, 40% of all U.S. retirees received dependable pensions called defined benefit pensions. Defined benefit plans pay retirees a negotiated amount of money each month. By 2011 fewer than twenty percent (20%) of new retirees were able to rely on defined benefit pensions. Equally troubling is that just two decades ago corporate pension plans were generally well funded due to rules that required employers to adequately fund their plans and laws that made it harder for companies to raid the plans for other uses. After the long-running bull market soared in the 1990s, pension plans were so well funded that the companies could have fully paid their current and future retirees' pensions even if those retirees lived to 99 years of age, and with no additional future company contributions.

Retirement Heist includes 12 chapters. Each chapter focuses on an important cause for the pension debacle. Chapter 1, aptly titled "Siphon: How Companies Plunder the Pension Piggy Banks," opens with a November 1999 meeting of national pension experts at the Labor Department in Washington, D.C. They were there to discuss a \$250 billion problem. The problem was not a shortage of pension plan dollars, as there were more than a quarter trillion dollars in excess total assets. What might be thought of as surplus pension assets are actually needed by pension plans during bear markets, as well as to provide benefits for an increasingly aging workforce. Instead of advocating for that, employers complained that pension assets were locked up and asserted that pension funds should be diverted to pay for retiree health benefits and enhanced benefits to an exclusive subclass of current participants (i.e. top executives).

Schultz shows us the dance that employers and consultants successfully performed with the ERISA Advisory Council to recommend that government withdrawal rules be loosened up.

Throughout the book Schultz includes numerous heart-wrenching stories about retirees who were simply in the way of their company's greedy pursuit of even greater profits. Consequently, these retirees had their pension and healthcare benefits unilaterally reduced or cut altogether. One such story has an ICSOM connection. A retiree spent more than five years pursuing vested pension benefits he earned as the company fought him every step of the way. What began as a single complaint grew into a class-action lawsuit that eventually cost the company over \$11 million in adjusted pension benefits to more than a thousand retirees who had been wrongfully shortchanged. The lawyer that took on that Fortune 500 company and won was our current ICSOM counsel, Susan Martin.

Attention in the book is given to the increased reliance on 401(k) and 403(b) plans as employers both in the for-profit and not-for-profits sectors abandon traditional pension plans. 401(k) and 403(b) plans are defined contribution plans that effectively shift the burden of providing adequate pension benefits from the employer to the worker. They have already proven to be a failure when compared to traditional defined benefit plans. Workers save too little, too late, and are all too often tormented by market fluctuations and extreme volatility that cause many to pull out their money at precisely the wrong time. As a result they buy high and sell low, effectively ensuring that they underperform the market and endanger their retirement savings.

Poor performance along with excessive fees found in many 401(k) plans is painful enough. Schultz adds, "Employers have used pension rules to shut millions of low paid employees out of their (401k) plans and to provide them with less generous benefits, while creating additional restrictions that make these plans more valuable to managers and executives, at the expense of everyone else."

Tactics employed by companies to take away pension and healthcare benefits from workers and retirees are now being used by government officials and not-for-profit boards and managers. For example, the Philadelphia Orchestra Association successfully reneged on retirement promises to their current and retired musicians by utilizing Chapter 11 bankruptcy while shielding endowment assets in excess of \$140,000,000.

Retirement Heist is a "Call to Action" that should be taken seriously by every American worker, including professional musicians—particularly in an election year where hard-fought gains by unions such as minimum wage standards, employee rights, and defined benefit plans are under vicious attack.

About the Author

Ellen E. Schultz is an investigative reporter for *The Wall Street Journal* who has covered the so-called retirement crisis for more

than a decade. Her reporting has led to Congressional hearings, proposed legislation, and investigations by the Treasury and the Government Accounting Office.

Ms. Schultz has won dozens of journalism awards for economics, financial, and investigative reporting, including three Polk Awards, two Loeb awards, and a National Press Club award. In 2003, Schultz was part of a team of *Wall Street Journal* reports awarded the Pulitzer Prize, for articles on corporate scandals. She lives in New York City.

Ms. Schultz is scheduled to be a featured presenter at ICSOM's 50th-anniversary 2012 Conference in Chicago.

Perspective

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Granted, when an orchestra's board of directors and management negotiate a collective bargaining agreement with their musicians, things are much more complicated. Collective bargaining agreements encompass significant compromises from both sides. Overall though, when everyone's goal is to have the best orchestra possible, this seems to work pretty well. When other motives are at play, the results are correspondingly less than ideal. We must look to words and actions when judging motives, and even then they can be hard to determine.

In our field we are hearing that the very business model that was successful enough to get us here wasn't really successful. So much so that it requires a fundamental change of operations and core values. It has been said that a purposeful return to smaller operations is needed in some orchestras to allow for "proper" support by a new and untested business model—even if that new model must be forced upon stakeholders because they cannot be convinced of the supposed superiority. This takes the analysis of our business problems to a new level of avoidance where neither blame nor responsibility is ever accepted. What could be the motivation for such talk? Before tackling that question, let's turn our attention to the early days of ICSOM.

In a real sense, the early struggles, including those with the union and with employers, centered on justice. That may be why the gains were both significant and attainable. When the element of justice is at the heart of an issue, a campaign gains a powerful momentum that snowballs, either gathering support or rolling over obstacles from union officers, musicians, board members, music directors, audience, and the general public alike. After all, most people believe justice is not to be denied.

At some basic level, everyone knows that it is not right for unions to bypass their members and agree to terms and working

conditions unwanted by those members. In the same way, who other than music directors (or those under their sway) would insist that music directors should have the power to hire musicians based on non-musical grounds or to dismiss musicians without cause? And when symphony organizations can afford to pay music directors, soloists, and managers handsome salaries, is demanding that musicians talents be properly remunerated asking for more than justice? When justice is at the core of an issue, powerful tactics are not only required, they are demanded. Some things really are worth fighting for!

But I've never known musicians to hold out for changes they believe are either unattainable or detrimental. Instead, I see disputes where, at least on the surface, there is disagreement about what is attainable or beneficial. When one delves below the surface, however, one can question motives on both sides of the negotiating table. While motives are hard to pin down, they are often the driving force behind the intensity in labor disputes, especially when both sides claim to be doing what is best for the organization.

This can be seen clearly in attempts to downsize orchestras. These fights were not evident during ICSOM's early history, as orchestras, by and large, did not offer full-time employment then. Over time, individual orchestras, including my own San Diego Symphony, were faced with downsizing fights when there were persistent financial challenges. But those fights were confined to the troubled orchestras until we started to hear the term "structural deficit" being applied to all orchestras at bargaining tables and in newspaper interviews throughout the country.

I've written about structural deficits before, originally for an address to the 2004 ICSOM Conference. The website *orchestrafacts.org* used to publish a number of papers about structural deficits along with interesting details about orchestra employment. While that site is no longer run by its original owners, the 2008 version of the site, along with my paper on structural deficits, can still be found at web.archive.org/web/20060718180942/http://www.orchestrafacts.org. (To avoid the long URL, visit the Internet Archive Wayback Machine at archive.org and search for "orchestrafacts.org." By the way, I highly recommend the Wayback Machine as a tremendous research tool.)

To summarize a central thesis of the paper that applies here, what we sometimes see in orchestras—rather than the healthy functioning of board and management, with proper education, budgeting, and oversight—amounts to collusion between the board and management to reduce the expectations placed on them. Isn't it strange that even when management has been in place while some catastrophe has brewed, board and management often come hand-in-hand asking musicians to pay for the problem? One would expect a board's oversight duties to push it to hold management accountable for the circumstance it is reporting. Perhaps this is better understood by realizing that orchestra boards are tasked with oversight of a

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Perspective

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management that depends on that very same board to help raise a significant portion of the budget (unlike in the for-profit world). If a manager pushes a board too hard, his or her job is on the line. If the board isn't pushed enough, the bottom line suffers.

When that happens, either because a particular orchestra has individual problems or because the economy has soured, we are likely to hear that the problem is too big and that too much is being asked. A call for downsizing may soon follow. As I've said, motives are hard to pin down, but it is unlikely that those proffering this argument will say or think that their motivation is to make the board's and management's jobs easier. But unless they are not the same people who made the commitments to produce at a certain level (in the last collective bargaining agreement), it is. If the board and management can't convince musicians they are not to blame for what went wrong, they were either not doing their job at the time they made those agreements or they want to excuse their lack of performance now. When the reasons given are understandable, time and again musicians have given needed concessions, even when it has meant great sacrifice.

What we hear all too often these days is that a *permanent* downsizing is necessary. (I wonder what the stock market would do with such a statement by a for-profit board. *Hint*: Stock prices are tied to future earnings.) In other words, those responsible for making the organization the best it can be are saying that they can't do better—and that no one else could do better either. That claim must be assessed, but it is the sort of claim made by people who are in over their heads. Perhaps what is actually needed is a change of leadership (board, or management, or both).

But a positive change in leadership is particularly difficult to bring about. One reason is that unsuccessful organizations are not attractive to those who might help. It will be difficult to persuade a great manager to come to an orchestra whose financial future is uncertain and whose board is less than top notch. And the current board and management may not have influence with potential board members and donors who might make a difference. Further, it is human nature for people to protect their jobs by making excuses for their own lack of forethought, foresight, and proactive action.

I've watched my orchestra, the San Diego Symphony, swing through many cycles of relative success and difficulty. When I moved to San Diego in 1973, the orchestra was said to be up and coming. We successfully transitioned from a nighttime orchestra to a lower-end ICOSM orchestra. Then, without much warning, one year our summer season was cancelled due to a lack of funds. A pattern started to develop. Things would be put back on track just enough for the orchestra to perform until the next calamity. This happened so often that one would think from reading the newspaper that "financially troubled" was the first part of our name. As was the case with other troubled orchestras, we faced ultimatums from our board of directors, who threatened to stop fund raising, to delay putting tickets on sale, to cancel seasons, and even to dissolve.

After a Chapter 7 liquidation bankruptcy filing by our board that was successfully converted into a Chapter 11 reorganization by the musicians, those days seem to be behind us in San Diego. Our current board and management are by all measures a vast improvement over those of the past. We are extremely fortunate to have benefactors that include Joan and Irwin Jacobs, who made what was at the time the largest endowment gift ever given to an orchestra. They have continued giving their support and energy to help steer our orchestra on a path for success.

Looking back at our troubled years, though, all too frequently we faced seemingly insurmountable problems. We'd say to ourselves that at least things couldn't get worse—but they always did. When we surveyed American orchestras, we saw that orchestras could be divided into levels that roughly corresponded to their reputation and pay scale. There was a top tier whose orchestras were well established and well run. A middle tier had orchestras that, while not of the highest stature, were stable and valued components of their communities. Then there was our bottom tier that included a significant number of orchestras whose very survival was uncertain.

One difference between the bottom and higher tiers was that an orchestra's very existence was never used as a bargaining chip by boards or managements in either the middle or the upper tiers—the way it was done repeatedly in ours. It is sad, but one can no longer make that claim. What has changed? Surely, commitment must play a part.

The commitment musicians have to their orchestra differs significantly from that of board members and managers. Most musicians are committed to their orchestra in the sense that their orchestra is part of their identity. Of course, there are those musicians who view their current jobs as stepping stones to a better orchestra, but even they see themselves as orchestra musicians—and they can't be orchestra musicians without an orchestra. This is much more than a need for employment. During our bankruptcy our musicians somehow managed to make ends meet without the orchestra, some in music and some in other professions. Even after all we went through and with a much reduced salary, most who hadn't landed jobs with other orchestras did return when given the chance. I believe this wasn't for lack of options as much as their desire to be orchestra musicians.

The same cannot be said for the vast majority of board members and some managers—and that is probably as it should be. After all, the reason that people become board members or managers is not because they dreamed of it and sacrificed many days and hours when they were young training for it. But within that mix of board members and management—with their different abilities and motivations—lies the difference between the success and failure of our orchestras.

Even during our most dire times, there were board members who gave their all trying to manage or help the situation. To this day

I remain in awe of their commitment to our orchestra. I don't think we would have survived without them. Taken as a whole, however, our board and management were not up to the task at hand, and, for whatever reasons, the necessary changes that might have yielded actual success were never accomplished. I don't even think such changes were seriously considered by those in charge. Changing the way an orchestra operates is not an easy task, and no one has ever claimed that getting buy-in from donors, board members, staff, and musicians can happen overnight. And it hasn't.

Nonprofit boards do have important oversight, hiring, and policy roles and responsibilities, just as they do in the for-profit world. One difference, though, is that community leaders are brought onto nonprofit boards because their community ties and philanthropic propensities will help the organization be successful in its day-to-day operations. Obviously, I am not talking about aiding in music making. Since most orchestras depend on donations for at least half their budget, board members often prove their worth by "giving or getting," by opening doors to other donors, and by having vendor ties to help with marketing or production. With such a large portion of our budgets not covered by earned income, our success is dependent on our board's ability to help produce unearned income, in addition to our staff's ability to bring people into our halls and keep them coming and contributing.

This is such an important distinction between our world and the for-profit world that it warrants consideration of how deeply it enters into all aspects of our business. The same board that is responsible for oversight is also responsible, in large part, for attaining successful results. I, for one, try not to look at our concerts as the sole mission of orchestras, even though I do think it is the primary mission. It may seem crass, but I choose to look at the orchestra business as two-sided: the production of concerts (or operas or ballets) and the production of donations. Half of an orchestra's business is to produce donations. Of course, we all know that the purpose of donations is to support the music, but producing those donations is every bit as much of our business as are our concerts. And donations must be sought as actively and as rigorously as musicians prepare for concerts. Unless the staff and board are as skilled as the musicians on stage, we cannot reach our potential to bring interested audiences into the hall for rewarding concerts or to gain the community's involvement and support.

In organizations that function well, board members and managers willingly enlist for these duties. They affiliate themselves with an orchestra because they prize orchestral music. They understand their role in attaining donations and in promoting the orchestra to the public. They view orchestral music as valuable and uplifting, not something to force on an unwilling public.

Unfortunately, it seems that over the years this viewpoint has become less popular, not only in the general public but among our boards and managements. The dumbing down of America is affecting not only the arts but also education, and even the acceptance of

scientific findings. But our population is vast, and there are still plenty among us who see the value of the arts. So it is quite disturbing when we hear board members and managers speak publicly about how the public doesn't want us. Too much product. Decreasing numbers. Aging audience. Again, these are the very people entrusted with the stewardship and success of our orchestras. The ones pointing fingers at external causes are the very ones who have the most influence over how audiences are attracted to our concerts and developed.

Perhaps it was easier in the early days. Dictatorial music directors got their way. Orchestra musicians were not well paid. Deals could be cut directly with the president of the musicians union. But were orchestras better? Although I dearly love some of the recordings from that era, those same recordings lead me to think that audiences are better served by our contemporary orchestras. Surely, social changes throughout the U.S. have influenced some changes in orchestras over the years. Some boards that used to care only about music directors and soloists now understand and celebrate the talent pools they have in their orchestras. Many want their musicians to have good and stable employment. Many still passionately care about the quality of their orchestra. But not all, and there's the rub.

Why would someone be a board member or a manager of an orchestra and not want the orchestra to be as good as it possibly could be, in all respects? Because it might mean admitting one's own inabilities, just like the small business owner who doesn't have the business acumen to expand successfully. As long as things are kept small enough, and as long as a few key donors are willing to foot the bill, everyone's job on the management-board team is made easier. In fact, people might even believe that if things are kept small enough, the board and management won't ever face a financial failure—a success! Having artistic success is not as easy.

To be fair, this same mentality can also be found among musicians. When orchestras grow, they sometimes outgrow the abilities of some of their long-time musicians—perhaps the very musicians whose earlier contributions were responsible for the success the orchestra has enjoyed. Of course, those musicians deserve humane and respectful treatment. But sometimes they do put themselves at odds with the best artistic interests of the orchestra. This is no more or less surprising than what boards and managements do.

Maybe we can help the situation by doing a better job of influencing our environment. What can be done to counter the dumbing down of America and to spur interest in what we do? How can we help the public appreciate some of the greatest creations of mankind and dispel the notion that they are only for elitists? What can be done to educate board members, both about orchestra life and well-functioning boards? What can we do to foster a greater pool of well-trained, experienced managers who are up to the Herculean

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Orchestra Newslets

The **San Diego Symphony** knew that last year's very successful centennial season would be hard to match, but the recently completed 2011–2012 season turned out to be its most successful year ever. Senior Director of Marketing Stephen Baker said that, subject to audit, the San Diego Symphony balanced its budget for the 14th consecutive year. Ticket sales reached an all-time high, with an increase of 4.5% over the previous year. The total operating budget is currently over \$20 million, up 135% from 2003's \$8.5 million budget. Some of last season's highlights include the American premiere of Qigang Chen's *Enchantment oubliés*, Tan Dun's Violin Concerto, and Dave and Chris Brubeck's *Ansel Adams: America* (performed with a collection of Adams' photographs displayed overhead). The San Diego Symphony also released the world premiere recording of *Behold the Bold Umbrellaphant* by Lucas Richman, with accompanying poetry and narration by Jack Prelutsky. Also featured on the release is Saint-Saëns' *Carnival of the Animals*, performed by pianists Jon Kimura Parker and Orli Shaham, with Prelutsky narrating his original poetry.



From *San Antonio Symphony* delegate Emily Freudigman: The musicians of the **San Antonio Symphony** were honored to welcome ICSSOM Chairperson Bruce Ridge May 23–25 for a return visit to the Alamo City. During his stay, Bruce met with the negotiating committee, members of the orchestra committee, artistic liaison committee, musician board representatives, and our lawyer. He addressed the musicians of the Orchestra at a special meeting of our players association. Bruce also met with our CEO and one member of our board's negotiating committee, interviewed with three local arts and business reporters and was a guest and speaker at a luncheon prepared for the orchestra and staff by the volunteers of the San Antonio Symphony League. All this, in less than 48 hours on the ground! As always, Bruce's presentation to the musicians was inspiring and energizing. His message of positivity



Photo by Emily Watkins Freudigman

Chairperson Bruce Ridge meets with San Antonio Symphony musicians during his recent visit.

resonated deeply with the membership, and everyone was greatly impressed by the thoroughness of his preparation and understanding of our local issues. With respect and gratitude, thanks to Bruce for his time and tirelessness on all our behalf!



The musicians of the **North Carolina Symphony** recently reached an agreement that makes its principal librarian a full, tenured member of the bargaining unit. The orchestra has also signed on to the AFM's Integrated Media Agreement (IMA), bringing the number of signatory orchestras to 49 as of this writing.

Perspective

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task of running an orchestra well? What resources can be made available to our boards and managements to help them with their jobs? These are important questions, especially when one realizes that positive changes to boards and managements are probably most easily and most effectively brought about from within those boards and managements (assuming that they are already performing at a high enough level to accomplish that).

Whether we like it or not, times are indeed changing. Orchestras must and will continue to adapt—just as they, and orchestral music itself, have done for more than 300 years. People, whether musicians, board members, or staff, will differ in how they think things should change or whether any particular innovation enhances or detracts from what we do. But when I hear the same words I encountered during our troubled past coming from the orchestras I used to look up to, I can only think that the words are serving the same purpose as they did here—to camouflage the fact that a board or management, despite any good intentions, is not up to the task at hand and wants to redefine that task.

One thing seems very clear, though. The cry for permanent downsizing is not an answer—it is a symptom.

MOLA-NOLA Meets ICSOM

by Paul Gunther, Member at Large

The Major Orchestra Librarians' Association (MOLA) celebrated its 30-year anniversary by holding its annual conference in New Orleans over the weekend of May 11–14. It seemed an obvious choice to dub this MOLA-NOLA 2012. (An earlier possibility, MOLA-NOLA XXX, seemed a bit risqué for such an eminent body.)

MOLA was fortunate to have ICSOM Chairperson Bruce Ridge as the featured speaker for Monday's first session. Ridge and the ICSOM Governing Board had agreed that if schedules could be accommodated for this year's conference, the possibility of Bruce's speaking at MOLA was timely. The convergence of ICSOM's 50th anniversary with MOLA's 30th was too good to pass up. (That "union" is a synonym for "convergence" is a happy coincidence.) With the blessing of our colleagues in the MOLA/AFM Liaison Committee, including librarian representatives from ICSOM, ROPA, and OCSM orchestras, the arrangements were made.

Entitled "ICSOM and Librarian Advocacy," Bruce's session took the form of an interview, with a brief introduction by Baltimore ICSOM alternate delegate and principal librarian Mary Plaine, describing Bruce's background and accomplishments and emphasizing Bruce's commitment to musician and symphonic advocacy. It will surprise nobody familiar with his commitment that in responding to Mary's well-scripted questions, Bruce spoke eloquently and passionately about the place of symphonic music and musicians in our society and in the world. By sharing statistics, in relating current developments both in the U.S. and abroad, and with his emphasis on the professional roles all of us play—even those musicians who are non-playing—Bruce's remarks struck just the right balance between praise and encouragement.

In preparing for his New Orleans talk, Bruce focused on realizing the differences as well as similarities between ICSOM and MOLA.

Like ICSOM, MOLA's membership is institutional rather than individual. And individuals' energies and volunteer enthusiasm power both organizations.

However, the two organizations differ in at least four notable ways:

1. MOLA's membership of close to 300 performing organizations is truly international, representing 5 continents, with non-U.S. performing organizations comprising over a third of the total.
2. Unlike ICSOM, institutional size is not a factor for MOLA, which requires mainly that a member institution employ a professional librarian.
3. Union affiliation is not required for either institutional members or individual employees.
4. There are no delegates to MOLA. Librarian members attend conferences voluntarily, because it benefits them and their organizations professionally. Some organizations subsidize attendance costs for their librarians.

That said, intense interest in union activities and union protections, percolating for years with U.S. librarians and now growing internationally as well, provided Bruce with a rapt audience at MOLA's 30th annual conference in New Orleans. The timing could not have been better, nor the speaker more appropriate.

ICSOM Governing Board member Paul Gunther is the principal librarian of the Minnesota Orchestra. He was a founding member of MOLA in 1983. He served as MOLA's first newsletter editor and later for six years on the MOLA Board of Officers, including two terms as president.



Photo by Holly Slocum

Member at Large Paul Gunther (left) and Chairperson Bruce Ridge visit Decatur Street in the French Quarter of New Orleans during the recent MOLA-NOLA conference.

Correction

The editor regrets an error on page 5 of the May 2011 issue of *Senza Sordino*. Kathleen Costello, the author of the article "Alabama on the Mend," should have been credited as the Alabama Symphony Orchestra's alternate delegate rather than as its ICSOM delegate. Alabama's ICSOM delegate is still Jeff Solomon.

Chairperson's Report

(continued from page 2)

There is reason for optimism to be found in these statistics, but studying these numbers can be fatiguing. Placing a monetary value on priceless music seems counterintuitive, an anathema to the aspiration to beauty we all seek to create and reproduce. The musicians of America's orchestras provide so much in inspiration, education, and in the elevation of the human spirit. The role of music in health care is widely recognized, and in a world that seems all too comfortable with mediocrity, orchestras in America's cities serve as monuments to excellence for present and future generations. At a time when many people find themselves asking what they can do to improve the world, to change young lives, and to create a better future for the next generation, ICSOM musicians understand well the role they play in people's lives, and we awake each day to pursue that dream.

But, we must talk about the positive financial impact that our orchestras have in their communities as well. It should be the mission of others, such as our political leaders and board leaders, to make the case for their city that an investment in their orchestra is an investment in the future of their city. Of course, there are some leaders who articulate the mission in an inspiring way. But all too often, I hear cases being made to reduce the growth of orchestras, and inevitably to reduce the positive impact—be it financial, educational, or in every way—of our orchestras.

The current mindset of numerous managements seems focused only on drastic cuts. I fear that the boards and managements of some orchestras, especially some that will be facing serious negotiations soon, risk cutting their orchestras out of business.

I have often said that no business ever solved a financial problem by offering an inferior product to its public. Orchestras with shortened seasons, and with drastically reduced complements, ask their audiences to be content with less.

Now more than ever musicians must be their own advocates—and must be committed to positive advocacy that can change the tone and the expectations for the future of the arts in America.

The musicians of ICSOM led this effort in the sixties, playing a role in the creation of the National Endowment for the Arts (NEA). The NEA needs musicians to be activists once again, as a recent subcommittee report out of Congress has recommended a \$14 million cut in funding for the NEA. As the data from *Arts and Economic Prosperity IV* indicates, every dollar invested in the arts by government returns a high yield to the community. Cutting the arts in this way, only because it is convenient, is simply bad business.

At this time of recovery for our country, we all should be examining ways to invest in orchestras so that they can be more accessible to all Americans of all ages, not looking for ways to minimize their impact in a misguided cost-cutting frenzy. The so-called "cure" being propounded by certain board members and symphony managements is short sighted, counterproductive and, if embraced, could kill us.

America needs jobs. And, according to Americans for the Arts, there are more full-time jobs supported by non-profit arts organizations than by accountants and lawyers. In many of our cities, the ICSOM orchestra is the most prominent performing arts organization in the region, and the greater the investment, the greater the return.

The 50th-anniversary 2012 ICSOM Conference is going to be a very special event, honoring the leaders who bravely founded this organization in 1962. While we will arrive in Chicago prepared to celebrate a historic past, our eyes are squarely on the future. Apathy and frustration are our true enemies. We must be inspired to join together at the start of ICSOM's second half-century with the same enthusiasm that the ICSOM founders harnessed. We must articulate that not only can our orchestras be successful, but that there are reasons they must succeed. Just as the achievements of the past fifty years would not have been possible without ICSOM musicians, neither will the achievements of the next fifty years.

We look forward to meeting with your delegates and other representatives in Chicago, and we look forward as well to sharing the events of the Conference with all of our members.

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Secretaries

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In 1980, Nancy, a member of the Seattle Symphony, was elected ICSOM's fifth secretary, and her files are stellar! They contain studies and reports on a variety of topics, individual orchestra issues, Conference minutes that were reproduced on colored paper so each year could be distinguished, and bulletins organized by orchestra. When Seattle decertified the AFM, Nancy had to relinquish her position as secretary, which must have been difficult, but communication between Nancy and her successor, Richard Decker, depict the professional manner in which she handled everything as he transitioned into the position.

Nancy and Richard Decker served as secretaries during one of ICSOM's most difficult periods in history—Seattle's decertification, a protracted strike in Oklahoma City, and a number of shut downs and bankruptcies. The 1988–1989 files alone are at least seven to eight inches thick!

Lucinda-Lewis is ICSOM's longest serving secretary, with 12 years. During this period the files become thinner because information began moving to the ICSOM website, which led to a proposal that another institution become the caretakers of our historical documents. Thankfully, ICSOM's officers decided against something that would have seriously restricted access to our own files.

Ten years later there are few handwritten notes in the files as nearly all our communication occurs electronically, so there is a significantly smaller "paper" trail, though I suspect communication itself is at an all-time high online.

As I become further acquainted with these files, additional materials should be made available, in consultation with our Governing Board. Last year I extracted ICSOM Conference minutes back to 1962. I scanned them all and, with Richard Levine's assistance, turned them into searchable PDFs. We will add them to the ICSOM website later this summer.

A retired member of the Chicago Symphony recently requested his weekly salary when he joined the orchestra in 1983. Because I had spent most of the previous two weeks sorting and scanning early settlement bulletins I was able to give him the answer he required. These, too, will be on the ICSOM website later this summer.

Today we're spoiled by the almost instant access to answers and communication. I cannot imagine trying to do my job as ICSOM secretary under the conditions my early predecessors withstood, but I am so thankful they did.

A selection of documents from the George Zazofsky Archives will be displayed at the Chicago Conference in August.

2012 ICSOM Conference

ICSOM: The First 50 Years

August 22–25, 2012

**Westin Michigan Avenue Chicago
909 North Michigan Avenue
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***All attendees must register in advance for the
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***Further details are available at
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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.

U.S. Court of Appeals Rules in AFM's Favor in Cleveland Orchestra Case *by Deborah Newmark, AFM Director of Symphonic Electronic Media*

The U.S. Court of Appeals for the District of Columbia Circuit has affirmed the July 2011 decision of the National Labor Relations Board (NLRB) regarding the refusal of the Musical Arts Association (MAA) to bargain with the AFM over media issues. MAA, which operates the Cleveland Orchestra, had contended that two or more unions (in this case, the AFM and the Cleveland Federation of Musicians, Local 4—parent and local) may not serve as a joint collective-bargaining representative for a single unit of employees. Both the court and the NLRB rejected MAA's contention and made clear that those collective bargaining representatives can divide their bargaining duties, either expressly or in practice, to accommodate local and national interests.

MAA was found to have violated federal labor law by refusing to bargain with the AFM over media issues. MAA is now required to post a notice at the worksite stating that it will "recognize... the AFM... and the Cleveland Federation of Musicians... as the joint collective-bargaining representatives of the established unit of musicians employed as members of The Cleveland Orchestra, with Local 4 having authority to bargain over the terms and conditions of employment related to live performances, rehearsals for live performances, local television and radio broadcasts; and the AFM having authority to bargain over the terms and conditions of employment pertaining to matters covered by the AFM's: Symphony,

Opera or Ballet Orchestra Audio-Visual Agreement (AV Agreement); Symphony, Opera or Ballet Orchestra Internet Agreement (Internet Agreement); and the Symphony, Opera or Ballet Orchestra Live Recording Agreement (Live Recording Agreement) such as the production and use or development of electronic media including CD's, DVD's, digital recording and the Internet."

This case began in 2009 when MAA stated its intent to withdraw its recognition of the AFM as its bargaining partner for media despite a decades-old relationship. The AFM filed an unfair labor practice charge with the NLRB against MAA for its refusal to bargain with the AFM over the covered media. The NLRB twice found in favor of the AFM—once in Region 8 in Ohio and again upon MAA's appeal to the full NLRB in Washington, D.C. MAA appealed the NLRB's decision to the U.S. Court of Appeals, which on May 17, 2012, ruled in favor of the AFM.

This decision should make it much easier at the local bargaining table when negotiating committees are faced with media proposals that cross the divide into issues covered by national agreements. The local, negotiating committee, and counsel can state with great certainty that those issues cannot be bargained locally and that the employer must contact the AFM's President's office to discuss working under the applicable national media agreement(s) for such work.
