

Senza Sordino

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Philadelphia Strike Ends Labor Strife Gives Way To Fragile Peace

On November 18, 1996, the Philadelphia Orchestra ratified a new 3-year contract by a vote of 54-47 with 2 abstentions. The contract finally approved was an enhanced version of the compromise proposal earlier submitted to both sides by Philadelphia Mayor Ed Rendell's chief of staff, David L. Cohen.

Although everyone is relieved that the strike is over, the settlement has received mixed reviews. Cohen said, "I just got off the phone with the mayor, and both of us have the attitude that this deal does have all the hallmarks of a good negotiated deal, because neither side is particularly happy with it."

Provisions of the new contract include increases in salary, seniority pay, and pension; more liberal terms for sabbatical and other leaves; adjustments in travel conditions, scheduling, and health insurance; and many other miscellaneous issues.

The settlement represented difficult compromises in the musicians' top priorities – the "three M's" of money, media, and management. Among the missteps that led to the musicians' loss of confidence in the orchestra's board and management were 1) the loss of all the orchestra's recording and broadcasting contracts; 2) about \$400,000 per year in lost financial support from the Pew Charitable Trusts; 3) about \$1.5 million lost in a "Ponzi" scheme; and 4) the "edifice complex," the poorly planned and now aborted Philadelphia Orchestra Hall project. When Mayor Rendell saw the Orchestra's building project floundering, he stepped in with a plan for a new Regional Performing Arts Center, which got the Orchestra Association mostly off the hook.

The compromise solution to assess management performance is the "Millennium Task Force," a group of nine people representing board, musicians, and the public, which will evaluate all aspects of management and suggest improvements to the executive committee of the board. The Task Force's report is due in six months.

Although management agreed to substantially better salary figures in the new contract than in their offer at the beginning of the strike in September, the EMG was eliminated. Musicians and management agreed to create "a new business entity to guide the Orchestra's electronic media activities, to promote the Philadelphia Orchestra to various electronic media outlets, and to generate and distribute profits from future electronic media activities on the part of the orchestra." The governance of the new entity will be shared equally between the board and the musicians, and compensation for media activities will be consistent "with all relevant AFM contracts."

Philadelphia Orchestra President Joseph Kluger said about the new media company, "If it is successful, I think it's a model that will not only be emulated at other orchestras, but the concept of participatory decision-making can be extended to other aspects of our operation."

Stuart W. Davidson, the musicians' attorney, reflected on the settlement with a more cautious tone. "There are good things in this contract, there are bad things in this contract, and the best things are at this point unquantifiable. The task force could rejuvenate the orchestra, or it could be a horrible thing that confirms the worst fears of musicians. It's a real risky thing. The same is true of the media company."

John Koen, Philadelphia ICSOM Delegate, writes, "A problem which we were not so aware of until we were actually on strike is the culture of arrogance displayed not only by the top management, but by most of the board of directors. These individuals appear to have as their intent to continue the grand old tradition of "royal" patronage of the arts. The musicians are patronized, in the worst possible meaning of the word, by people with few ideas of their own, and treated as servants who should be grateful for the crumbs we do receive.

"Although several board members were willing to express their individual support to us, both on the picket line and in private conversations, when they gathered in board meetings to consider proposals to get us back to work our attempts at solutions were met with unanimous rejection. This was referred to by our Negotiating Committee as the "rubber stamp mentality." The board is comprised of people who are very successful business people, but who have

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very little understanding about music. We have seen a bottom-line mentality applied to art, and we believe this will be to the detriment of art.

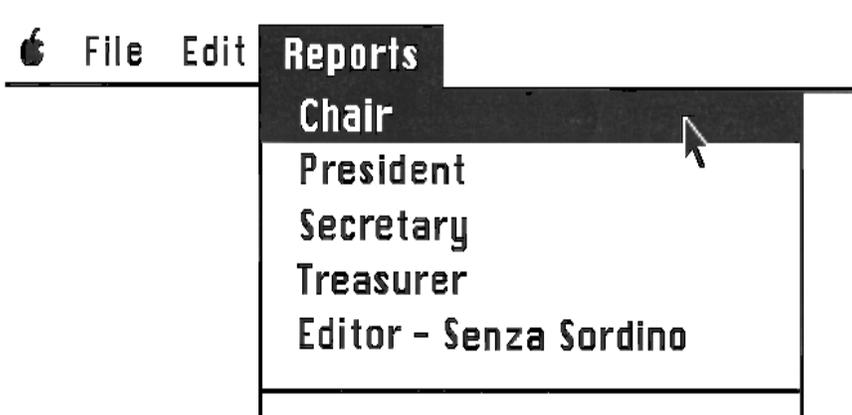
“Although the contract was ratified by 7 votes, I have observed no rejoicing at being back at work. The people who switched from no to yes in the two weeks since November 5 did not all switch because of the two minor enhancements to the contract offered on November 17. The decision to return to work had more to do with a perception that a lengthier strike would lead to diminishing returns at this point. There was strong feeling that we could do more to affect what co-chair of the Negotiating Committee Larry Grika refers to as “institutional sickness [transmitted] from Peter Benoliel (chairperson of the board) and Joseph Kluger (president) to the rest of the board” by working on the inside of the Academy of Music. There were difficulties in deciding on our collective course of action – should we be aggressive and militant, or should we not antagonize the board for fear they would revoke our health coverage once again? Others said that each day we were on strike was one extra day that Joseph Kluger would keep his job.

“The challenge which remains for us is to use the tools we have gained in this contract - the “Millennium Task Force,” to look into the finances and management practices of the Association; the “Media Business Entity” to work to procure and develop media outlets and opportunities (but not at the expense of our hard-won AFM Media Agreements); and to continue to use the media attention

we garnered during our 68-day strike. We are still united in our desire to expose bad management and financial mistakes; together we will bring these to light and effect change. That will be what makes our sacrifice, and the sacrifices on our behalf by our colleagues in ICSOM orchestras, worth it.”

ICSOM orchestras demonstrated an impressive solidarity during this strike. In addition to gifts of money and donated services (see “Striking the Job, Not the Music,” pg. 7), musicians sent letters and faxes in support of the Philadelphia musicians to newspapers and board members and found other creative ways to help their colleagues. John Koen continues, “The generous outpouring of support from our colleagues is greatly appreciated by the members of the Philadelphia Orchestra. We would like to make special mention of the Pittsburgh Symphony musicians, who initially donated \$1500, then sent an additional \$1000, and were generous enough to make their internal strike fund of \$25,000 available to us.”

The AFM Symphonic Services Division and Organizing Department provided constant support and advice to the musicians and their local union. Many other unions, representing screen actors, teamsters, stagehands, flight attendants, firefighters, culinary workers, seafarers, longshoremen, and others, also joined the orchestra musicians in solidarity on the picket line. AFM President Steve Young saluted the courage of all working people, saying, “We all share in the daily struggle for fairness for America’s working families . . . As workers we need to stand together. . . We see that all of labor is beside us, and we thank you.”



It has been an interesting time to take over the chair of ICSOM. Four ICSOM orchestras to date have struck this season, while two more have been working without a contract. I could believe that some minor deity has modified the old Chinese curse to read, “may you be chair of ICSOM in interesting times” – except that, for whoever is ICSOM chair, the times are invariably interesting.

Unfortunately, interesting times for the ICSOM chair usually mean that some ICSOM musicians are experiencing very nasty times indeed, and such has been the case for the musicians of the Oregon, Philadelphia, Atlanta, San Francisco, Louisville – and, lest we forget, San Diego – orchestras. Watching other musicians go through what my orchestra went through three years ago from my new perspective has been, at the very least, uncomfortable; it can feel like watching a family member do ten rounds with a large opponent while

trapped in a ringside seat. There have been some wonderful and inspiring moments, however. Perhaps the most exciting for me was meeting with the musicians and committees of the Philadelphia Orchestra in early October. To experience firsthand just how united and active an orchestra on strike can be and what wisdom can emerge from a group of musicians who choose to act and think collectively was more than impressive.

Watching the AFM bring its resources to bear on these situations, from President Young through the Symphonic Services Division and Organizing Department to the locals involved, was immensely gratifying to this ICSOM officer. The last time these orchestras went on strike, their musicians would not have even dreamed of such support from their union. ICSOM has worked long and hard throughout its history to make such support a reality, and those orchestras who choose to avail themselves of that support receive it in full measure.

Lastly, I was glad that the trustees of the Strike Fund – ICSOM and Federation representatives alike – readily and unanimously agreed to unleash the resources of that fund to provide meaningful assistance to those musicians in the trenches. The Fund will probably take a large hit this year from the decision to raise benefits substantially, but in doing so will fulfill its true function: to enable the musicians to endure until the boards and managements of their institutions also feel the pain of labor strife and decide to reach a fair settlement with their musicians. Fortunately, damage to the Strike Fund is readily fixable; that is not true of the damage that a

failed or broken strike in any orchestra would have done to all of us.

In all of these situations, ICSOM continues to do its traditional job: to inform, to advise, to support and urge support from other member orchestras for our colleagues in difficult straits, and to work with the Federation to make sure that all that can be done is being done. Some untraditional technology now supplements *Senza Sordino*, the traditional ICSOM bulletin, and the network of phone contacts that has been built over the years. Information from musicians and the press can be widely disseminated to the entire field at the click of a mouse button. With the help of many Net-savvy activists, the ICSOM Internet mailing list and Web site have become valuable sources of news and advice to striking musicians and their colleagues watching from the sidelines.

For the members of the ICSOM governing board to be most effective in helping striking orchestras, we continue to need the help of ICSOM delegates, orchestra committee members, and activists in all our orchestras. Without that support, the Governing Board is merely nine very concerned denizens of the orchestral world. With your support, ICSOM has the very real ability to influence the outcomes of these situations – if, and only if, we all act together.

The news of our deaths may have been greatly exaggerated, but gloom-and-doom stories about the orchestra business and affiliated industries are all the rage these days. The *New York Times* has run two such stories in recent weeks: Bernard Holland's "Decline and Fall of the Classical Empire" on November 10 and an extended analysis of the implosion in the classical record business by Allan Kozinn on December 8. On the same day, the *Los Angeles Times* ran a story on the problems with the classical radio industry, "Classical Gasp," by Mark Swed.

With the assistance of the ICSOM Governing Board, I wrote a formal response to Holland's article, an edited version of which appeared in the *New York Times* on December 15. As it is a formal statement by ICSOM's elected leadership of our beliefs about the state of the industry, we thought it important that the entire membership of ICSOM have the opportunity to see it.

November 13, 1996

Editor, Arts and Entertainment
 The New York Times
 229 West 43rd Street
 New York NY 10036-3959

To the Editor:

Bernard Holland's column on "The Decline and Fall of the Classical Empire" (*New York Times*, November 10) reminded me of nothing so much as my favorite headline from a career spent in the music business. "25 orchestras doomed to die!" prefaced an article by the United Press International predicting the imminent demise of (among others) the Atlanta, Baltimore, Dallas, Houston, Minneapolis, Pittsburgh, and Seattle orchestras. The article was published in 1969, showing that mistaking a rain shower for the

Flood has a long history in the music business.

Mr. Holland, while getting a few of his facts wrong (the musicians of the Philadelphia are not on strike in order to get paid for recordings they don't do), does point out some serious problems facing the orchestra business, but frames them in neither historical perspective nor a balanced picture of the current orchestral scene. While the current negotiations in Philadelphia, Atlanta, and San Francisco are indeed proving difficult, they are certainly no harder than those that many orchestras (including Philadelphia and San Francisco) have survived in the past. Moreover, many more orchestras have had negotiations in the past year or so that have been concluded very amicably, including Chicago, Boston, Los Angeles, Milwaukee, and perhaps most notably in terms of its recent history, Buffalo. The negotiations in San Francisco and Atlanta arguably are more difficult because those institutions have been extremely successful in terms of raising money and selling tickets, not because they've been failing at those core jobs.

There are a lot of other success stories in the orchestra world, some of which are due to the efforts of people, relatively new to the field, who Mr. Holland unfairly derides as of "startlingly low" quality. Good administrators, of orchestras or any other organizations, have always been hard to find; the ones he properly singles out for praise (while missing a few other outstanding managers who are neither leaving the field nor in poor health) are stand-outs in a field that has always been dominated by mediocrity.

Mr. Holland also complains about the state of boards (ignorant), the state of orchestra marketing (salacious), and the state of concert programming (dumb and getting dumber). None of these problems are new. Boards are quite properly committed to "keeping their institutions in business," as Mr. Holland accuses them of being; what else would he have them do? That's their job. It's the job of orchestra staff and music directors to provide programming that's innovative, artistically challenging, and attractive to audiences; the good ones do and the bad ones don't, as has always been the case. And orchestra marketing, like marketing everywhere, is entirely driven by pragmatism. His memory is poorer than mine if he thinks that cleavage is a new sight in classical music marketing.

What Mr. Holland forgets is that the American orchestra scene is a story of amazing success. We have in this country most of the world's great orchestras. Even second- and third-tier American orchestras play as well or better than any of the great orchestras of fifty years ago. Equally important, American orchestras sell more tickets, and perform for more schoolchildren, than orchestras elsewhere or in the past. And all of this was done with a bare minimum of government support. It has not come easily or without conflict, and future success will no doubt require more of the same. But the simplest and most plausible explanation for the problems Mr. Holland cites is that the orchestra industry is transitioning from growth to maturity; a painful process for the participants, perhaps, but hardly a reason for him to call for the demolition of the orchestral temple.

Sincerely,

Robert Levine
 Chair, International Conference of Symphony and Opera Musicians

The Depreciation Deduction

IRS Declares War On Musicians

Musicians have historically been misunderstood by government. In spite of our efforts to get recognition of the unique aspects of our business from government agencies, the U.S. Congress and state legislatures, and the various federal, state and local courts across the country, it is difficult for people outside the music business to see that conditions which are exceptions for most other working people are the rule for us, and that many of the rules that make sense in other industries cannot be fairly applied to us. We have struggled with government over such things as regulations for stowing musical instruments on airplanes, employee vs. independent contractor status, office-in-home tax deduction for our practice space, health and safety issues such as high sound levels on stage, and even our being regarded as full-time employees.

The latest bout in this continuing struggle concerns taking a tax deduction for the depreciation of musical instruments used on the job as a working musician. As previously reported in *Senza Sordino* (January 1996), two New York Philharmonic musicians, Richard and Fiona Simon, won a Tax Court decision on this issue (10-7 vote, August 1994) and then a Second Circuit Appeals Court decision (2-1 vote, October 1995), which has established a landmark precedent for the determination of depreciability of musical instruments. At almost the same time, a similar case brought by Philadelphia bassist Brian Liddle was decided on the basis of Simon in the Third Circuit Appeals Court.

The IRS does not agree with these decisions, and has announced its nonacquiescence to Simon and Liddle, which means that the IRS will abide by the ruling of the court only within the jurisdiction of those courts. The Second and Third Circuits include Connecticut, Vermont, New York, New Jersey, Delaware and Pennsylvania. Nonacquiescence is a routine tactic the IRS uses when it believes a decision is wrong. The next step for the IRS will be to seek out other such depreciation deductions in other jurisdictions, audit them, and take them on a similar journey through the courts if they can. If the IRS can obtain a ruling favorable to its position in a different jurisdiction, creating a conflict with the rulings already handed down in the Second and Third Circuits, a final appeal to the U.S. Supreme Court would be possible. The IRS could also seek a legislative remedy, asking Congress to change the law.

Several other musicians have been audited for depreciation deductions since the Simon case, including Bruce Wittrig of the Dallas Symphony. The Wittrig case did not go to court because, citing the Simon case, Wittrig was successful in convincing the auditor to accept his depreciation deduction. This is evidence that, although the IRS has not acquiesced to the Simon decision, Simon's victory can still be used to defend an audit, and the IRS can and will take the ruling into consideration. That this is certainly a good defensive tactic is echoed by Arthur Pelikow, the tax lawyer in New York responsible for the Simon's Tax Court victory, who said, "It is most important that musicians who have claimed instrument depreciation and are being audited have a thorough knowledge of the Simon and Liddle decisions. It is also important to understand that the Tax Court is the obvious litigating forum because of its favorable position in this case."

The Legal Arguments

Depreciation is a method of allocation of an item's cost, rather than a method of valuation, and is intended to reflect the item's utility in a trade or business. A depreciation deduction allows a business enterprise to gradually recover the cost of business property as it is used up due to wear and tear, obsolescence, exhaustion, or other deterioration of the property.

The critical event that precipitated the rulings in the Simon's favor was the passage of the Economic Recovery Tax Act of 1981 (ERTA), which included an Accelerated Cost Recovery System (ACRS), for the depreciation of business property. Before ERTA, to claim a depreciation deduction, it was necessary to show a determinable useful life for the property. Depreciation was calculated by determining the useful life of the property, determining its salvage value (what the property would be worth on resale at the end of its useful life), taking the difference between the original cost and the salvage value and dividing it by the number of years the property would be used. With the enactment of ERTA, the cumbersome old depreciation system was replaced with ACRS, which established simpler "recovery periods," de-emphasizing the concept of useful life and allowing depreciation to be obtained over a significantly shorter time period than was permitted under the previous system.

While ACRS has its own statutory requirements for deprecia-

IRS In Mourning, Musicians Take Warning !

The IRS is looking for musicians to audit in 44 states. Last year, two Appeals Court decisions allowed professional musicians to depreciate an antique bass viol and bows used at work. IRS says decisions are wrong. It will keep asserting its view on musicians who don't live in the states covered by the two Appeals Courts...Conn., Del., N.J., N.Y., Pa., and Vt.

IRS hopes to win elsewhere, then have Supreme Court back its view. Odds are against the Service...knows it will lose again in the Tax Court, which decided two previous cases for musicians. IRS appealed and lost.

THE KIPLINGER WASHINGTON EDITORS,

July 26, 1996 *(used by permission)*

tion without reference to useful life, in the Simon case the IRS argued that before depreciation can be claimed, it is necessary to determine useful life. As the Simons were unable to establish the lifetimes of their instruments, their depreciation deductions were disallowed. The Tax Court sidestepped this particular issue and held in favor of the taxpayers as the instruments qualified as (1) tangible personal property, (2) having been placed in service after 1980, (3) having been used in the taxpayer's trade or business, and (4) having suffered substantial wear and tear as a result of their use, giving them a limited lifetime.

In addition, the court reasoned that while certain instruments may be considered works of art, and while works of art are not ordinarily considered depreciable (decorative works of art don't normally suffer wear and tear), when these instruments are in the hands of professional musicians being used as working tools to produce income, they may not be considered as works of art for tax purposes. By excluding items used as working tools to produce income from the definition of works of art, the Tax Court opened the door for their depreciation if they also pass the very specific four-pronged test mentioned earlier.

In his minority opinion, Appeals Court Judge James Oakes said, "A car buff in the trade or business of buying, collecting and selling antique automobiles, who drives his autos to auto shows, may obtain a depreciation deduction, or the law office that buys fine Sheraton or Chippendale desks or chairs for office use can take a deduction, though in each case the auto or furniture is actually appreciating in value and has no determinable useful life." But the majority opinion, while acknowledging Oakes' problems, said that some latitude in interpretation as a result of the ruling was the price Congress was willing to pay to simplify the depreciation rules and "to stimulate investment in business property generally."

Whether or not the property has value as a collectible, which is separate from its business purpose, was not deemed by the courts to be germane to the issue of depreciation. There is, however, one point at which depreciation (relating to cost) and appreciation (relating to value) meet. All depreciation taken against the cost of the property, to the extent that it is recovered upon the sale of the property, is taxed as regular income in the year of sale.

by Marsha Schweitzer and Richard Simon

References:

- Federal Times Weekly Alert*, July 18, 1996
- New York Law Journal* October 17, 1995
- Senza Sordino*, Vol. 34, No. 1, January 1996
- The Tax Lawyer*, Vol. 48, No.2
- Worth*, March 1996

The foregoing is not to be considered authoritative legal or tax advice. You are encouraged to seek the help of professional practitioners if you are audited or in need of assistance in this area.

What We Can Do

New York City Local 802 has set up a nonprofit fund to accept donations in support of the Simon case as well as any others that are likely to arise nationally in the future. They are also investigating the possibility of setting up a master database of current tax information and sources to assure uniformity of information, and to make accessible to its members consultation with a prominent tax lawyer when it is deemed appropriate. (The irony of this is that at present, musicians in New York City are protected from further IRS action because of the Simon ruling in that Circuit.) These efforts are being started with the expectation that other locals around the country will join in with New York on this project.

The importance to all musicians of continuing to defend the depreciation deduction is well articulated by Bruce Wittig: "The facts of my case are simple: If the Simons had not won their appeal, the deduction for depreciation on my instrument would have been disallowed. If this deduction had not been in place for me over the past ten years, I'm not sure that I would have been in a position to stretch my finances when that one-and-only (for me) instrument became available. The ability to take a deduction for depreciation can be a huge help to those just starting out in an orchestra. It will also pay dividends to anyone who cares about beauty of sound in American orchestras."

The IRS is clearly seeking to find other similar depreciation cases to audit in hopes of achieving a ruling in its favor in another jurisdiction. Not just antique instruments, but all musical instruments and accessories, are at risk. **YOU COULD BE NEXT!!** For possibly your own sake, as well as for those who have already been audited, please contribute as much as you can, payable to:

**THE COUNCIL FOR LIVING MUSIC
INSTRUMENT FUND
c/o Mary Landolfi
Local 802
322 W 48th Street
New York NY 10036**

Gifts to this fund are fully tax-deductible [IRC 403(c)]. The fund needs about \$50,000 to cover expenses already incurred. About \$15,000 has so far been raised. Your help is desperately needed.

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Senza Sordino Dec 96

Atlanta Strike Is Over *Holiday Concerts Will Ring In Atlanta's Symphony Season*

Just as this issue of Senza Sordino went to press, the strike in Atlanta ended. The details of the settlement will be reported in a later issue, but the events immediately preceding the settlement, as described below, are nonetheless informative. — Ed.

In an effort to salvage the *Messiah* and other popular holiday season concerts, the striking Atlanta Symphony musicians offered to return to work if management would agree to enter into binding arbitration. This announcement was made on November 26, 1996, after two days of unproductive contract negotiations with a federal mediator. Management had thus far refused to consider arbitration, in which both sides agree to be bound by an impartial arbitrator's decision, as that would "abrogate [the board's] fiduciary responsibility."

The musicians of the Atlanta Symphony went on strike on September 20, 1996, after four weeks of working without a contract. As of early December, differences still remained in the areas of salary, seniority pay, pension, and aspects of artistic decision-making. Although the monetary differences between the two sides were minor at that point, management was unwilling to budge from their position of salary increases below the cost of living for four years.

A serious point of contention was the size and effectiveness of the Atlanta Symphony's endowment. The Atlanta Symphony has its own endowment of about \$33 million, and also receives a percentage of the income from the Woodruff Arts Center endowment, in an amount equal to earnings of about 5.5% on about \$27 million of the Woodruff endowment. Management had linked all its expenses to the endowment revenue that would be required to cover

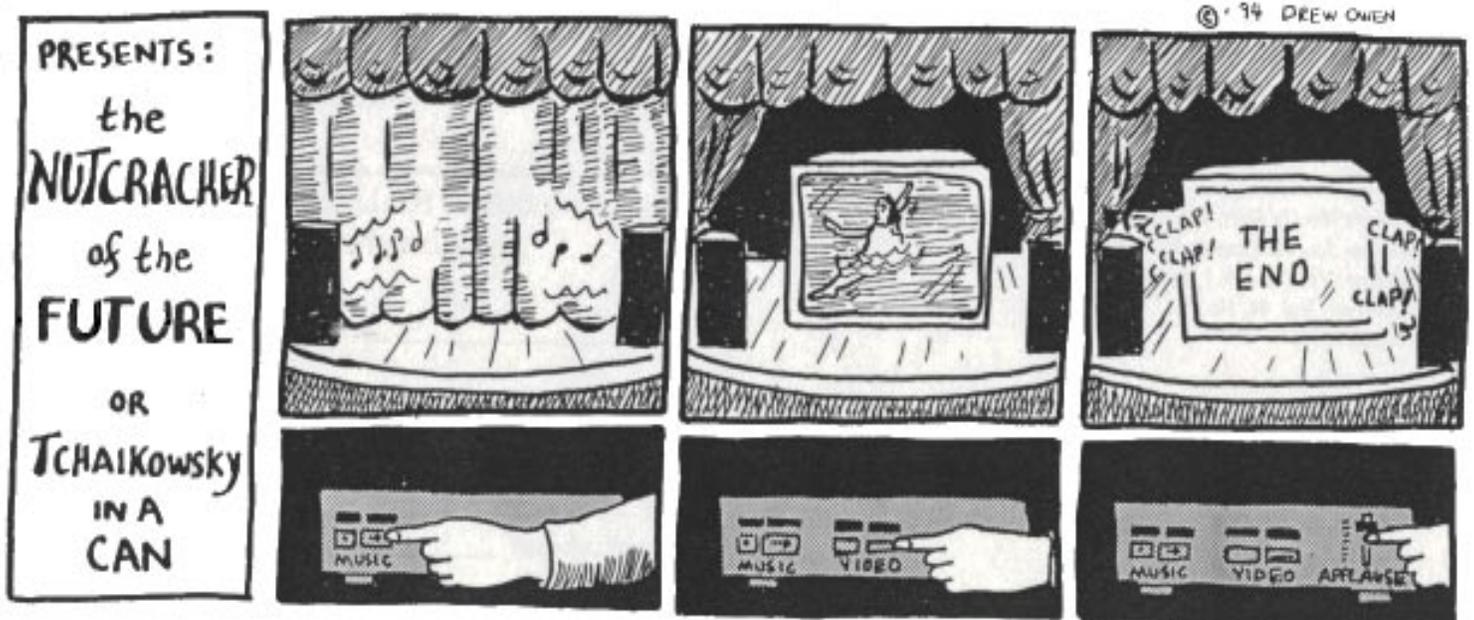
them, as if there were no other sources of funds available to meet those expenses. They claimed that to fund the musicians' proposal they would need to raise \$45 million in new endowment.

The musicians acknowledged the importance of endowment funds, but pointed out that the endowment has never been expected to carry the entire load. A modest increase in distributions from the endowment, from 5.5% to 6.0%, would do the trick. They also saw that further gains in orchestra income could reasonably be expected in ticket sales and donations.

One of the more bizarre twists in this strike was a reported "replacement orchestra." One musician reported in late November:

"Allison Vulgamore (the ASO's President) in recent days has several times made the not-so-veiled threat of a replacement orchestra. It has been in the form of her saying something like, "I must tell you that recently I've heard from certain board members, "When can we bring in the next orchestra?" " I have no doubt there may be a couple of uneducated anti-union board members that might indeed have that sentiment, but what really upsets me is that our president doesn't educate or inform those board members of the absurdity of their notions, but instead chooses to threaten us with them."

The musicians of the Atlanta Symphony have reported donations totalling over \$15,250 from other orchestras, including \$5,000 from the Philadelphia Orchestra, which was itself on strike until recently. The rock group REM also donated \$7,500 to the Atlanta musicians' strike fund.



Striking the Job, Not the Music

Philadelphians and New Yorkers Strike a Chord of Solidarity

Although the portions of an orchestra's work that the employer and the public see – rehearsals and concerts – are on hold during a strike, the artist's life goes on. Like all professionals, musicians must maintain skills and develop knowledge independent of the work they do for a specific employer. Personal practice, instrument maintenance, reedmaking, teaching, and studying scores, recordings, and professional journals continue uninterrupted. Work is halted, but art is not.

During a strike there are moments when this latent professional artistry becomes kinetic. So it was on November 10, 1996, when the New York Philharmonic joined the striking Philadelphia Orchestra in Camden, New Jersey, for an historic joint benefit concert.

It was quite a show. The New Yorkers, performing without pay on their day off, played Berlioz's *Symphonie Fantastique*. The Philadelphians played Tchaikovsky's *4th Symphony*. Neeme Järvi, Music Director of the Detroit Symphony, conducted. Two principal oboists, Richard Woodhams from Philadelphia and Joseph Robinson from New York, played starring roles as the principal organizers of the concert (Woodhams gives Robinson the nod for top billing). The surprise stars of this show, the audience, at first feared to be *in absentia*, made a dramatic last-minute entrance and filled the house. The concert was broadcast live on WFLN-FM.

Other ICSOM orchestras also participated in the concert. No, the musicians were not there, but their money was. Contributions in support of the strike concert were received from the Boston Symphony, the Chicago Symphony, the Detroit Symphony, the Los Angeles Philharmonic, the National Symphony, the New York Philharmonic, the Pittsburgh Symphony, the San Francisco Opera Orchestra, and the San Francisco Symphony. Ticket sales and gifts related to the benefit concert exceeded \$20,000, part of which was used to support the Atlanta Symphony musicians, who were also on strike. Musicians from several orchestras, including the New York Philharmonic, the National Symphony, the Baltimore Symphony, and the Delaware Symphony, had also joined the Philadelphians in chamber concerts from time to time during the strike.

Said Dick Woodhams, "Many people in Philadelphia and New York worked tirelessly to make this concert a great success in every way. Both orchestras were in top form. It was a dramatic show of solidarity in our profession." He added, "Our deepest thanks go to all the orchestra musicians who contributed their financial and moral support, our loyal friends and families in Philadelphia, and most notably, Maestro Järvi. In addition to showing guts, he once more proved himself as a musician of the highest order, eliciting on one rehearsal performances that were a musical combination of structure and spontaneity."

Maestro Neeme Järvi risked the ire of orchestra managements when he agreed to conduct the concert, but concerns for his career were finally overshadowed by the chance to make great music. His courage in risking his own future for the sake of the music brought minds and hearts back to the things that are really important, the ultimate reasons for the struggle. "It's a wonderful thing to have

these two greatest American orchestras playing together," he said. "And having a friendly time – this is the major thing, to keep the mood good."

Artistry is not gone during a strike. Sometimes it rises up out of the trenches and shines briefly upon the combatants, reminding them that the fragile artistic beauty we work to bring forth each day is indeed worth fighting for. The music is not dead, only dormant, waiting to reemerge after the battle into a friendlier climate of safety, security, and mutual appreciation and respect.

November 9, 1996

To the Members of the Philadelphia Orchestra and New York Philharmonic

From the Musicians of the Detroit Symphony Orchestra

The Musicians of the Detroit Symphony Orchestra send their greetings and best wishes to all of you. We hope that the music will soon return to the stage of the Academy of Music.

We are proud of Maestro Neeme Järvi and his contribution to your cause of great music. We know that he and each of you will show the audiences of Philadelphia the exciting music they are now missing.

We persevered through work stoppages of nine weeks in 1975 and twelve weeks in 1987 and realize the sacrifices you are making to keep recordings of the Philadelphia Orchestra among your highest priorities. Maestro Järvi, one of the world's most recorded orchestra conductors, believes strongly that recordings are an integral part of any great orchestra's mission. The thought of the Philadelphia Orchestra not chronicling its accomplishments by recording is abhorrent to all of us.

Please encourage your patrons to bring back Neeme for guest appearances with your orchestras but remember that you can't have him. He's ours!

With our hopes for a speedy settlement we remain in solidarity,

The Musicians of the Detroit Symphony Orchestra

AFM Strike Fund Benefit Increased

The AFM Strike Fund is a pool of about \$2 million that provides benefits to musicians in Strike Fund member orchestras in the event of a strike, lockout, or similar work stoppage. In an effort to maximize the effectiveness of the Fund and its positive impact on labor disputes, the Trustees of the AFM Strike Fund approved the following benefit schedule, effective October 14, 1996:

| | | |
|---------------|------------|----------------|
| Week 1: | no benefit | (unchanged) |
| Weeks 2 - 4: | \$150/wk | (unchanged) |
| Weeks 5 - 8: | \$300/wk | (new increase) |
| Weeks 9 - 15: | \$450/wk | (new increase) |
| Week 16 on: | no benefit | (unchanged) |

No benefits will be paid in excess of fifty (50%) percent of the weekly scale of the orchestra.

Current Strike Fund Trustees are Brad Buckley, David Angus, Florence Nelson, Ken Shirk, and Steve Young.

The value of the AFM Strike Fund was recently articulated by striking Atlanta Symphony musician Carl Nitchie: "The orchestra continues to be strong. The recent change in strike fund payments has been welcome news and a powerful statement from the union."

San Francisco Symphony Votes To Strike

The musicians of the San Francisco Symphony voted by an overwhelming margin to strike as of December 5, 1996.

Although the San Francisco Symphony's contract expired on November 23, 1996, the San Francisco Symphony Players Association's Negotiating Committee made the decision not to strike upon the contract's expiration. The orchestra was on a European tour at the time, the first for their new music director, Michael Tilson Thomas, and the musicians decided they did not want to disrupt the tour.

They had, however, been distributing leaflets (in the local language) to the audiences at their concerts during the tour to explain their contract problems.

Negotiations have been going on since last March with little progress. The main issues are salary, the medical plan, pension and scheduling changes that would help lessen the incidence of repetitive stress injuries in the orchestra.

Erratum

In the bassoon photo caption in the last issue of *Senza Sordino*, the person portrayed as James Martin is in real life Martin James.

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Restructuring the AFM Will Orchestras Play Along?

Any orchestra activist with an ear close to the ground is hearing the rumble of the American Federation of Musicians restructuring posse heading our way. Articles appear in every issue of the *International Musician*; major locals hold conferences on the subject, and the phone lines hum with the lobbying of AFM officers.

Could restructuring the AFM make a difference to symphonic musicians? Should we even care?

Nobody denies that the AFM has very serious problems, both short-term and long-term. The most pressing symptom of those problems is the Federation's current critical financial condition. But the AFM's lack of cash does not stem from ICSOM's membership; our members are paying their membership and work dues to their locals. Some locals are choosing not to forward what they owe to the AFM, but it's not because they're not getting the money from the symphony musicians or because they're spending too much on servicing those musicians. In most locals, a small fraction of what the local keeps in symphonic work dues is needed to service those musicians' negotiation and administration needs. Any local with an ICSOM orchestra that's collecting even the Federation-mandated minimum of 1% work dues is almost certainly collecting far more than they're spending on their symphony musicians' specific needs.

The shrinking membership base is widely perceived as the AFM's biggest underlying problem; but, even if that's the case, it's not orchestra musicians that the union is losing. In fact, some locals have been very successful in organizing orchestras; the national has organized some orchestras, such as Green Bay; and there are musicians in other orchestras (such as the New World Symphony) that want to be organized. Where the AFM's symphonic musicians and their institutions do well, the locals do well, too. Every contract advance we make benefits the local in the form of additional work dues revenue.

Symphony musicians have the same needs from their union as they always have: economic well-being and job security. But the symphonic workplace is under a new kind of attack. Orchestras have been getting an avalanche of bad press, the public perception of symphonies as successful institutions is being steadily eroded, and more and more communities are beginning to question whether they need a symphony in their town and whether it needs to pay so well. And managements, in turn, use such questioning as a new weapon in their eternal quest to reduce the "orchestra compensation" line item in their budgets.

Thirty years ago, what symphonic musicians needed from their

union was organizing and negotiating. When we didn't get it from our locals, we went out and hired it. Now, we have decent contracts in many of our orchestras. We earn a living wage; we have tenure, we have health and welfare benefits. What we don't have anymore is the assurance that our institutions are going to stay alive to provide us with what we've won at the table. What we need now is help, not just at the bargaining table, but also with our ongoing relationship with our boards and communities. The kinds of things we need now to protect our jobs are things that we can't do as orchestra committees or player conferences. The only organization that can do what needs doing at this point in our history is a real union.

What kinds of services do we need now from our union? Perhaps the question can best be answered by looking at the resources that could be, and ought to be, available to help us. An informal calculation (the only kind possible, given the current state of record-keeping in the AFM) indicates that symphonic musicians as a group pay over \$6 million a year to the AFM and its locals. The actual figure may well be considerably higher. Of that \$6+ million, perhaps \$2 million is spent on direct services by the AFM and locals to symphony musicians – around \$1 million on the AFM's Symphonic Services Division and perhaps \$1 million by the locals on negotiating and administering our collective bargaining agreements.

What could be done with the other \$4 million that we pay to our union? First of all, to provide a sense of scale, \$4 million is more than the annual budget of the American Symphony Orchestra League. Such a sum, if spent by our side on our needs, could have at least the same impact on our field as has the ASOL's budget – although of a very different kind. \$4 million a year could provide

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serious and sustained financial monitoring of our institutions that could help us spot trouble coming, rather than just get run over by it. It could provide a serious public relations effort mounted on behalf of our workplaces. It could provide a serious political presence in key political campaigns. It could provide monitoring of managers. It could provide real training of officers, shop stewards, and other AFM staff, so that we're not all learning basic unionism *after* our institutions get torpedoed, as invariably happens now. It is no exaggeration to say that \$4 million, well-spent on these kinds of efforts, could save our institutions from becoming part-time orchestras or disappearing entirely.

There is no more legitimate trade union mission than saving union members' jobs. Institutions have failed, and our colleagues put of work, because this kind of help wasn't provided by our union.

So where does that \$4 million go, if not to help us keep our jobs? We know it's not going to provide overpaid union officers with vacations in the sun; no one in the AFM is making a lot of money. The problem really *is* structural. The AFM works essentially the same way it did 100 years ago. But what worked when all music was live, when there were no multinational corporations and no labor law, radios, televisions, cars, computers, or airplanes, simply doesn't work anymore. The world is too complex, and our adversaries too large, for all but a handful of AFM locals even to begin to cope. Under the current system, local officers need to be experts on labor law, dues collectors, recruiters, desktop publishers, accountants, managers – and, in their spare time, try to provide member services. Is it any wonder that most locals are dead in the water?

The key to success in any enterprise, be it union, business, football team, or orchestra, is *focus*. Yet the structure of the AFM makes focusing on the needs of its members virtually impossible; there are too many boundaries, too much duplication of effort, too little accountability to the working musician, and far too much bureaucracy. The single biggest cost of business of the AFM, considered as a whole, is collecting dues. The second biggest is internal governance. Direct trade union services to members comes a pretty distant third. That's not because anyone in the AFM wants it that way; it's because the current structure dictates that outcome.

The fundamental premise of the AFM, which is that of smaller self-governing units of musicians under a national umbrella, could still work. But what musicians have most in common, in the waning years of the 20th century, is not where they live, but **where they work**. Symphony musicians in New York City have far more in common with symphony musicians in Omaha than they do with club-date musicians in their local; and the same is true for club-date musicians in New York City as well. We need to rethink what a "local" should be. The Federation has already recognized the concept of a non-geographic local in chartering Local 1000, the Traveling Musicians' Local. Why not Local 2000; an AFM local that is governed and funded by symphony musicians and that embraces all the symphonic musicians in the AFM? Perhaps that could, in turn, be a model for non-geographic locals for club-date musicians, which could specialize in helping them with their specific needs; or for theater musicians and for musicians traveling and working under

Pamphlet B. This one concept could return democracy, accountability, and efficiency to the AFM.

But until a new structure is put into place, symphonic musicians need immediate reform from their union. ICSOM believes that the first step the AFM needs to take is to fully implement the Roehl Report and Blue Ribbon Panel report of 1990 in three key areas.

1. The clear and explicit intent of the two reports was to formally involve the heads of the three symphonic player conferences in the governance and direction of SSD, functioning, with the President as a fourth member of the SSD Steering Committee, essentially as an SSD executive board. This simply has not happened in a meaningful way. Without a formal role in SSD budgeting and operational planning, the SSD Steering Committee is just a box on an organization chart. Too many key decisions about SSD – including the closing of the Colorado Springs office last year and the recent decision of the IEB not to allow OSP orchestras to use outside negotiating counsel – have been made without the input or even the knowledge of the SSD Steering Committee.

2. Symphonic work dues must go to fund symphonic services. The financial problems of the Federation are in no way the fault of symphony musicians, and the solutions to those problems must not come at the expense of services to those musicians. We need far more than the AFM and its locals are providing now. We know that we need to be a part of the solution to the Federation's problems and stand willing to do that, but the use of what the AFM's own annual report describes as "SSD work dues" to subsidize the rest of the AFM has got to end. Only 83 cents of every dollar of SSD work dues actually pays for direct SSD expenses – the rest leaks out into overhead and to subsidize union activities that we've already paid for with our per-capita dues.

3. Consideration of AFM restructure must include the realization of the Blue Ribbon panel's recommendation to the IEB to "intensify the investigation of trade divisions for symphony and recording musicians." The IEB committed itself to that recommendation in 1990. Since then, *nothing* has happened.

ICSOM is ready to be a part of the solution to the AFM's problems, but those solutions must address the fact that we can no longer subsidize an archaic and obsolete union structure. The bylaws of the AFM state that this century-old union is devoted to "elevating and bettering the economic status, social position, and general welfare" of its members. Our need for such help from our union has never been greater. The consequences of failing to provide such help may well prove disastrous for both symphonic musicians and the union that has been their home for 100 years.

Robert Levine
ICSOM Chair

Resurrection?

Court Rulings Rekindle Hope in Alabama and San Diego

Embers still glow, it seems, in the ashes of the bankrupt Alabama and San Diego Symphonies. Both orchestras, silenced by bankruptcy proceedings, now have an opportunity for a new beginning, thanks to the tenacity of courageous musicians who took their solidarity from the concert stage to the bargaining table to the courts. Signs are that such determination may be bringing these musicians back full-circle to the concert stage again.

San Diego

On January 27, 1997 Chief Bankruptcy Judge Louise Adler, granting a motion filed by the San Diego Symphony musicians, approved conversion of the San Diego Symphony's Chapter 7 liquidation bankruptcy to Chapter 11 reorganization. The immediate effect of this action is to stop the sale of the symphony's assets, particularly its music library and Copley Symphony Hall.

The musicians put together a financial recovery plan and suggested Thomas F. Lennon as the "responsible officer" to oversee the reorganization. Mr. Lennon was then appointed by Judge Adler to the post. The reorganization plan hinges on a \$2 million donation from San Diego businessman Larry Robinson. Robinson's contribution is intended to cover the Symphony's past debts, allowing the revived orchestra to start with a clean slate. Another important player in rebuilding the orchestra is Bank of America, which has agreed not to demand payment on a \$2.1 million note it holds on Copley Symphony Hall.

The reorganization plan, attributed mostly to the musicians, seems to be encountering no serious opposition so far. Even the former president of the symphony board, Elsie Weston, said, "I'm pleased with the judge's decision." Although the musicians have been identified as the leaders in this reorganization process, Theodore Graham, an attorney for the musicians, said, "It will be a community effort" of the musicians, donors, the new board and the old board. John L. Smaha, attorney for Robinson Family Trust, said, "The real key here is that the Robinson plan is just a catalyst. They still need many more donors. Most people didn't want to put money into something to take care of past problems. Larry took care of those, so now anyone who wants to give can now give to the future."

More advice for rebuilding comes from *San Diego Union Tribune* critic Welton Jones. "This time, the board-building must be top quality from the beginning. Whatever warned the first string away from the symphony in the past must now be ignored. This is too good a chance to do the thing right. Very soon in the reorganization process, the musicians should return to their instruments while the superboard finds the necessary professional management and restores the proper artist-administration balance. The musicians should crash into an overture, sharing their early victories, humanizing themselves, celebrating our new opportunities, inviting everybody aboard and kick-starting the emotional response that's so much a part of music anyhow. . . We've found our heroes. Now we need leaders."

Alabama

On October 3, 1996, the Birmingham Musicians' Protective Association, Local 256-733 of Birmingham, Alabama, won its appeal of the 1993 U.S. Bankruptcy Court decision that allowed the Alabama Symphony Association to reject its collective bargaining agreement with Local 256-733. The importance of this case to all orchestras is articulated by the local's Secretary-Treasurer Michael Bradt, "We thought this precedent-setting decision could have national ramifications if other managements threaten bankruptcy because the musicians didn't meet their demands."

The trouble in Alabama surfaced in 1992, when the Alabama Symphony sought to restructure its debt of about \$1.7 million with its lenders. The restructure was granted, but at the cost of a balanced budget requirement and other restrictive conditions placed on the symphony by the lenders. As a result, the symphony management began to seek mid-contract concessions from the musicians in salary, benefits, season length and orchestra size. When the musicians refused to vote on the proposed cuts, the management withheld musicians' paychecks due on September 15, 1992.

Payments to the musicians were resumed after the musicians filed a charge with the NLRB, but in January 1993, management offered another cuts proposal. This time the musicians took a vote and rejected the proposal. Management said in effect, "Keep voting until you get it right," but the musicians refused to reconsider their vote. The next day, January 19, 1993, the Symphony filed a Chapter 11 bankruptcy petition. On May 17, 1993, the Bankruptcy Court found that the Symphony was entitled to reject their collective bargaining agreement, and on November 19, 1993 entered an order converting the Chapter 11 bankruptcy to Chapter 7.

In her recent decision on the musicians' appeal, U.S. District Judge Sharon Blackburn ruled that "allowing a rejection of the CBA is improper when the debtor has unilaterally ceased performing its obligations under the CBA prior to seeking court permission to modify or reject the CBA. The court notes that in the present case, the debtor apparently failed to perform in full its obligations under the CBA even prior to filing under Chapter 11 on January 19, 1993, as evidenced by its failure to pay the musicians the full amount of wages due on January 15, 1993." As a result of the successful appeal, the musicians of the old Alabama Symphony will receive back pay for the last two weeks of the 1992-93 season.

A new corporation has been formed to operate a new orchestra in Birmingham, and negotiations are now in progress for a proposed 1997-98 season. The new orchestra has already garnered \$10 million in pledges for a new endowment, which indicates a positive new way of thinking and bodes well for the orchestra's long-term success.

Because of the long battle in court that was necessary to achieve this reversal, Local 256-733 is deeply in debt. Contributions may be sent to the Alabama Symphony Musicians Legal Defense Fund, 715 6th St. SW, Birmingham AL 35211-1640.

1996-97 Wage Chart of ICSOM Orchestras
compiled by Stephanie Tretick

| Orchestra | Weeks 96-97 | Annual Minimum Salary | Seniority: 40-yr Cap if no max | EMG | Pension: 40-yr Cap if no max | Pension Type | Pension Based on pers/min | Average Services Weekly | Vacation Weeks |
|------------------|------------------------------|-----------------------------|--------------------------------------|--------|------------------------------------|-----------------|---------------------------------|-------------------------------|-------------------|
| Atlanta | 52 | 44,310 | 45,990 | 2310 | 25,000 | AFM-EP | m | 8 | 8 |
| Baltimore | 52 | 56,420 | 60,580 | none | 19,500 | | | 8 | 8 |
| Boston | 52 | 77,480 | 81,900 | none | 43,000 | | | 8 | 10 |
| Buffalo | 34 | 25,694 | 26,884 | 1506 | 3% | AFM-EP | m+EMG | 8 | none |
| Chicago Lyric | 24 | 35,400 | 36,816 | none | 9% | AFM-EP | p | 7-8 | 15% of base |
| Chicago | 52 | 78,520 | 86,073 | none | 48,000 | | | 7.5 | 8 |
| Cincinnati | 52 | 65,130 | 67,210 | 2860 | 22,000+3.5%/bs | AFM-EP | m | 8 | 9 |
| Cleveland | 52 | 75,918 | 84,238 | none | 36,000 | | | 8 | 9 |
| Colorado | 41 | 28,577 | 30,217 | 4100 | 7% | AFM-EP/DCP | p | 8 | 4 |
| Columbus | 46 | 41,256 | 42,176 | none | 7.50% | DCP | p | 8 | 4 |
| Dallas | 52 | 55,770 | 57,850 | 6760 | 23,040 | | | 8 | 9 |
| Detroit | 52 | 71,900 | 73,980 | 2000 | 24,000 | | | 8 | 9 |
| Florida Orch | 34 | 23,290 | 24,650 | 170 | 3% | AFM-EP | p | 8 | 2 |
| Florida Phil | 41 | 32,000 | 33,025 | none | 8% | AFM-EP | m | 8 | 3 |
| Grant Park | Not available | | | | | | | | |
| Honolulu | 24 | 17,177 | 17,837 | none | 5% | AFM-EP | p | 8 | none |
| Houston | 53 | 62,820 | 64,145 | 4505 | 25,000 | | | 8 | 9 |
| Indianapolis | 52 | 52,520 | 55,640 | none | 28,800 | | | 8 | 8.5 |
| Kennedy Center | 21 | 27,874 | 29,974 | none | 7% | AFM-EP | p | 4.125% of personal scale | |
| Los Angeles | 52 | 77,480 | 81,640 | 2000 | 5% | AFM-EP | m | 8 | 9 |
| Louisville | Not available | | | | | | | | |
| Met Opera | 52 | 87,750 | 87,750 | none | 60% | | p | 4+rehs | 10 |
| Milwaukee | 44 | 46,244 | 47,636 | none | 6% | AFM-EP | p | 8 | 6 |
| Minnesota | 52 | 67,860 | 69,420 | 2860 | 30,000 | | | 8 | 8.5 |
| National | 52 | 70,113 | 81,384 | none | 35000 | | | 8 | 8 |
| New Jersey | 32 | 26,400 | 27,200 | 800 | 8.50% | AFM-EP | m | 7 | 2 |
| North Carolina | 40 | 30,800 | 31,760 | none | 8% | 403(b) | m | 8 | 4 |
| New York Phil | 52 | 78,520 | 84,144 | none | 43,000 | | | 8 | 9 |
| NYC Ballet | 30 | 40,160 | 42,785 | none | 12%/gross | AFM-EP | p | 6 perf | 4 |
| NYC Opera | 29 | 31,610 | 33,930 | none | 10% | AFM-EP | p | 5 | 4 |
| Oregon | 43 | 33,523 | 33,523 | none | 8.5% | AFM-EP | p | 7 | 2.5 |
| Philadelphia | 52 | 78,000 | 83,720 | none | 43,500 | | | 8 | 10 |
| Phoenix | 35 | 21,700 | 23,100 | none | 3% | 403(b) | m | 8 | 2 |
| Pittsburgh | 52 | 63,960 | 67,080 | none | 35,000 | | | 8 | 10 |
| Rochester | 40 | 30,400 | 31,360 | none | 2% | DCP | m | 8 | 3 |
| Saint Louis | 52 | 63,440 | 67,340 | none | 28,000 | | | 8 | 9 |
| Saint Paul Chmbr | 38 | 48,799 | 50,099 | 1200 | '93 \$ amount | 403(b) | p | 8 | 3 |
| San Antonio | 39 | 27,300 | 28,860 | none | 6% | AFM-EP | p | 7 | 3 |
| San Diego | In Chapter 11 reorganization | | | | | | | | |
| SF Ballet | 21 | 24,203 | 25,441 | 1069 | 10% | AFM-EP | p | 6.5 | 12% of base |
| SF Opera | 29 | 49,370 | 50,170 | 1720.2 | 8.50% | AFM-EP | p | 6+rehs | 4 |
| SF Symphony | Not available | | | | | | | | |
| Syracuse | 37 | 22,355 | 22,955 | none | 0.004 | private | p | 7.5 | 4 |
| Utah | 52 | 38,532 | 40,092 | none | 8% | AFM-EP/403(b) | m | 8 | 9 |

1996-97 Wage Chart of ICSOM Orchestras (cont.)
compiled by Stephanie Tretick

| Orchestra | Relief Weeks | Notes |
|------------------|---|--|
| Atlanta | 8 services for strings, 2nd wind/brass | Salary reflects 10-week work stoppage. AFM-EP will be instituted in 97-98. |
| Baltimore | 16 services | |
| Boston | 1 of the 10 vacation weeks | |
| Buffalo | none | Overtime not included in salary. Radio: 8.5% of scale X 39 wks in 1996-97. |
| Chicago Lyric | 1 opera relief, prin & asst.prin | |
| Chicago | 2, plus 1 subscription & 2 summer programs | |
| Cincinnati | 16 services for strings | |
| Cleveland | none | |
| Colorado | 7 personal services | |
| Columbus | 6 services personal leave | Add'l relief: 2svc/yr/5yrs sen., up to 8 svc/yr. EMG includes radio. |
| Dallas | 12 string services | |
| Detroit | 8 services for strings & 2nd winds | |
| Florida Orch | none | Annual "in residence adjustment" of \$800 is in addition to salary. |
| Florida Phil | 12 svcs for strings, prin & 2nd winds & 2nd brass | |
| Grant Park | | |
| Honolulu | none | Salary includes both Symphony and Opera employment |
| Houston | none | |
| Indianapolis | 8 svcs stg/1&2ww/prin brss/2nd hn,tpt/timp | |
| Kennedy Center | none | Season under 2 contracts: opera and ballet/musical. |
| Los Angeles | + 1 week strings, 2nd winds | |
| Louisville | | |
| Met Opera | 1 of the 10 vacation weeks | Salary includes avg reh pay. Add'l Radio agreement: 21 broadcasts @ \$239.48. |
| Milwaukee | 8 services | |
| Minnesota | 6 maximum (on seniority) + 7 strings | |
| National | 1 week + 1 week for strings | + 2wks Supp. Unemployment Ben = \$1700. Salary + 4 optional summer weeks = \$33,880. |
| New Jersey | none | |
| North Carolina | 4 services personal leave | |
| New York Phil | 1 of the 9 vacation weeks | All players currently receive \$20/wk overscale. |
| NYC Ballet | none | |
| NYC Opera | none | |
| Oregon | none | |
| Philadelphia | 1 of the 10 vacation weeks + 4 personal days & 2 days at Saratoga | |
| Phoenix | none | |
| Pittsburgh | 11th deferred service week possible | Figures are tentative based upon outcome of current negotiations. 2 extra wks vac possible by volunteer work in Comm. Partnrshp Prog. |
| Rochester | none | |
| Saint Louis | 1 of the 9 vacation weeks | |
| Saint Paul Chmbr | 95-97: 1 relief week for all | '94-97 wages will reflect COLA, which cannot be computed in advance. |
| San Antonio | none | |
| San Diego | | |
| SF Ballet | none | Yearly contract guarantee = 105 perfs. + 102 reh. |
| SF Opera | 1 opera every other season for strings | |
| SF Symphony | | |
| Syracuse | none | |
| Utah | none | |

Atlanta Strike Holds Downsizeers At Bay

The musicians of the Atlanta Symphony returned to work on December 4, 1996, after a bitter ten-week strike, the longest in the orchestra's history. The musicians and management agreed to a four year contract, the major features of which include:

- ♪ an 8% salary increase over four years
- ♪ instituting the AFM-EPF as the orchestra pension, beginning in the fall of 1997
- ♪ a Community Outreach program, offering relief services in exchange for outreach services
- ♪ a 10-month trial period of revolving strings
- ♪ a formal review procedure for artistic leadership
- ♪ review committees for seating changes and tenure decisions.
- ♪ no reduction in orchestra size or length of season

The first salvo in the 1996 negotiations was fired on January 31, 1996, when six probationary symphony musicians were informed that they would not be granted tenure purely for financial, not musical, reasons. This move happened with no advance warning to the musicians, the community, or even to most of the board. The reason given for the dismissal of the six players was to save the \$400,000 annual cost of these musicians. Although the symphony had an accumulated deficit of about three million dollars, it had finished the previous season in the black and there had been no public announcement of financial distress.

The result of this action was immediate outrage from the orchestra, community, and many board members, especially among those members of the board who had worked to elevate the symphony from a community orchestra to a nationally recognized ensemble over the previous 25 years.

At this point the community stepped in. An anonymous donor offered two million dollars in deficit reduction money, with an additional \$2 million to be given if the orchestra could raise \$5 million in new money for its endowment by September 1996. Most of those matching funds were raised in just a few months, and the goal was reached in August, a month ahead of schedule. A group of concerned citizens organized themselves under the name of the Community Supporters of the Atlanta Symphony Orchestra (CSASO), and were very supportive of the musicians' goals. On May 15, 1996, the symphony board recanted and announced that the six players would indeed be granted tenure. But the damage to the atmosphere of the contract negotiations had been done.

The negotiations had already gotten off to a bad start on March 12, when management offered its first proposal to the orchestra. The symphony season would be cut by four weeks; probation would be extended to FIVE years; and management would no longer commit to maintaining an orchestra of 95 musicians. In addition, there would be no increase in weekly salary over the three years of the proposed contract which, in combination with the cut of four weeks, would amount to an 8% pay cut. When the management showed no movement after several weeks of talks, the musicians broke off negotiations, saying they would return to the table in Sep-

tember at the expiration of the agreement when, hopefully, there could be meaningful dialogue.

In the meantime, the musicians began what would be a long and effective public relations blitz. Leaflets were handed out at all concerts. Several letters were written to board members and financial supporters of the orchestra. The political committee made contact with the major politicians in the city. During this time the musicians continued to receive enormous support, and received worldwide exposure when they performed at the opening ceremonies of the Olympic games and in the concurrent Olympic Arts Festival.

In late August, negotiations resumed. The board had raised \$15 million dollars in donations over the course of the previous season and had erased the accumulated deficit. The management was no longer insisting on reducing the length of the season, and had reduced its tenure proposal to three years (still unacceptable), but would not commit to a minimum orchestra complement, and was still insisting on a three-year wage freeze. Instead of salary increases, the management proposed a wage reopener, or what they termed "revenue sharing." Under this plan any future pay raises would be indexed to ticket sales.

The musicians agreed to open the season playing and talking, but by September 6, when no further movement was forthcoming in the management proposal, the orchestra voted nearly unanimously to authorize the negotiating committee to call a strike at any time. The committee continued to try to resolve the dispute at the negotiating table but on September 21, when it became clear that no additional progress was being made, the negotiating committee voted to strike. The musicians agreed, however, to play the remaining concerts that weekend as a gesture to the audience. This proved to be a very popular decision with the public, and gave the musicians an opportunity to visit with audience members prior to those concerts to discuss issues and answer questions. On September 23 the actual walkout began, and picket signs went up at Symphony Hall for the first time in 13 years.

The musicians were well prepared for a strike. A "unity fund" of nearly \$70,000 had been assembled, strike committees had been active since the previous spring, and a working relationship with the press was already set up. In addition the Community Supporters had been in action for many months. In September over a hundred supporters and advocates attended the annual meeting of the Atlanta Symphony League, trying to get some answers and, if possible, change some of the makeup of the board. The chairman of the board made it very clear that there would be no open debate of symphony business, and ignored any motions for change.

Meanwhile the strike continued. Attempts were made to find an agreement before a major recording session, and then before the Symphony Ball, a major fund raiser, but to no avail. As the Christmas holiday season approached, a time when the orchestra normally plays more than 25 holiday concerts, it was clear that both sides were becoming increasingly nervous about the prospects for the entire season.

On November 26, the musicians offered to return to work immediately on the sole condition that both sides agree to submit to binding final offer arbitration, where a neutral arbitrator would

The San Francisco Symphony Strike

Olive Branch On Tour Answered With Bitter Herbs At Home

After tabling their labor concerns in order to complete their European tour, the San Francisco Symphony musicians voted to strike on December 6, 1996. Their contract had expired on November 23, while the orchestra was on tour. *The Sounding Board*, Vol. 1 No. 3, newsletter of the Musicians of the San Francisco Symphony, describes the reasons for the strike and lists these three pivotal issues:

♪ “The first major issue is a management demand that we give up our current health plan and change to an inferior one that offers lesser benefits and greater costs to the musicians.

♪ “Second, we are seeking to revise an overloaded schedule that we feel is the cause of an unusually high injury rate among our players. In the past ten years 28% of our musicians and 42%

(Atlanta Strike: continued from page 6)

examine the final proposals of both sides and determine which one was more reasonable. The board rejected final arbitration, but the offer prompted a flurry of behind-the-scenes activity. On December 2, both sides agreed to meet, without lawyers, until an agreement could be reached. Late that night the negotiating committee agreed to take an offer to the orchestra for consideration. The following day the offer was ratified by the musicians.

While the economic package is far from what the musicians consider reasonable, we had made strides in many other areas, and it was felt strongly that there would be little more significant movement by the management for a long time, putting the season, and perhaps even the orchestra, in jeopardy. It was clear to us that the objective of the board was to stand fast in all areas, whether or not there was economic justification for such a position. This regressive bargaining position was particularly ironic in view of the Long Range Plan, so recently adopted, which committed the board to maintaining the orchestra’s artistic level in the short term and in the long term seeking higher aspirations.

Remarkably, in the 10 weeks of the strike, there were almost no hard-luck stories among the musicians. This was due to the increase in AFM Strike Fund benefits and to the musicians’ personal financial preparation, which began many months before the strike actually occurred. Members of the orchestra would like to thank the orchestras of Chicago, Los Angeles, St. Paul, National, Minnesota, Indianapolis, Milwaukee, Baltimore, Pittsburgh, Philadelphia, Cleveland, Seattle, Boston, San Francisco, Savannah, and also members of the rock group REM, who all sent money and letters of support to the Atlanta musicians. In addition, musicians from Philadelphia, Pittsburgh, Cleveland, Montreal, and Savannah traveled to Atlanta to perform a brass gala in early December. We are also grateful to our counsel, Phil Sipser, for his advice and experience. The members of the Atlanta negotiating committee were Doug Sommer, Paul Murphy, Michael Moore, Carolyn Hancock, Carl Nitchie, Christopher Rex, Stephen Wilson, and Mark Yancich, but the strike was a tremendous cooperative effort of the entire orchestra.

Carl Nitchie

of our string players have suffered orthopedic injuries, with several careers jeopardized or ended as a result.

♪ “Third, we are seeking parity with other major American orchestras on economic issues such as pension, salary and seniority pay.

“We decided not to call a strike when our contract expired during our recent European tour in a good faith effort to work together in partnership with our management. When we returned to San Francisco and were faced with management’s unwillingness to address our issues, we felt we had no choice but to strike.

“The management claims that they want to nourish a ‘world class’ orchestra, but though they have money for exceptionally high administrative salaries and touring costs, they are unwilling to pay the benefits and salaries that would make their musicians comparable to others in this class. As former Philadelphia Orchestra Music Director Riccardo Muti stated in his letter of support during their recent strike, ‘. . . the orchestra is its musicians.’ ”

The musicians rejected a new management proposal on January 28. At that time, both sides agreed that the issues of health care, salaries and pensions had been resolved, but that disagreements remained over scheduling of performances (including Sunday matinees), rehearsals and touring. Then, on February 10, 1997, after management slightly sweetened their January proposal, the musicians voted 54-41 to approve the terms of a new contract.

The new three-year contract includes pay raises of about 3.6 percent a year, from an average of \$1,430 per week in the first year to an average of \$1,590 per week in the third year. Pension benefits were increased to \$42,000. Symphony management won a concession on one of its main demands, changing the schedule to permit two additional Sunday concerts beginning in 1998-99.

“This is not the contract we had hoped for,” said Francis Jeffrey, musicians’ spokesperson. “The orchestra still feels that the issue of scheduling was not something we were able to address in this contract, but the orchestra felt it was time to go back to work. The current contract is similar to a proposal the orchestra rejected two weeks ago. The only changes are a new provision to aid early retirement and a small scale-back of the number of Sunday performances management wanted.”

Joshua Kosman, critic for the *San Francisco Chronicle*, made this observation concerning the cause of the strike and the prospects for healing the Symphony’s wounds. “What really caused the strike – and what will cause another one three years from now if it isn’t addressed immediately – is the atmosphere of distrust and lack of communication that has grown between the musicians and management, particularly Executive Director Peter Pastreich. . . . What the musicians really want would have been easier to provide than what they were ostensibly asking for. Pastreich made a lot of bold statements about the importance of safeguarding the fiscal future of the institution, but money wasn’t really the issue here. The musicians want to be included as partners in the enterprise, to collaborate rather than be dictated to; and a gesture in that direction would have cost the Symphony relatively little.”

The Chicago Symphony Orchestra Alumni Association: Its Origin and Growth

by Phil Kauffmann

On the twenty-first of September 1991, as part of the centennial celebration of the Chicago Symphony Orchestra, many retired and former members of the orchestra met in the ballroom of Orchestra Hall to rub shoulders with former colleagues and reminisce about their years in the CSO. It was a beautiful reception, overflowing with drink and wonderfully delicious food, and it celebrated the official establishment of the Chicago Symphony Orchestra Alumni Association.

The occasion was the realization of a dream for retired CSO violist Isadore (Izzy) Zverow. Izzy had long envisioned an organization that would bring together, during the centennial season, not only all the retirees but every living former member of the CSO – all of those who no longer participated in the orchestra’s activities but who still took pride in having made their contribution to the Orchestra’s position as a world-class organization and who still thought of themselves as part of the CSO family. Izzy recruited a few retired members who had served with him on the CSO Members Committee and who had experience in organizational work to explore forming an association of retirees and former members.

Henry Fogel, the executive director of the orchestra, enthusiastically embraced the notion of an association of retirees as the living history of the orchestra, and he promised to aid the steering committee in any way he could. Fogel accorded the committee the facilities of the centennial office and the services of Evelyn Meine, then associate director of centennial activities and a long-time employee of the Orchestral Association.

A mailing was sent to potential members to ascertain their interest for such an organization, and the response was overwhelmingly favorable. The consensus was that an alumni association would be enthusiastically supported, that a reunion was in order, and that the organization should include spouses.

Unfortunately, Izzy Zverow became very ill early in the summer of 1991 and was unable to continue as pro tem chair of the steering committee, so I volunteered to fill in for Izzy while he was recuperating. The committee was also greatly aided by Sam Denov, a former CSO percussionist who had moved to California after retiring but who had recently returned to Chicago. Even while in California, Sam had offered to publish CSOAA newsletters on his computer. Not long after Sam returned, Izzy chose to relinquish his chairmanship due to reasons of health, and the steering committee chose Denov to succeed him.

The first reunion was planned for the 21st of September. There would be the ballroom buffet in the afternoon, the orchestra would give a concert that evening in Grant Park, to which the Orchestral Association had invited the retirees as special guests, and there would be a post-concert gathering back at Orchestra Hall, to which the CSOAA steering committee had invited the CSO musicians.

But plans were jeopardized by the breakdown of contract negotiations between CSO musicians and the Orchestral Association. The orchestra went on strike immediately following our

afternoon reception. Plans called for the orchestra to play the free public concert in the evening as a gesture of good will, but to then march from Grant Park to Orchestra Hall with picket signs. It would have been awkward, to say the least, for us to gather again in the site being picketed by our colleagues. Chicago Federation of Musicians president Charles Guse came to the rescue, arranging for the retirees, the members of the orchestra, and CSO music director Daniel Barenboim to be bussed to a post-concert (and post-picketing) reception in the union hall. It turned out to be a grand finale to a great day.

Since that time, we have increased our numbers by making current members of the CSO and qualifying substitutes eligible for membership. We now have 130 members, all of whom are entitled to the benefits of membership by paying the modest dues of \$15 and on presentation of their patron number card issued to them by the Orchestral Association.

Our **reunions** are now held every eighteen months, and we have had four of them so far. In 1995 we began presenting a deserving former CSO member with the Golden Note Award. The first went to Bill Fantozzi, who was approaching his 100th birthday at the time, and at the most recent gathering in October of 1996 the award went to Milton Preves, former CSO principal violist who was a CSO member for 50 years. (See photo next page.)

We stay in touch with the membership through our lively **newsletters**, published quarterly. This has proven invaluable in bringing news of the whereabouts and activities of our members to their former colleagues long out of touch with them. The news-

The ICSOM Emeritus Program

Are you retiring from your orchestra soon and already dreading ICSOM withdrawal? Fear not! ICSOM remembers and honors our elders with the ICSOM Emeritus Program. Abe Torchinsky, retired tubist of the Philadelphia Orchestra, is director of the program, and has these encouraging words for those retired or about to be:

“Eligibility is quite simple. One has to be at least 60 years old, have spent a minimum of 10 years in any combination of ICSOM orchestras, and be retired and no longer playing in any ICSOM group. The Emeritus member may teach, play chamber music, and otherwise perform with any group that isn’t ICSOM related. The benefits are quite simple also. Emeritus members have their names listed under their orchestra in a section in the back of the ICSOM Directory reserved for the Emeritus members, and they receive the ICSOM Directory if they request it. They also receive *Senza Sordino*.”

If you are interested in becoming an Emeritus member, Abe would be glad to hear from you. His addresses and phone are on the back of this and every issue of *Senza Sordino*.

letter also provides a forum for members to provide their views on a range of topics.

The CSOAA is a social organization, and we have decided that taking militant advocacy positions is not the way to go. We do not want an adversarial relationship with the Orchestral Association. In fact, we now enjoy the warm embrace of a management which accepts us as the senior members of the CSO family. Management, and especially Henry Fogel, generously provided the help and support we needed to get us on our way and continues to do so. The Association provides the ballroom for our reunions at no charge and has helped to pay for the catered food and drink, and also provides **two tickets for CSO concerts at half price** to members (for their use only), either by subscription or single-ticket sales. All members receive **discounts** at the Symphony Store, adjacent to Orchestra Hall, and receive special prices during periodic special



Milton Preves (second from L), Principal Violist from 1939 to 1986, was the recipient of the Golden Note Award at the 4th Reunion of the Chicago Symphony Orchestra Alumni Association. Presenting the award are four fellow alumni of the viola section (L to R): William Schoen, (1964-1996), Phillip Kauffmann (1927-1928 and 1964-1984), Isadore Zverow (1945-1988), and Donald Evans (1948-1988).

The Lessons of the Past

A Veteran's Wisdom Illuminates San Francisco Strike

Chris Bogios, trumpeter with the San Francisco Symphony for 34 years, has witnessed big changes in the organization during his long tenure. "This is an orchestra with tremendous pride in itself," he says with passion. "We are now one of the premier ensembles in the world, no question about it!" On the recent European tour Chris had an experience in a pub in Manchester that really confirmed his feelings. It was after the orchestra's concert, and Chris went to a nearby pub to unwind with the locals and have a few pints. Standing at the bar, he got into a conversation with the man next to him, who couldn't stop raving about the concert. "This type of audience enthusiasm doesn't come from the marketing department – only musicians playing their hearts out and creating excitement on stage can generate a response like that."

When Chris joined in 1961 as a young man of 25, the SFS was considered a middle-level orchestra. Musicians played part of the year in the Opera and the remainder in the Symphony, and many members were out of work three months of the year. His teacher, Charles Bubb, Jr., Principal Trumpeter under Music Director Pierre Monteux, retired a year after Chris came in and received no pension whatsoever from the Symphony.

sales of CSO CDs by the Association. (Tower Records, which has four stores in and around Chicago, also offers CSOAA members substantial discounts on all classical CDs and recordings.)

We have become a part of the Archives Office of the Chicago Symphony Orchestra, of which Brenda Nelson-Strauss is the director and our liaison with The Orchestral Association. This is the natural home of the CSO Alumni Association, but with a difference: while the Archives Office preserves the orchestra's history of the past, the CSO Alumni Association is its living history.

Of course, we are nonetheless inextricably linked to the CSO Members Committee, which since its inception has been the most ardent and unrelenting advocate for retired orchestra members. Through the Members Committee's persistent efforts, for which we are grateful, the present retirees and their spouses have enjoyed significant gains in income which would otherwise not have been forthcoming. We would like to think that the Orchestral Association's recognition of the CSOAA, of our members' contributions to the renown of the orchestra, and of retirees as an important and enduring part of the CSO family has been helpful in the committee's negotiation of recent pension increases.

Now that we are an almost self-supporting member of the CSO family, we hope our experience in organizing the CSO Alumni Association, which has proven a boon for our retirees, will inspire other orchestras' retirees to emulate what we have achieved in Chicago. Our successful reunions and our communication with our membership help to preserve for the retirees and alumni their identity as an integral part of the great Chicago Symphony Orchestra.

Phil Kauffman was a violist in the Chicago Symphony for 24 years and currently serves on the steering committee of the CSOAA. CSO ICSOM delegate Bill Buchman and CSO violinist Tom Hall assisted in the preparation of this article.

Situations such as this made Chris determined to work for improvements, and he became active in the negotiating committees. His commitment to bettering the work life of Symphony musicians led to gradual improvements in all areas of symphonic life, from scheduling to touring to salaries. He is especially proud of having worked on the pension plan and pushed hard for the current system whereby a portion of revenue from our Wednesday morning open rehearsals goes to benefit all past retirees, with compensation depending on the size of their individual pensions. He knows from discussions with his former teacher, now in his 80's, how much this means to the older musicians.

Having served on all the negotiating committees but three in the past thirty-four years, Chris has a good perspective on the current struggle. He is distressed by the disparity in the appreciation the Symphony receives from the concert-going public and the lack of respect from management. "While the orchestra was financially in the black for twelve years, we still had to fight for every issue in wrenching negotiations, as if management wanted to keep us down at a second-tier level," he said. "San Francisco is really Major League now, in music, art and sports – so why are we treated like the old Pacific Coast Baseball League?"

This story is excerpted from "CHRIS BOGIOS, His Trumpet Shall Sound," in the Sounding Board, Vol. 1, No. 3.

The International Conference of Symphony and Opera Musicians (ICSOM)

Statement of Revenues and Expenses

For the Fiscal Year June 1, 1995 to May 31, 1996

| | GENERAL FUND | EMERGENCY RELIEF FUND | ICSOM MEMORIAL AWARDS | TOTAL OF ALL FUNDS |
|----------------------------------|-----------------|-----------------------------|-----------------------------|-----------------------|
| Revenues | | | | |
| Dues 95-96 | 110,828.00 | | | 110,828.00 |
| Dues 94-95 | 16,194.00 | | | 16,194.00 |
| Interest Income | 3,007.24 | 9,225.59 | 765.35 | 12,998.18 |
| Book Royalties | 2,643.87 | | | 2,643.87 |
| Refunds & Reimbursements | 2,557.00 | | | 2,557.00 |
| Transfers from Other Funds | | | 3,500.00 | 3,500.00 |
| Total Revenues | 135,230.11 | 9,225.59 | 4,265.35 | 148,721.05 |
| Expenses | | | | |
| Legal Expenses | 31,485.00 | | | 31,485.00 |
| ICSOM Conference Expenses | 28,465.96 | | | 28,465.96 |
| Media Negotiating Committee | 10,348.49 | | | 10,348.49 |
| Senza Sordino | 9,036.14 | | | 9,036.14 |
| Honoraria | 8,400.00 | | | 8,400.00 |
| Directories | 7,244.72 | | | 7,244.72 |
| Scholarship Award | 2,500.00 | | | 2,500.00 |
| Income Replacement | 2,154.37 | | | 2,154.37 |
| AFM Convention | 7,008.18 | | | 7,008.18 |
| OCSM, ROPA Conferences | 1,553.41 | | | 1,553.41 |
| Conductor Evaluations | 910.00 | | | 910.00 |
| Book Expenses | 575.90 | | | 575.90 |
| Telephone | 6,680.60 | | | 6,680.60 |
| Travel | 4,937.95 | | | 4,937.95 |
| Office Equipment | 4,429.41 | | | 4,429.41 |
| Postage | 1,352.74 | | | 1,352.74 |
| Duplication | 1,294.51 | | | 1,294.51 |
| Accounting Expenses | 1,000.00 | | | 1,000.00 |
| Email | 898.30 | | | 898.30 |
| Stationery & Supplies | 704.23 | | | 704.23 |
| Subscriptions | 442.60 | | | 442.60 |
| Bank Charges | 60.00 | | | 60.00 |
| Transfers to Other Funds | 3,500.00 | | 2,500.00 | 6,000.00 |
| Total Expenses and Transfers | 134,982.51 | 0.00 | 2,500.00 | 137,482.51 |
| Excess of Revenues over Expenses | 247.60 | 9,225.59 | 1,765.35 | 11,238.54 |
| Changes In Fund Balances | | | | |
| Fund Balances, beginning of year | 95,359.83 | 165,293.95 | 10,533.18 | 271,186.96 |
| Income | 135,230.11 | 9,225.59 | 4,265.35 | 148,721.05 |
| Less Expenses | (134,982.51) | 0.00 | (2,500.00) | (137,482.51) |
| Fund Balances, end of year | 95,607.43 | 174,519.54 | 12,298.53 | 282,425.50 |

The International Conference of Symphony and Opera Musicians (ICSOM)

Balance Sheet

For the Fiscal Year June 1, 1995 to May 31, 1996

| | GENERAL FUND | EMERGENCY RELIEF FUND | ICSOM MEMORIAL AWARDS | TOTAL OF ALL FUNDS |
|--|------------------|-----------------------------|-----------------------------|-----------------------|
| Assets | | | | |
| Cash – checking | 73,684.05 | | | 73,684.05 |
| Investments | | 172,019.54 | 12,298.53 | 184,316.07 |
| Prepaid Expenses | 6,106.38 | | | 6,106.38 |
| Dues Receivable | 15,817.00 | | | 15,817.00 |
| Loans Receivable | | 2,500.00 | | 2,500.00 |
| Total Assets | 95,607.43 | 174,519.54 | 12,298.53 | 282,425.50 |
| Liabilities & Fund Balances | | | | |
| Total Liabilities | 0.00 | 0.00 | 0.00 | 0.00 |
| Fund Balance | 95,607.43 | 174,519.54 | 12,298.53 | 282,425.50 |
| Total Liabilities & Fund Balances | 95,607.43 | 174,519.54 | 12,298.53 | 282,425.50 |

Notes to the Financial Statements

1. ICSOM is a conference of the American Federation of Musicians (AFL-CIO), and as such operates as a labor organization under section 501(c)(5) of the Internal Revenue Code. The primary activities of ICSOM, reflected in the General Fund, are providing legal and technical assistance to musicians and players' committees of member orchestras; exchanging information with orchestra musicians by means of the annual ICSOM Conference, the ICSOM Directory, the ICSOM newsletter (*Senza Sordino*), the ICSOM on-line services (*Orchestra-L*, *DOS Orchestra*, and the ICSOM Website), and other publications; representing ICSOM orchestras and addressing their concerns at the annual AFM Convention, at the other AFM player conferences, and at negotiations for national labor agreements affecting ICSOM member orchestras; and administering a nationwide Conductor Evaluation Program.

2. The ICSOM Emergency Relief Fund provides loans to member orchestras requesting financial aid during work stoppages or other emergencies, under conditions set forth in the ICSOM bylaws.

3. The ICSOM Memorial Awards Fund was established in honor of Ralph Mendelson, a founder of ICSOM. This fund makes scholarship awards annually to minority students.

4. "Book Royalties" are the royalties received by ICSOM from the sale of *The Musician's Survival Manual*, by Richard Norris, M.D., published by MMB Music, Inc. "Book Expenses" are royalty payments made by ICSOM to the author and costs of production of the book.

ICSOM Web Site Tops the Charts

The fabled ICSOM website, lovingly tended by Webmaestro Robert Levine, was awarded a Platinum rating by *NetGuide*, an on-line magazine, with this review:

"The content and commitment shown by ICSOM speaks well for its continued success in organizing orchestra and professional music groups throughout the United States. This comprehensive site helps professional musicians research their rights as contract or salaried workers. The organization clearly and efficiently outlines its history, goals, and membership list of orchestras. From here you can visit other professional music associations and unions. An index of articles from the print newsletter *Senza Sordino* is helpful for archival purposes, and the e-zine *DOS Orchestra* acts as an electronic *Variety* for the string, reed, and brass professional. Clear navigational tools make accessing the info a pleasure, although this is a business-only site with few graphics or musical diversions. Given the extremely competent and cohesive presentation, we can expect ICSOM's site will continue to impress."

The Editors On Art and Civilization

The following is excerpted from "Editor's Cadenza," which appeared in *Una Voce*, newsletter of the Organization of Canadian Symphony Musicians (OCSM), Vol. 4, No. 2.

In his book, *Our Oriental Heritage: The History of Civilization, Part I*, historian Will Durant proposes his definitions for civilization. He states that the four necessary elements which define a society as a civilized one are economic provision (food, shelter, clothing), political organization (government), moral traditions, and the pursuit of knowledge and the arts. A society lacking one or more remains primitive. If we cease pursuing knowledge and the arts for whatever reason, be it "these are hard times" or "we must balance the budget," we are in fact ensuring the collapse of our civilization just as surely as if we were to cease all economic activity, or all political activity. You cannot sacrifice one of civilization's cornerstones to the interests of the others any more than you could take stones out of the east wall of a foundation to repair the west wall. Yet this is what our leaders seem to be intent on.

It is more important than ever that artists not surrender to this climate of fear that has been constructed in the political arena over the past several years. There is no more potent stimulus to the human powers of imagination and healing than music, and there has never been a time when imagination and healing have been needed more.

Jim Ewen
editor, *Una Voce*

The Senza Sordino editor adds:

Although Mr. Ewen's remarks primarily address the current anti-arts political climate in Canada, the concepts he presents have relevance beyond Canada and beyond the political arena. The attack on the arts comes from many quarters, from inside arts institutions as well as from outside, and can be passive as well as active. The "dumbing down" of the arts, the avoidance of risk and innovation in programming and operations, and the turtle-like retreat of arts organizations into a shell of safety, complacency, and stagnation are just as surely abandonment of the arts as are funding cuts, bankruptcies, apathy, and greed. Governments, foundations, and donors who insist on organizational retrenchment and budget-balancing in hopes of saving arts institutions are, in the process, killing the art.

Imagination, not fossilization, is the direction of hope for the arts. As Mr. Ewen suggests, let us remember the "human powers of imagination and healing" – the reason art exists, the reason art is a cornerstone of civilization, and the reason we have devoted our lives to it – and recognize that within the art itself, unfettered, unabridged, uncensored, is the power to overcome all the forces that would destroy it.

Marsha Schweitzer
editor, *Senza Sordino*

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ICSOM Orchestras

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

Detroit Symphony Orchestra
Florida Orchestra
Florida Philharmonic Orchestra
Grant Park Symphony Orchestra
Honolulu Symphony Orchestra
Houston Symphony Orchestra
Indianapolis Symphony Orchestra
Kennedy Center Orchestra
Los Angeles Philharmonic
Louisville Orchestra
Metropolitan Opera Orchestra

Milwaukee Symphony Orchestra
Minnesota Orchestra
National Symphony Orchestra
New Jersey Symphony Orchestra
New York City Ballet Orchestra
New York City Opera Orchestra
New York Philharmonic
North Carolina Symphony
Oregon Symphony Orchestra
Philadelphia Orchestra
Phoenix Symphony Orchestra

Pittsburgh Symphony Orchestra
Rochester Philharmonic Orchestra
Saint Louis Symphony Orchestra
Saint Paul Chamber Orchestra
San Antonio Symphony
San Diego Symphony Orchestra
San Francisco Ballet Orchestra
San Francisco Opera Orchestra
San Francisco Symphony Orchestra
Syracuse Symphony Orchestra
Utah Symphony Orchestra

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Corrections to the ICSOM Directory 1996 – 1997

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Fax: (212) 605-0909

Add to the end of the listing for the HONOLULU SYMPHONY:

| | | | | | | |
|-------------------|------------|--------------|-----------------------------|----------|----|-------|
| Womack, Anna | Viola | 808-924-4075 | 2609 Ala Wai Blvd. #505 | Honolulu | HI | 96815 |
| Wong, Ira | Percussion | 808-247-7698 | 44-268 Mikiola Drive | Kaneohe | HI | 96744 |
| Wong, Sandra | Viola | 808-456-7817 | P.O. Box 11186 | Honolulu | HI | 96828 |
| Wrenn, Greg | Violin | 808-488-1398 | 98-1065D Komo Mai Drive | Aiea | HI | 96701 |
| Wu, Hung | Violin | 808-951-0963 | 1541 Dominis Street #1001 | Honolulu | HI | 96822 |
| Yamashiro, Iolani | Violin | 808-839-2949 | 1848 Ala Mahamoe Street | Honolulu | HI | 96819 |
| Yasui, Byron | Bass | 808-947-2134 | 1521 Alexander Street #1602 | Honolulu | HI | 96822 |
| Yu, Zhao | Viola | 808-949-3759 | 2030 Kakela Drive | Honolulu | HI | 96822 |
| Zou, Cong | Violin | 808-537-6440 | 217 Prospect Street #PH103 | Honolulu | HI | 96813 |
| Zou, Keiko Saito | Violin | 808-537-6440 | 217 Prospect Street #PH103 | Honolulu | HI | 96813 |

The Robert Bloom Collection

The late Robert Bloom (1908-1994), oboist with the Philadelphia Orchestra, Rochester Philharmonic, NBC Symphony, and Bach Aria Group, left a legacy of style and musical interpretation equalled by few. Now, his wife, Sara Lambert Bloom, is making available a collection of Mr. Bloom's work. *The Robert Bloom Collection* is a three-part set of 40 original compositions, transcriptions, cadenzas, and performance editions of mostly Baroque works with Mr. Bloom's own ornamentation, articulations, cadenzas, and continuo parts. Prices for each of the three parts range from \$75 to \$250, and discounts of 20% are available on orders received before June 1, 1997. For more information, write to The Robert Bloom Collection, Cranberry Isles, Maine 04625, or to cranisles@aol.com.

Senza Sordino

Official Publication of the International Conference of Symphony and Opera Musicians

VOLUME 35, NO. 3

May 1997

Rhapsody In Bluegrass

Louisville Musicians Find the Keys to Change Without Striking

First in a Continuing Series

AN EPIC DRAMA IN THREE ACTS Cast of Characters, in order of appearance

For the Musicians:

The Louisville Orchestra Musicians and their Committee
Liza Hirsch DuBrul Medina Counsel for the Musicians
William Thompson Musicians' Media Consultant
Ron Bauers Musicians' Financial Consultant

For the Management:

Wayne Brown Executive Director
Baylor Landrum III Operations Consultant
Max Bragado-Darman Music Director
Stan Curtis new Board President
Gregg Gustafson new Executive Director

For the Union:

John Roy past President, Local 11-637 AFM, Louisville
Rocky Adcock President, Local 11-637
George Sartick AFM Trustee, Local 11-637

For the Community:

The Honorable Jerry Abramson Mayor of Louisville
The Courier-Journal Louisville's largest newspaper
Louisville Orchestra Audience Association The Citizenry
Clarita Whitney Widow of LO's founder, Philanthropist
Henry Fogel Executive Director, Chicago Symphony
and Advisor to the Louisville Orchestra

PROLOGUE

The Louisville Orchestra recently ratified a new, progressive contract. Not an unusual occurrence. Orchestras do it all the time. But this contract is different. By all conventional logic it should never have happened, and the Louisville Orchestra should be either downsized or dead. This contract is a miracle, a major milestone along the way toward waging and winning a new kind of war.

For four years the Louisville musicians have battled their board, management, and their own union on the road to this settlement. In the process, almost the entire orchestra board, management,

and union leadership have been replaced, but the musicians and the Louisville Orchestra have survived and prevailed. The institution is still not out of danger, with another difficult negotiation for a new collective bargaining agreement only months away, but thanks to the perseverance and wise organizing strategy of the Louisville musicians over a span of years, there is still hope for the orchestra's future.

This battle is not being fought with the usual weapons. A strike, the musicians knew, might mean death for the orchestra. More concessions from the musicians would just as surely kill *them*. The organization, led by the musicians, had to find a path to the future that skirted around both of those destructive alternatives. As Louisville committee chair Clara Markham said at the 1996 ICSOM Conference, "The Louisville Orchestra's musicians nearly went on strike in spring 1995 after the board demanded to break the contract for the third year in a row. Instead, the musicians decided to reform the LO from the inside, a mission that was very, very different from our original intent."

Sheer muscle would not carry the battle for them, so the musicians looked for other, more subtle, strengths. They chose to fight an evolutionary guerrilla-style war within their community and their organization rather than risk annihilation in an all-out nuclear war of confrontation and strike. They found a way to build a path toward a more stable orchestra by gradually, patiently transforming every aspect of their situation – board, management, union, and community. They have shown us new ways to fight and new ways to win in these times when the lives of orchestras seem balanced on the head of a pin.

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ACT I
(Louisville, Kentucky, 1993)

Scene 1: THE RISING TIDE OF DISCONTENT

The Louisville Orchestra had never fully adjusted to being a full-time orchestra, a condition it acquired in 1981 when the board grudgingly agreed to it to end a strike. The organization simmered through the 1980's in a state of uneasy status quo, but by May 1993, the pot started to boil. The musicians' committee entered into a "getting to yes" negotiation process that was hailed throughout ASOL circles as the model for the future. It looked less positive from the musicians' perspective: a salary freeze during the contract's first year, then 2.1% increases during year two and year three of the contract.

But by April 1994, the LO's board of directors declared it couldn't even pay for the first year's salary freeze, let alone the small increase promised during the contract's second year. Management announced that the orchestra's 70 musicians would have to give up one week's salary during the current year, and that three full-time musicians and five weeks' salary would have to be cut during the 1994-95 season. The board imposed a deadline that was only 12 days away, and declared that they would be forced to shut down the orchestra if the musicians did not agree to the pay reductions. The musicians complained but agreed to the concessions, which amounted to about \$330,000.

The powerlessness the musicians felt boiled over within their ranks. A new Louisville Orchestra Musicians' Committee (LOMC), headed by hornist Sue Carroll, sought legal and strategic help from Liza Hirsch Medina (then DuBrul).

Scene 2: MEDIA PREPARATIONS

Medina brought a more aggressive attitude and a proactive strategy to the musicians' efforts in Louisville. Eager to expand a public relations strategy that had been successful in a dispute in Milwaukee, Medina advised the musicians to hire their own local media advisor to help get their message to the public. William Thompson, who teaches public relations at the University of Louisville and, as the former associate director of the University of Missouri's Conservatory of Music, has an extensive background in arts management and marketing, proved to be a lucky find.

He and Medina worked with the musicians to formulate a media campaign that Thompson described as an "outside-in" strategy, creating an environment in the community through the media that, by exerting influence from the outside into the organization, would make it easier for Medina and the musicians in negotiations.

But that was still months ahead. The orchestra's management had already begun the opening shots of their campaign for concessions, which this time appeared to be focused on downsizing the Louisville Orchestra to a core orchestra of a limited number of full-time players, supplemented when necessary by part-time musicians.

A doomsday message was already being established by management, which sponsored a series of presentations by the LO's operations consultant, Baylor Landrum III, to lay out a depressing picture. Landrum said the orchestra, already \$250,000 in debt, was staring bankruptcy in the face, and, if that news wasn't bad enough, next season would be an unmitigated disaster.

Landrum predicted that the orchestra's contract income, after increasing an average of 20% a year for seven years, would decline 23% during the next season. Recording income would be down 83%. While marketing salaries were projected to rise 14% the next year, Landrum said ticket sales would drop 11%. Income from special events would go down 80%.

Those disastrous numbers were a special menace to the musicians' job security. A clause in the contract gave the orchestra's board the unilateral right to terminate the entire contract if the management determined that it could not fulfill the contract's financial terms. That limited the musicians' options, since virtually any traditional action they could employ to protect their rights, from going on strike or even trying to enforce their legally binding contract, could be used to proclaim a financial emergency and invoke the termination clause. In addition, because the orchestra's management could delay receiving donations or could carry out their marketing and public relations duties with less than full vigor, they were capable of intentionally fulfilling their bleak financial predictions.

From a practical point of view the musicians had only one route. They had to prove that the management's dreary financial projections were overstated, while policing their manager's performance to assure that he didn't precipitate a financial crisis by his action or inaction.

Thompson initially did his own institutional analysis of the orchestra's state of affairs. He reviewed the reports prepared by the orchestra's management consultants and interviewed musicians to discover what they felt were the weak points of the orchestra's management. Working with Thompson and their financial analyst, Ron Bauers of the University of Nebraska, the musicians studied the organization's financial performance over the past eight years, compared the orchestra's performance to that of other ICSOM orchestras, and analyzed Landrum's budget projections.

Based on that analysis, they decided that the most effective course that the LO's musicians could take was to directly contradict the management's assertion that the orchestra was near financial collapse. There was positive financial data to dispute management's apocalyptic vision. The LO's endowment of \$9 million was one of the biggest as a percentage of its annual budget, and its accumulated deficit, considered as a percentage of its annual budget, was less than that of other ICSOM orchestras, including such prominent ensembles as the St. Louis Symphony and the Cleveland Orchestra.

The task was made easier because Landrum's breathtakingly disastrous economic predictions violated the common sense of anyone who took a moment to think about them. In addition, Landrum's financial qualifications, a late-in-life bachelor's degree in business

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(continued from page 2)

administration that he had won two years before, paled before Bauers' experience.

Armed with data questioning Landrum's conclusions, the musicians started a "quiet" campaign. Thompson and Medina educated four members of the musicians' committee and its chair at the time, Sue Carroll, who then went with Thompson to make presentations to Louisville Mayor Jerry Abramson and the editorial board of Louisville's largest newspaper, *The Courier-Journal*. The musicians then fanned out to brief key business, labor and arts figures in the community.

The musicians' message: The orchestra's management was coordinating a plan to exaggerate the orchestra's financial problems so they could radically reconstruct the orchestra and return the Louisville Orchestra musicians to largely part-time status.

The key community leaders who were approached initially didn't believe that the orchestra's board of directors would dismantle their own institution in this way. But their skepticism quickly faded in late November 1994, when management announced that the orchestra would add over \$400,000 in debt if its binding contract with the musicians for the 1995-96 season were honored. According to management, that dire forecast demanded that the orchestra reduce the number of full-time musicians from 70 to 45 for the next contract year, representing over \$800,000 that would be taken from the orchestra's musicians during the next year alone. The future the musicians had predicted had come true.

Scene 3: MEDIA PLAN SWINGS INTO ACTION

Management's announcement served as the starting gun for the musicians' media campaign. Thompson and Medina had selected LO violist Melinda Odle as the musicians' chief spokesperson, and trained her and members of the musicians' committee in how to communicate to the media. Largely forsaking formal media tools like news conferences and news releases, they instead developed financial spreadsheets, analyses and charts to help the musicians explain the orchestra's workings one-on-one to media members.

The media results this time were dramatically different from what they had been when the orchestra was asked to take cuts the previous spring. At that point, the only message presented in the paper was management's gloomy view of the budget and the seemingly inevitable conclusion that the musicians must take salary cuts if the orchestra were to survive. Now a battle was joined that focused the city's attention on the reliability of the management's financial projections.

Within three weeks there were two major *Courier-Journal* articles with in-depth analyses of the orchestra's finances. The city's leading business newspaper called for an independent consultant to review the orchestra's financial projections. And the *Courier-Journal's* editorial page acknowledged that Louisville's citizens had a "right to know if the books were 'cooked.'" Board members who used their influence to get their viewpoints published in local newspapers were immediately answered with letters to the editor from musicians and supporters.

The flurry of attention to the orchestra's problems was astounding. In a little over five months, there were 78 news articles, features, analysis pieces, editorials, letters to the editor and editorial cartoons in local print media outlets, as well as stories concerning the orchestra in the *New York Times*, *Wall Street Journal*, *Houston Chronicle* and *Washington Post*. This was supplemented by over 20 television and radio feature packages that covered the board's downsizing attempts.

Through the musicians' efforts, media members and then the public were educated about the complexities of the orchestra's situation. Those articles examined the orchestra's financial picture in detail, comparing the rival economic projections of the musicians and the board. Reporters followed orchestra members as they worked second jobs in order to cobble together a living wage. Other stories studied the marketing successes of other orchestras, and asked if they could be applied to improve the Louisville Orchestra's performance. Another series of television and print stories investigated the financial woes of regional orchestras that had adopted the core orchestra idea being advocated by the Louisville Orchestra's board.

Scene 4: THE RESPONSE OF THE COMMUNITY

The city-wide debate fostered by the extensive media coverage heightened the citizens' sense of ownership of the orchestra, which was ultimately crucial to the success of the campaign. Louisvillians were no longer content to let the orchestra's board run the orchestra as their private game preserve, but demanded input into what form the orchestra was going to take in the future.

A citizens' support group, the Louisville Orchestra Audience Association, sprang up, and their violet ribbons supporting a full-size, full-time orchestra sprouted from trees, stop signs and utility poles all across the city. Clarita Whitney, the widow of the orchestra's founder and first Music Director, began a fund drive to help save the orchestra, and raised about \$80,000 in just a few weeks despite the threats from the city's combined arts fund director that he would cut the orchestra's appropriations one dollar for every dollar that Whitney raised. The city's mayor, The Honorable Jerry Abramson, got involved. Mayor Abramson eventually sought out and drafted Henry Fogel, executive director of the Chicago Symphony, as a mediator for the rapidly deteriorating negotiations. . . .

Stay tuned for ACT II (Chicago, Illinois, 1995) appearing in the next Senza Sordino.

Recording Musicians Go On the Record Against Dues Increase

The following notice appeared in an April 1997 Special Bulletin from the Los Angeles Chapter of the Recording Musicians Association (RMA):

AFM PROPOSES WORK DUES INCREASE!

I.E.B. tax hike will cost L.A. musicians additional \$1/2 million annually!

In March, a subcommittee of the AFM Restructure Committee (recently appointed by AFM President Steve Young to address the AFM's structural and financial problems) met with the AFM's International Executive Board (IEB) to outline its findings and recommendations. Despite the extensive proposal presented to the IEB, which included a complete financial package, the IEB chose to ignore the Restructure Committee's findings, and has instead proposed several contradictory recommendations, including increasing work dues for recording musicians by 1/2%!

RMA has undeniably taken a harsh view of this proposal, especially in view of the fact that at the 1993 AFM Convention we agreed to a sweeping work dues increase which not only resulted in a 1/4% increase in work dues on electronic media, but also the unprecedented 12% work dues on "new use." It was this compromise package that ostensibly "bailed out" the Federation from the financial crisis it faced at that time, and was done so with the understanding that this would be the last such increase of its kind. It is important to note that the current proposal by the IEB could cost Local 47 (and its members) as much as \$500,000 annually. Of this amount, approximately \$300,000 would be paid directly by Los Angeles recording musicians.

It is imperative that we send the strongest message possible to the IEB and to the upcoming AFM Convention. To do this it is essential that you attend the Local 47 membership meeting on April 28th at 7pm to instruct your delegates to the AFM Convention how you want them to vote on your behalf.

The RMA's ire and the history behind it was explained in greater detail by Russ Cantor, Secretary of the Los Angeles RMA: "It was barely a decade ago that the RMA was treated with scorn and vitriol and was at opposite ends of the philosophical spectrum with the Federation, struggling to be accepted as a bona fide Player Conference and be seated at AFM Conventions. In a remarkable turnabout, the 1993 AFM Convention (under then President Mark Tully Massagli), appealed to the RMA to bolster and save the cap-sized Federation. Since then, the synergism between the AFM and the RMA has been unprecedented. In fact, recording musicians today benefit from the most open, fluid dialogue with the AFM and its Locals than at any time in AFM's history.

"While the aforementioned accomplishments are a matter of great pride to all recording musicians, the future of the Federation is still unclear. Saving the AFM from financial ruin was possible in 1993; however, the generous spirit of working musicians has been

thoroughly exhausted in the process. It will be up to the leaders of the 1997 Convention, including the Player Conferences ICSOM, OCSM, ROPA, and RMA to find alternative solutions to secure the AFM's future."

Implications for Orchestra Musicians

RMA President Dennis Dreith points out, "While the biggest hit from this proposed work dues increase will be from recording musicians in Los Angeles, there would also be significant increases for recording musicians in every recording center in the U.S. and Canada, especially in New York, Nashville and Toronto." This proposed increase for recording musicians also has serious implications for the rest of the AFM membership. The IEB and the AFM Restructure Committee are similarly exploring ways to increase AFM revenues from the symphonic field. Several possibilities have been presented, most of which would have the effect of increasing the AFM share of symphonic work dues at the expense of the locals, requiring the locals to forward to the Federation a portion of the work dues that had heretofore remained with the local, but with no guarantee that the additional money going to the Federation would be spent on serving symphonic musicians.

The four Player Conferences – ICSOM, ROPA, OCSM, and RMA – together provide a major chunk of the AFM's total revenues. In 1993 the AFM reported receiving over 80% of Federation Work Dues from symphony and electronic media players (44.87% and 35.38% respectively). This amount represented about 26.96% of total AFM revenues, and reflected only work dues, not including the per capita dues paid by the locals to the Federation for symphony and recording members as well as all other members. Given the demographic changes in the AFM since 1993, we can reasonably project that AFM reliance on orchestra and recording musicians is even greater now.

ICSOM will work with RMA, ROPA and OCSM at the upcoming AFM Convention to ensure that working musicians receive the services from their union that they need and deserve.

Orchestra-L

ICSOM's Own Marketplace for Ideas

You've just bought a shiny new computer, hooked up all the cables and cords, gotten all the lights blinking and fans whirling, and signed up with your ISP (Internet Service Provider, that is) for e-mail and several zillion hours of access time on the Internet. Now what? Where do you start? So much information, so little time!

One stop on the information superhighway that you will want to visit often, after the ICSOM Website (<http://www.icsom.org/icsom>), of course, is Orchestra-L, ICSOM's own interactive bulletin board, our public forum in cyberspace. It works like this: Cor-

(continued on next page)

Book Review

An Orchestra Musician's Odyssey

A View from the Rear

By Milan Yancich

Hardcover, 376 Pages, 58 Illustrations

Wind Music Inc. \$28.00

153 Highland Parkway Rochester, NY 14620-2544

(716) 473-3732

A horn player's cornucopia of recollections, Milan Yancich's recent collection of observations is a pleasure for all who find particular fascination in orchestral tales. Essentially a series of plain-spoken vignettes about musical personages encountered between

(Orchestra-L – continued from page 4)

respondents send e-mail messages to the Orchestra-L address, and periodically those messages are forwarded to all the subscribers. Everybody on the list gets to listen in on all the discussions taking place – sort of like a cyberspace telephone with a party line.

The uses for Orchestra-L are endless. Some use it as an early warning system to alert their colleagues to new labor laws, unfair audition practices, or troublesome situations making their way from orchestra to orchestra. Many ask for help, seeking to find out how other musicians have solved a particular orchestra problem. Orchestra-L is also good for catching up on the latest news in the music business; List Manager Robert Levine regularly posts articles of interest to musicians from various other websites. Recent topics for discussion on Orchestra-L have included the involvement of musicians on orchestra boards, the Vienna Philharmonic and discrimination, Halloween concerts, acoustic shields for hearing protection, string rotation, backup orchestras for The Three Tenors, and responses to an article in the *Wall Street Journal*.

Orchestra-L is not restricted to just ICSOM members, but is open to all orchestra musicians. Regular contributors include musicians from Canada, Northern Ireland, New Zealand, and Bavaria, as well as U.S. correspondents. It is easy to sign on: Just send an e-mail message to orchestra-l-request@icsom.org asking to subscribe. Soon you will start receiving all the messages posted to the list and can begin sending your own. There are a few rules about bulletin board etiquette and reasonable protection of privacy, but generally it is possible to speak your mind among fellow musicians with a great deal of freedom. It is also possible to remain silent and just take it all in ("lurk," as we say). Robert moderates the ongoing conversation, but not much. Orchestra-L is also "mirrored" on the AFM-BBS, so you can tune in there as well.

One of the most important services ICSOM provides is the opportunity to share, compile, analyze and disseminate information from and about orchestras, musicians, and unions all over the country and the world. Orchestra-L and computer technology provide us an opportunity to accomplish this faster and more directly than ever before. Sign up today!

World War II and the present, Yancich writes engagingly of those who won his respect. Those about whom he feels less warmly are given due credit, yet are inevitably skewered by clear-eyed recitations of their perceived shortcomings.

Currently a member of the Rochester Philharmonic, Yancich is now retired from the Eastman School faculty. His book recounts a wide variety of impressions and anecdotes about colleagues and conductors dating back to his earlier days with the orchestras of Columbus, Chicago and Cleveland.

Like many other ICSOM orchestra members, Yancich displays near-classic love-hate attitudes towards conductors; fascinated by them, he admits to having had many of his finest musical experiences under the best of them, yet finds most simply aggravating. In contrast to generally available adulatory literature about conductors, Yancich's experienced observations provide a basis for a more balanced view of that glamorous profession.

Horn players may be particularly interested in his accounts about teachers Philip Farkas, Arnold Jacobs and Max Pottag, as well as his friendship with the legendary Chicago horn maker Carl Geyer. In other sections of the book, Yancich shares impressions about such noted hornists as Alan Civil, Dennis Brain, John Barrows, James Stagliano and Barry Tuckwell. While writing about the Dutch hornist Willem Valkenier and the German Max Hess, Yancich reveals that many of his tales about early twentieth-century conductors were based upon their accounts.

Anyone interested in a behind-the-scenes look at the Eastman School will be riveted by this book's revelations. Insights about the school; its formation; its operation; its relationships with the University of Rochester, the Rochester Civic Music Association and the city itself likely will not come as a complete surprise to any who have been associated with it. As a faculty member and son-in-law of Paul White, long-time conductor and composer at the school, Yancich seems particularly well positioned to assess the personalities and motivations behind the school's impressive facade.

Another unexpected bonus in this volume is the material dealing with Bohumir Kryl, a Sousa Band member and later a noted cornet soloist and conductor. A colorful character, Kryl was the maternal grandfather of Yancich's wife; thus, Yancich is able to augment his personal observations with reproductions of the old bandmaster's programs, graphics and reviews from the family archives.

A book which seems to lend itself to picking and choosing rather than reading cover to cover, *An Orchestra Musician's Odyssey* has an excellent index and table of contents to entice and guide a grazing reader. There is also a helpful bibliography pointing the way to further reading.

Filled with musical and personal insights, the book is a trove of orchestral lore, a cautionary tale of the triumphs and misadventures of a dedicated symphonic player. The community of orchestra musicians owes Milan Yancich gratitude for this contribution to a broader understanding of our profession's shared realities.

Roger Ruggeri
Milwaukee Symphony

Honolulu Symphony Claws Its Way Back

Musicians of the Honolulu Symphony reached a two-year agreement with the Honolulu Symphony Society March 20, 1997. The negotiations took on a much different tenor than the typical Honolulu negotiations of recent years. Since the rebirth of the Honolulu Symphony out of the Hawaii Symphony's ashes [see "Death and Transfiguration: The Rebirth of the Honolulu Symphony," *Senza Sordino* Vol. 34 No. 2], there has been a consistent effort by management, board and musicians to build a working relationship to insure the survival of the institution.

About the only thing the Honolulu Symphony musicians could count on during the past decade was instability. For three of the last four seasons there have been at least two employers each season (the Hawaii Opera Theatre and either the Honolulu Symphony or the Hawaii Symphony) with separate collective bargaining agreements. Of the previous five negotiations with symphonic concert producers there were two strikes, one lockout, and two successful negotiations. Unfortunately, the one successful negotiation before this most recent one was meaningless; the musicians are still owed approximately \$1.2 million for work performed under that contract during 1995, the final year of the Hawaii Symphony.

Several things happened with this new contract and the events leading up to it that are beginning to return the orchestra to normalcy. The Honolulu Symphony Society, since resuming operations in December 1995, has met all payrolls. Another positive sign is that during the last two years we have been offered and have actually worked more weeks than the contract required, something that executive director Michael Tiknis has publicly promised to do again during this new contract.

With the new contract, the Hawaii Opera Theatre will again subcontract the orchestra from the Honolulu Symphony Society instead of having a separate collective bargaining agreement with the musicians. Improvements were gained in severance pay, per diem, audition leave, service scheduling, break time within services, implementation of injury prevention programs, per-service health insur-

ance, and instrument insurance. Seniority pay cap was raised from 20 years to 30 years.

In order to accommodate the short season and lack of paid vacation, more liberal paid personal leave provisions were enacted: Personal leave was at four days per season; new with this contract, six days per season with accrual to a maximum of 12 days per season. Unpaid leaves were also extended: Musicians will be granted up to three unpaid leaves in the first year, 30 days total, and two unpaid leaves in the second year, 20 days total, with 21 days notice, limited to one musician per section. Management will show reasonable flexibility beyond these minimum contract obligations.

These leave provisions are to help musicians who are juggling work between Hawaii and the mainland in an attempt to make a full-time salary. This outside work was for the most part acquired of necessity during our time of turmoil, and cannot be safely given up until there is more evidence that the future of the Honolulu Symphony is secure. As the orchestra's situation moves again towards a full-length season, the ability to take these unpaid leaves decreases.

There is one unsettling aspect to this contract. During the very last stage of negotiations, the board pulled away from a nearly-agreed-upon five-year contract that would have brought the Honolulu Symphony much closer to its pre-lockout condition by the end of the term. The board's unwillingness to commit to a longer-term agreement and the controlled growth it offered raises serious questions about whether there has been any change in the board's vision or commitment to the future as a result of the trial we have been through.

Musicians of the Honolulu Symphony would like to thank the Musician's Association of Hawaii, Local #677, (Milton Carter, president, and Michael Largarticha, assistant to the president and union board member), Lew Waldeck, and Lenny Leibowitz. The negotiating committee members were Steve Dinion (chair), Milton Carter, Ann Lillya, Melvin Whitney and Mark Schubert.

Mark Schubert
Honolulu Symphony ICSOM Delegate

Honolulu Symphony Settlement Highlights and History

| | <i>pre-lockout contract:</i> 1992-93 * | <i>current contract:</i> 1996-97 | <i>new contract:</i> 1997-98 | 1998-99 |
|-----------------------|--|--|--|-----------------------|
| WAGES | \$714.30/week | \$714.30/week | \$742.87/wk (up 4%) | \$770.00/wk (up 3.6%) |
| WEEKS | 42 weeks | 18 wks Sym, 6 wks Opera | 28 weeks | 30 weeks |
| ANNUAL MINIMUM SALARY | \$30,000 | \$17,143 (total) | \$20,800 | \$23,100 |
| AFM-EPF PENSION | 7% | 5% | 5% | 5.5% |
| FULL-TIME CORE | 63 musicians | 62 | 62 | 63 |
| PAID VACATION | 3 weeks | none | none | none |
| PART-TIME GUARANTEE | 72 services | 60 | 66 | 72 |

* The 1992-93 contract was severely breached by management, requiring the Union to go to arbitration and then to Federal District Court to force the Symphony to pay what they legally owed the musicians.

1996-97 Wage Chart of ICSOM Orchestras (recent additions)
compiled by Stephanie Tretick, ICSOM Treasurer

| Orchestra | Weeks 96-97 | Annual Minimum Salary | Seniority: 40-yr Cap if no max | EMG | Pension: 40-yr Cap if no max | Pension Type | Pension Based on pers/min | Average Services Weekly | Vacation Weeks |
|-------------|----------------|-----------------------------|--------------------------------------|-------|------------------------------------|-----------------|---------------------------------|-------------------------------|-------------------|
| Louisville | 40 | 22,401 | 23,021 | 1,755 | 500/yr | AFM-EP | | 8 | 4 |
| SF Symphony | 52 | 77,480 | 81,900 | 1,560 | 37,000 | | | 8 | 10 |

(Wage Chart, continued)

| Orchestra | Relief Weeks |
|-------------|--|
| Louisville | none |
| SF Symphony | 3 of 10 vacation weeks are floating; extra (11th) wk for 2nd winds |

Friends In Need

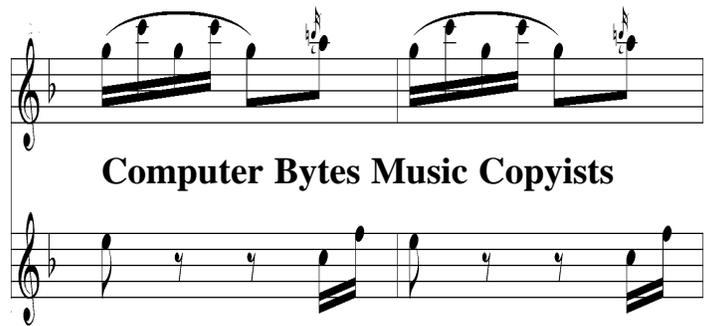
The Christmas of 1996 did not bring happiness and good cheer to the household of New Jersey Symphony trumpet player Lawrence Clemens. His wife Sheryl suffered a two-hour convulsion of unknown origin and was not expected to survive. After eight days, Sheryl began to emerge from her coma and started on what would be a long, painful, and expensive road to recovery.

Sheryl was an employee of the American Express Company and was covered by their group HMO. Unfortunately, her plan, which is the same HMO plan of the New Jersey Symphony, does not cover the amount of physical therapy she will need, home nursing care, or medical equipment such as wheelchairs and hospital beds, all of which she desperately needs if she is to have a chance to make a full recovery. The cost of a hospital bed and specially equipped wheelchair alone will possibly cause the Clemens to lose their home.

The musicians, board, and management of the New Jersey Symphony as well as Sheryl's colleagues at the American Express Company have joined together to give the Clemens some much-needed financial assistance, but it will not be enough to help them for very long. The Merrill Lynch company has set up a fund to help the Clemens pay for Sheryl's future medical expenses. The ICSOM Governing Board is encouraging all ICSOM orchestras to contribute as much as they can to this fund to help Larry and Sheryl through this very difficult crisis.

The Merrill Lynch fund is in the form of a special account. Checks should be made payable to Larry Clemens with the account number **859-48897** on the memo line. Please send your check to Garth Greenup, New Jersey Symphony, 848 Hobson Street, Union NJ 07083, or deposit it directly to the aforementioned account at any Merrill Lynch office in your area.

Your assistance will be most deeply appreciated.



On August 9, 1996, music copyists who work Broadway shows under agreements between Local 802 (New York City) and Broadway producers ratified a new type of contract – one that sets separate music preparation wage scales for music parts and scores generated using a computer.

The negotiation for this agreement was precipitated by a March 18, 1996 arbitration ruling in which arbitrator Harold Richman agreed that the Broadway producers had presented sufficient evidence to warrant a separate price list for music copywork done using computers. He also specified that the new pricing structure should be based on an hourly rate and that this rate be negotiated by the parties involved in an expeditious manner.

A negotiating team from Local 802, which included 802 President Bill Moriarity, ICSOM counsel Lenny Leibowitz, and members of the American Society of Music Copyists (ASMC), began negotiations on April 8. By August, a deal that both sides deemed fair was reached. This contract, however, still leaves many unanswered questions. About the industry's continuing adjustment to the advent of new technology, Donald Rice of ASMC writes, "This new contract represents a big change for the profession, and no one is really sure yet how it will impact the livelihood of music copyists. The negotiating team tried to address as many uncertainties as possible during the bargaining process, but only time will tell us the repercussions such a rapid shift in billing for Broadway work will have on the profession as a whole." – reported in Society Notes, newsletter of the American Society of Music Copyists

Newslets

A-V Agreement Ratified – The AFM Symphony, Opera & Ballet Audio-Visual Agreement was recently ratified by an overwhelming majority of the musicians eligible to ratify. Anyone who is interested in obtaining a Memorandum of Understanding to the February 1, 1996 through July 31, 1999 Audio-Visual Agreement please contact the AFM Symphonic Services Division at 1-800-762-3444 ext. 222.

ASOL Names New Head – The American Symphony Orchestra League has named Charles S. Olton as its President and Chief Executive Officer, effective June 1, 1997. For the past eight years Dr. Olton has been the Dean of Parsons School of Design, a division of The New School in New York City. Previously he held administrative and teaching positions at Columbia University, State University of New York at Buffalo, and Union College. He is a graduate of Wesleyan University and holds a Ph.D in American history from the University of California at Berkeley.

ICSOM Chair Robert Levine sent Dr. Olton a letter upon his appointment, wishing him “success in bringing focus to the ASOL and helping to return return a measure of civility and a sense of working together to this very fractured field.”

The AFM Strike Fund has two new members, the San Francisco Ballet Orchestra and Symphony Nova Scotia.

Mark Your Calendars – The 92nd International Convention of the American Federation of Musicians will take place in Las Vegas, Nevada, June 16-18, 1997. The aftershock from that event will be felt soon thereafter at the 1997 ICSOM Conference, which will take place in Vail, Colorado, August 20 - 24. Don't miss it.

Revolution, Anyone? – Next time your board asks, “Where are we going to get the money to pay you?” you might invite them to look in their own pockets. AFL-CIO Secretary-Treasurer Richard Trumka, quoting the U.S. Department of Labor, reports that from 1979 through 1995, more than 43 million American jobs were eliminated in downsizings, and two-thirds of the workers fired ended up at jobs that pay less than their old ones. During approximately the same period, from 1980 to 1995, corporate profits were up 205% and executive salaries grew 500%, while consumer prices increased only 85% and factory wages rose only 70%. The result? The biggest economic inequality of any advanced industrial society in the world.

Graef Crystal, professor of industrial relations at the University of California, Berkeley, wrote in the *ACA Journal* that if the pay gap between executives and workers in the United States continues to increase at the present rate, “the ratio of pay in 2010 will be approximately that which existed in 1789 when Louis XVI was king of France. And you know what happened to Louis XVI. They got his wife, too.” Louis XVI and Marie Antoinette were beheaded during the French Revolution. – *reported in Maritime and Label Letter (newsletters of the AFL-CIO Maritime Trades and Union Label & Service Trades Departments, respectively)*

Notice to ICSOM Delegates, Emeriti, and Subscribers – *Senza Sordino's* mailing list has been transferred to a new database. Please check your mailing label to be sure it is correct, and submit any changes to Marsha Schweitzer, editor, at the addresses below. Thank you.

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August 1997

The American Federation of Musicians A Leaking Ship In Troubled Waters

Question: What do the Titanic and the AFM have in common?

- 1) Both should have watched where they were going;
- 2) Both discovered that an ounce of advance planning is worth a pound of last-minute maneuvering;
- 3) Both should have called for help sooner;
- 4) In both cases, the working musicians on board got drowned.

Correct answers are 1), 2), and 3). We're not sure about 4) yet.

The recent AFM convention, while not having a direct immediate impact on most musicians in ICSOM orchestras, will probably go down in the annals of whatever history the AFM has left as a major-league disaster. The good news is that the notion of work-dues increases on recording work vanished without a trace; the bad news is that the AFM was left somewhere between \$500,000 and \$1,000,000 short of what it needs to operate. The really bad news is that the report and recommendations of the Restructure Committee were strangled in a classic example of back-room dealing, and with them, any hope of dealing with the AFM's systemic problems in the near future.

The delegates to the 1997 AFM Convention faced a barrage of recommendations from the AFM's International Executive Board (IEB) and resolutions from local officers, the Restructure Committee, and the player conferences. The key recommendations from the IEB were financial – to raise per capita dues (those dues that each local pays to the AFM on the basis of membership) by \$12, or from \$46 per year to \$58 per year, and to increase the AFM work dues on electronic media work by 0.25%. The latter provoked furious opposition from the Recording Musicians Association as well as ICSOM. But the recommendation to raise the per capita dues was what provoked the ire of the delegates.

Members of ICSOM orchestras (some of whom pay over \$3,000 a year in dues to their locals) might well have trouble understanding why raising the cost of belonging to the AFM by \$12 per year would cause such a ruckus. The answer is "member retention." Locals are afraid that, if membership dues are raised, members will leave. The locals may well be right, although that does raise the question of just how valuable union membership is to most members of the AFM – or perhaps answers it.

The recommendation put forth by the IEB to raise per capita dues received no visible public support from that group, with the honorable but lonely exception of Secretary-Treasurer Steve

Sprague, whose support came via a videotape made in his hospital room, where he was recovering from chemotherapy for leukemia. What the IEB's recommendation did receive was a merciless thrashing from two members of the IEB itself: Ray Hair, President of Local 72-147 (Dallas-Fort Worth), and Bill Moriarity, President of Local 802 (New York City). They proposed an alternative to the Convention's Finance Committee – an immediate cut of \$800,000 (approximately 10%) in the operations of the AFM – without providing much detail as to where those cuts would be made. Considering the impact such cuts would inevitably have on the operations of the Federation, especially member services in the form of the Symphonic Services Division and the Electronic Media Services Division, such reticence was understandable.

The Joint Law and Finance Committee, under the leadership of acting chair (and newly-elected AFM Vice-President from Canada) David Jandrisch, put together its own package, consisting mostly of a one-time \$10 per capita assessment, to be used mostly for debt reduction, organizing, and moving the AFM's headquarters. Unfortunately, this package eliminated, *without even a vote by the Convention*, virtually every resolution put forth by the Restructure Committee – a move that made a mockery of both the spirit and the letter of the AFM's own bylaws. The Joint Law and Finance Committee's package did casually add a new layer of unelected bureaucracy to the AFM's structure, though – two members of the Joint Law and Finance Committee, chosen solely by itself, to oversee the financial dealings of the IEB.

One measure of the delegates' confusion about where they wanted the AFM to go was that all of the incumbent officers of the

(continued on next page)

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AFM who chose to run again were re-elected, with the exception of those two IEB members whose proposed cuts were, in essence, enacted – Ray Hair and Bill Moriarity. They were replaced by Ed Ward, President of Local 10-208 (Chicago), and Tammy Kirk, Secretary-Treasurer of Local 94 (Tulsa).

Another casualty of the back-room dealmaking was the resolution put forth by the player conferences that would mandate that SSD and EMSD work dues be used only for those departments. The notion that work dues taken from professional musicians should be used to meet their needs, first put forth by the Blue Ribbon Committee in 1990, is evidently politically incorrect in the AFM's current climate. Ironically, a similar resolution *was* allowed to go to the floor and was overwhelmingly approved: a recommendation from the IEB that musicians who received certain kinds of media income would pay any legal costs incurred in recovering that money. ICSOM and RMA both spoke against this recommendation to the Convention, but the notion of an additional fee for working musicians for legal representation, above and beyond their already hefty work dues, didn't seem to bother anyone else.

What went wrong?

Most important, there was a failure by virtually the entire elected leadership of the AFM to vigorously support its own package. The IEB also declined to back the work of the Restructure Committee, leaving the delegates to the Convention with a very confused picture of where the leadership of the AFM wanted to go.

Second, the Joint Law and Finance Committee essentially hijacked the convention. They did so, moreover, without consultation or testimony from the player conferences or anyone else. All in all, it was a bad day for the concept of democracy within the AFM.

What was never told to the convention, by the Joint Law and Finance Committee or anyone from the IEB, was that this package does not provide enough money to run the AFM without major cuts. Because no one mentioned this inconvenient fact, no one had to address the issue of where the cuts would come from. But cuts there will be; when chopping between \$500,000 and \$1,000,000 from a budget of less than \$10,000,000, services to working musicians are going to get hit hard – services that cannot be provided by ICSOM and will not be provided by the locals. The elimination of toll-free access to the AFM's electronic bulletin board, one of the AFM's more valuable services to symphony musicians, is only the beginning.

Why should we care?

So, the good ship AFM has hit an iceberg and is beginning to fill with water. Are repairs possible? Are there enough lifeboats for the working folks?

The history of the AFM and its working musicians proves beyond a doubt that working musicians receive what they need from their locals only when there is a strong and active national AFM to make it happen. Without a strong national union able to enforce its bylaws, the professional musicians of the AFM will be as much at the mercy of their locals as they were 35 years ago when ICSOM

was founded, largely in response to abuses of local unions' power over working musicians. Virtually everything that symphony musicians have achieved over the past four decades, in terms of their rights as union members, is at risk if the national union is weakened or goes under. The right to sit at the bargaining table, to ratify collective bargaining agreements, to have negotiating counsel of their choice paid for by their union dues – the basic rights of trade union self-determination, in short – are now up for grabs. So are the services provided by the Symphonic Services Division to *every* local of the AFM with an orchestra.

Without these rights and services, we are time-warped back to 1962, when the Chicago local threatened to deprive the musicians of the Chicago Symphony of the right to work other jobs, and when the musicians of the Cleveland Orchestra had to appeal to Congress to be able to sit at the bargaining table when their labor agreement was negotiated.

Given the hostility with which even the relatively tepid and noncontroversial report and recommendations of the Restructure Committee were met by the 1997 AFM Convention, it is clear that the working musicians of the AFM now need to put together their own vision of how the AFM needs to change. The only way the AFM will survive is by putting the needs of its working members above all else. Convincing the AFM to change to that extent will be one of the more difficult tasks that ICSOM and the other player conferences will have ever undertaken, but the alternative is to sit back and watch while our union is sent to the undertakers. Even if only for its potential to be an effective trade union for professional musicians, the American Federation of Musicians is still worth fighting for.

Robert Levine



AFM Convention Highlights

ICSOM/OCSM/ROPA/RMA-sponsored proposals:

Resolution #41

Action: passed

"... A council shall be formed consisting of one elected representative from each of the then current Locals' conferences, which shall be known as the Locals' Conferences Council (LCC)..."

Resolution #32

Action: passed

"... Eligibility for participation in the Strike Fund shall be limited to Symphonic Orchestras that meet the following criteria: ... at least ~~forty~~ twenty-five musicians being paid an annual salary of \$15,000. ... The Fund shall be maintained and administered by six trustees, ... two of whom shall be selected by ICSOM in accordance with the procedures established by ICSOM."

Resolution #28

Action: killed in committee

"... All Federation Work Dues received under the provision of Article 8 ... shall be dedicated and used exclusively to fund specific services for Symphonic players..."

Resolution #8

Action: killed in committee

"... All members of the Federation ... shall be required to pay dues based on earnings for all ... employment with any Symphonic Orchestra ... with not less than ~~sixty~~ ten musicians performing under a collective bargaining agreement or under personal service contracts for the season..."

Resolution #7

Action: killed in committee

"... In Locals where \$100,000 or more in Federation Electronic Media Work Dues was generated in the preceding year ... 1-1/4% of scale wages shall be due and payable by the Local to the Federation ... In Locals where less than \$100,000 in Federation Electronic Media Work dues was generated ... 3% of scale wages shall be payable to the Federation. Of this amount, the actual cost of the expense of the Local's Approved Electronic Media Department, up to a maximum of 1-1/2% shall be due and payable by the Federation to said Locals..."

Other events of interest:

Elected to the IEB: Tammy Kirk (Tulsa) and Ed Ward (Chicago), replacing Bill Moriarity (New York) and Ray Hair (Dallas).

Two-year special assessment on each member of \$5 per year for AFM debt reduction, organizing, and moving AFM international headquarters.

Strike Fund established for touring musicians working under Federation-negotiated contracts. (The only Restructure Committee recommendation passed by the Convention.)

No increase in electronic media work dues, as a result of intense lobbying by the RMA. (See *Senza Sordino* Vol. 35, No. 3, "Recording Musicians Go On the Record Against Dues Increase.")

1997 ICSOM Conference

August 20 - 24, 1997

at The Antlers

Vail, Colorado

Keynote speaker:

I. Philip Sipsier

Legendary labor attorney and negotiator for many ICSOM orchestras, including the recently striking Atlanta Symphony and San Francisco Symphony.

Panels:

Restructuring the AFM

Sexual Harrassment and Contract Administration

Striking Orchestras, 1996-1997

Early Settlements and Other Strike Alternatives

Workshop:

Shop Stewards

Plus the ever-popular parties, dinners, mixers, and goings-on at the Hospitality Suite and/or the Hostility Suite, as your mood dictates.

In attendance at the ICSOM Conference, in addition to ICSOM officers and delegates, will be representatives from ROPA, OCSM, the AFM (national and local officers, IEB, Symphonic Services and Electronic Media Services), past ICSOM officers (this year including former ICSOM chair Fred Zenone), and a variety of other guests.

All musicians of ICSOM orchestras are encouraged to discuss with their ICSOM delegate prior to the Conference their feelings on any of the above issues, as well as any other issues that ICSOM may appropriately address.

MMB Music, Inc.

THE MUSICIAN'S SURVIVAL MANUAL:

A Guide for Preventing and Treating Injuries in Instrumentalists

Richard Norris, M.D. (Medical Director, National Arts Medicine Center National Rehabilitation Hospital Outpatient Centers at Bethesda, Maryland.)

This book provides comprehensive information regarding understanding, preventing and treating the occupational injuries and problems of instrumental musicians. *The Musician's Survival Manual* provides valuable information and help for musicians, therapists, physicians and healthcare practitioners. (134 pp, 1993) ST262 **\$19.95**

CONTENTS INCLUDE

- Overuse Injuries: Recognition and Prevention
- Nonsurgical Treatment of Upper Extremity Disorders in Instrumentalists
- Problems in the Neck Region
- Thoracic Outlet Syndrome
- Back and Seating Problems in Musicians
- Shoulder Problems
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- Carpal Tunnel Syndrome
- De Quervain's Disease: Tendinitis at the Base of the Thumb
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Repetitive strain injuries (RSIs) are a group of work-related injuries which result from the overuse of muscles, tendons, and nerves. The most common body parts affected are the back, wrists, shoulder, elbows, neck, and hands. RSIs and crippling back injuries can occur whenever work is repetitious, involves awkward postures or requires heavy lifting.

The AFL-CIO Department of Occupational Safety and Health reports that each year RSIs account for more than 700,000 serious workplace injuries. Studies have estimated the cost per RSI case to be between \$7,000 and \$30,000, and the national cost may be as high as \$20 billion annually.

According to the AFL-CIO, "Ergonomics is the process of changing jobs to fit workers – rather than forcing workers to adapt to jobs involving an unreasonable work pace, poorly designed equipment or too few rest breaks." We are fortunate that two experts in the field of ergonomics and RSIs, Janet Horvath and Ron Sekulski, have independently produced two new chair designs for working musicians. Their "musical" chairs are described on the next two pages.

The ICSOM CD-ROM

One of the first victims of the AFM's forced downsizing was a service that was held in high esteem by many orchestra activists, especially those preparing to negotiate a collective bargaining agreement – free access to the AFM's electronic bulletin board service. The BBS got its start as a service of the Symphonic Services Division, and just within the past two years added a searchable CBA database, a feature that activists had pleaded for at every ICSOM conference in recent memory.

Unfortunately, the International Executive Board of the AFM, faced with the necessity of cutting some serious money out of their budget (and this was *before* the Convention), saw toll-free access to the BBS as a member service that the AFM could do without. ICSOM has responded to the elimination of this service, one that our orchestras *can't* do without, with a new publication – the ICSOM CD-ROM. This CD-ROM, which is usable on any of the major personal computer platforms on the market, contains not only all of the orchestral, media, and theater collective bargaining agreements currently on the BBS, but allows for far easier searching of

those agreements by keyword than does the existing BBS. The CD-ROM also contains all of the volumes of *Senza Sordino* published to date and recent ICSOM bulletins, as well as media boilerplate language and informational material on bargaining compiled by the AFM Symphonic Services Division and provided by them to ICSOM. The software that makes this all possible is Adobe Acrobat Reader, a freely distributable application from Adobe Systems for Microsoft Windows 3.1, Microsoft Windows 95, and the Macintosh OS. Versions are also available from Adobe's Web site for UNIX geeks and MS-DOS fanatics.

Future plans for the ICSOM CD-ROM include adding material from the other player conferences, as well as additional material from the ICSOM archives. A version for libraries and other archives is in the works as well.

ICSOM is providing a complimentary copy of the first version of the CD-ROM to ROPA and OCSM orchestras as well as ICSOM delegates. Additional copies are available for \$10 each to members of ICSOM orchestras and ICSOM Emeriti.

Robert Levine

The Musicians' Chair

From magnificent orchestra halls to contemporary stages, refined design details have embellished the visual richness of their interior decors. Recent renovations and new construction of orchestra halls have benefited from enhanced aesthetic interiors, but until recently, the musicians' chair has remained relatively untouched by either aesthetic refinement or the scientific knowledge of postural support currently dominating many task chairs.

The musicians' chair needed to be aesthetically resolved to be classically reminiscent without mimicking any style, in order to complement any visual setting as well as the performer. The chair needed to be noiseless in its use. In addition, ease of handling and storage was a consideration.

My goal was to design a single chair exclusively to meet the demanding needs of a variety of musicians – comfortable for the diversity of individual sitting preferences, the range of human sizes and proportions, and the unique positions, body mechanics, and physiological stresses associated with playing various instruments. All of the musicians I surveyed agreed that the physiological comfort of their chairs influenced their performance. Uncomfortable seating is not only painful, but is distracting, and can result in occupational-related fatigue and injuries. Musicians, who are often performing with intense concentration and effort without interruption for many hours, require a chair providing maximum comfort.

My methodology included a thorough literature review of task seating, field observations during service and performance including videotaping (for biomechanical and ergonomic analysis), and completion of a survey by 65 musicians from the Detroit Symphony.

Anatomically, our bodies are structured to be dynamic; we change our position frequently while sitting which maintains blood flow and helps to revitalize and prevent fatigue. Many chairs discourage or prevent ease of movement by their design.

The analysis resulted in establishing the performance and design criteria which included height and seat tilt adjustments (one-handed), back support, beauty, and stackability. These requirements were then incorporated into three prototype chairs which were field tested and evaluated by musicians of the Detroit Symphony. (Feedback was incorporated into refinements enhancing comfort and ease of adjustment.)

Seat height adjustment was identified as critical; we know that if the chair is too high for the musician, their feet are not firmly planted on the stage floor. Consequently, additional energy is expended to sustain a stable posture which can be distracting and fatiguing. Additional consequences include impeding blood circulation in the lower extremities as a result of the front edge of the seat pressing against the back of the leg. (Phlebitis, ischemia and varicose veins can result). The seat height of the Musicians' Chair is adjustable with one hand, allowing on-stage height adjustment. Chairs can be ordered in specific heights for individual use.

The Musicians' Chair seat contour is flat and provides enduring firm support as well as ease of position variations and changes. The seat is upholstered with a breathable synthetic material which wicks moisture and decreases heat build up. The Chair also includes

ample and gracious back support for both small and larger framed individuals. The chair is available in an upholstered back version (not shown) providing additional lumbar support.

The survey responses indicated that a third of the musicians preferred the seat angle tilting forward, a third preferred a horizontal seat, and a third a backward seat slope as in a traditional chair. The angle of the seat, whether horizontal, tilting forward or backward, can be easily adjusted.

The choice of wood for the frame reflects an aesthetic and a desire to take advantage of the inherent quality of the wood to resonate with the vibrations of the music. The finish was selected to sustain long term handling and use.

The musicians voiced an overwhelmingly positive response to the chair's appearance. The Chair conveys a sense of beauty which complements the professional environment, both while in use as well as when unoccupied.

The Musicians' Chair can be ordered on a custom basis for individuals for home use, for small ensembles, and in quantity for full orchestras. The Chair is available in different wood species and finishes. For more information, please contact Partners in Design, Ronald Sekulski, Principal, 2512 Wigwam Road, Harbor Springs, MI 49740 (616)526-8326.

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 Additional studies at Harvard University*

Mr. Sekulski is a renowned expert in Product Design and Ergonomics with 26 years of experience who has successfully designed furniture and products for many industries, and is the author of numerous articles on design and ergonomics.



Harpists, Cellists, Short Musicians Unite!!

We, the harpists, cellists and shorties of the music world are frequently at a distinct disadvantage. Those of us who, because of our size or instrumental requirements, cannot or do not use back support when playing, are at higher risk of back pain because of the increased amount of static loading on our musculature.

Cellists have the highest rate of back injury (75%), followed by harpists (73%), pianists (69%), double bass players (60%) and violinists (37%). Statistics seem to indicate that the biggest strain is on those instrumentalists who have no back support. Back strain occurs due to deconditioned backs, poor posture, and chairs which are poorly designed. A normal lumbar curve in the lower back is desirable at all times. It is hard to achieve when seated. When one sits, the hips must flex 90 degrees. Since the thigh bone is only able to rotate 60 degrees, the remaining 30 degrees must come from the pelvis, which tilts backwards and flattens the lumbar curve, resulting in a slumped back. This slumping causes the back muscles to contract, which in turn reduces blood flow to the area and puts pressure on the intervertebral discs. This in turn flattens the diaphragm, decreasing air flow. A considerable muscular effort is necessary to counteract this backward tilt in order to sit up straight.

Muscles work best mechanically when at their mid-point of normal range of movement, or when they are in neutral position. Awkward postures, including fixed or constrained body positions, are undesirable since they load the joints in an uneven or asymmetrical way. During static positions the muscles are in a prolonged state of contraction. No "work" is externally visible, yet in static positions blood vessels are compressed, and blood does not flow normally. Oxygen is not replenished and waste is not removed. We



Cello chairs compared – The new Wenger cello chair (foreground) is shorter and has an even lower back than its predecessor (background).

cannot continue a static effort long (such as holding an outstretched arm or maintaining posture) before fatigue sets in and eventually pain.

Static effort is much more strenuous than a dynamic movement. If this static effort is repeated daily, damage to tendons, ligaments and discs may occur. Muscles subject to static work need twelve times longer to recover from fatigue. Now we know why it is much more difficult and fatiguing to play slowly and softly! A bent head is an example of static load. When the head is bent forward or backward, or to either side, it is a lifting task. The head weighs about 15 pounds. This supporting of the head constricts the muscles of the neck and shoulder area, obstructing blood flow. The stress is exacerbated if arms are extended forward or if the torso is bent forward. Tight neck and shoulder muscles compress surrounding nerves, many of which extend down the arm, and can cause disc problems. Reducing blood flow to the head can also cause headaches and eye strain.

Cellists, keyboard players, and short musicians are often unable to use the backs of their chairs due to the depth of the seat. We typically sit on 6 inches to 9 inches of seat, and only when a substantial number of rests occur can we scoot back in our chairs to avail ourselves of the back rest. Harp benches and piano stools have no backs whatsoever, and it becomes extremely tiring to sit through hundreds of bars of rest and entire movements without a back rest.

In collaboration with the Wenger Corporation, the international music equipment manufacturer, I set out to design a new chair prototype. The "short seated" chair seat is less deep and the back is substantially lower than what is now available. It is possible to sit back while playing. This may be philosophically alien to most cellists and harpists, but this addition to your postural repertoire could save your back. Of course, one can continue to sit forward when needed on 6 inches of this chair, as one would on any chair, and use the back to rest, in this case not requiring a major adjustment in body position.

The seat can be made to lean slightly forward for cellists, and the height of the chair can be customized to individual specifications. The "short seated" chair prototype was tested by several musicians of the Minnesota Orchestra and other local performers. The chair is quite small, light, and portable. It is done in the standard black upholstery to conform with other Wenger chairs.

For inquiries and orders contact Mr. Michael Smedstad, Director of Marketing and Product Development, The Wenger Corporation, 555 Park Dr., P.O. Box 448, Owatonna, MN 55060. Phone (507) 455-4100 Ext. 278, Fax (507) 455-4258 or 1-800-733-0393 Ext. 278. Leave a message on voice mail.

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The cost of the chair is approximately \$250.00. For the initial shipment, projected delivery date is fall 1997.

*Janet Horvath
cellist, Minnesota Orchestra
director, "PLAYING (LESS) HURT"
Conference and Lecture Series*

Rhapsody In Bluegrass, Part II

Louisville Musicians Find the Key to Change Without Striking

Second in a Continuing Series

As ACT I ended, the Louisville Orchestra musicians, with their advisors and supporters, were struggling to break through the facade of management's doomsday financial projections. It was tough going, but the musicians' quietly informative media campaign was beginning to bear fruit in the community, and the bastion of board resistance was weakening. Louisville Mayor Jerry Abramson called upon Henry Fogel, Chicago Symphony Executive Director, to bring the parties together. . .

ACT II

(Chicago, Illinois, 1995)

Scene 1: THE MAY 1995 SETTLEMENT

Two days of intense negotiations in Chicago coordinated by Henry Fogel didn't settle the disputes between the two sides. The orchestra's board presented an offer which dictated the loss of 25 full-time musicians, threatening that if the musicians didn't yield, the existing contract would be canceled. If further negotiations for a new contract failed, management would unilaterally impose a contract to its liking on the musicians.

The musicians refused to budge, despite the board's threats of arbitrarily revoking the existing contract, and management relented on its downsizing ambitions and offered the musicians 67 full-time positions instead of the 45 to which it had, up to that moment, steadfastly held. But the musicians' one non-negotiable item was 70 musicians. Just before the board's deadline was due to expire in early May 1995, Clarita Whitney (who, you will remember from ACT I, had raised \$80,000 from the community for the benefit of the orchestra) offered to use the money she had raised to hire the three extra musicians, thus completing the financial package.

A deal was struck, and a new contract signed. This contract, although officially lasting two years, contained a reopener which provided for renegotiation of several issues at the end of the first year (May 31, 1996): salary, the number of full-time musicians, and the board's 7-week notice of termination clause.

Scene 2: THE FOGEL PROCESS

The acceptance by the board of a plan for an extensive collaborative study of the institution to be undertaken jointly by board and musicians, with Henry Fogel in the role of moderator and advisor, was now imminent. Henry Fogel agreed to lead the joint union/management study of the orchestra's marketing, fundraising program costs and financing. At the outset of the study, the musicians agreed to a press blackout on the Fogel Study for its duration. The results

of this study would dictate whether the institution could pay for 70 full-time musicians, the minimum needed to preserve the orchestra's reputation.

The musicians, many very reluctantly, mustered the faith and determination that the structure of this self-examination, with board and musicians working jointly on committees, would produce real, long-term solutions to the deep-seated problems which the entire institution had previously ignored. This "laying down of arms" for a "lion and lamb" relationship with the board at this time of peak volatility was possible in large part because of the involvement of Henry Fogel, his knowledge of the orchestra world and his gift for clear communication capturing both sides.

The stakes were high, as *Courier-Journal* music critic Andrew Adler noted in his article written immediately after the May 1995 agreement had been forged. "Clearly, the board still intends to restructure the ensemble into its vision of a fiscally secure institution," he wrote. "Whether it's to be 45 full-time and 22 part-time musicians or some other formula, the goal is unmistakable. Unmistakable, too, is the players' resolve to prevent the board from implementing its arrangement. . . There is a sense that both players and management look to Fogel to justify their respective positions."

The musicians, William Thompson (the musicians' public relations and arts management advisor), Liza Hirsch Medina (the musicians' legal advisor), and Ron Bauers (the musicians' advisor for orchestra finances) all got back to work to prepare the musician members of the Fogel subcommittees. They prepared detailed analyses of the Louisville Orchestra's financial performance, and compared it with other ICSOM orchestras as well as with regional orchestras. They located the particular income areas in which the LO was underperforming other orchestras, as well as those expenses that cost the LO more than other orchestras, and set up a sort of "shadow administration" led by the musicians. The musicians on each subcommittee knew those areas in which the largest dollar gains could be made, had specific recommendations to reach those goals, and gave specific financial data to support their ideas and promote discussion when the musicians convened with their board partners in the subcommittees.

Armed with that information, and adding hours and hours of study and hard work over five months, the musician members of the Fogel subcommittees helped discover hundreds of thousands of dollars in added income and reduced expenses that could contribute to the orchestra's bottom-line performance. After Fogel evaluated the reports emerging from the joint study process, he agreed that the orchestra could boost its available revenue by \$508,000 during the 1997 season, and by \$843,000 during the 1998 season.

(continued on next page)

(continued from page 7)

Scene 3: MANAGEMENT CHANGES

While the Fogel study proceeded, the orchestra's management structure began to topple. In December 1995, three months into the Fogel study process, LO executive director Wayne Brown announced his resignation, joining nearly his entire staff in leaving the organization. Gregg Gustafson was hired to fill the position of executive director and began his duties on July 1, 1996. The vacancy in the conductor's position, which had left the artistic ambitions of the institution without a strong advocate during the entire crisis, was filled by Max Bragado-Darman.

There were changes within the board, too. Joining the board in October 1996 was a dynamic new board member, Stan Curtis, who had founded "Kentucky Harvest," an extremely successful project organized to help feed the homeless. He was immediately promoted to president-elect of the orchestra's board of directors and given the option to appoint up to 12 new members to the board. He completed his reorganization by adding several new members to the executive committee, thus diluting the power of the previously recalcitrant executive committee members. And the semi-independent committee that controlled the orchestra's endowment was forced to yield on a number of matters, apparently causing some of them to resign, too.

Scene 4: CONTINUED ENGAGEMENT

Despite the hope that the extensive leadership changes engendered, the May 1996 deadline for the contract renegotiations came and went without an agreement. Even after two days of intense negotiations on June 2nd and 3rd, board and musicians remained light-years apart. Although the orchestra's board had been equally represented on the Fogel subcommittees, management still had not formally recognized and adopted the report's findings months after they had been issued. The board's negotiators explained their inability to agree to higher salaries with a giant Catch-22: Corporate donors had promised big donations, but wouldn't give unless the musicians agreed to a contract; yet when the musicians' negotiators asked for salary increases in exchange for signing a contract, management said that wasn't possible because they couldn't count on those promised corporate donations.

Confronted by the management's announcement of falling corporate contributions, the musicians, in collaboration with their advisors, prepared a "Prospectus for Investors" which examined how the Fogel recommendations could be integrated into the management of the organization.

The same musician initiative filtered into the artistic arena as well. The musicians' committee and the musicians on the Artistic Advisory Committee developed and presented a Repertoire Plan for the 1997-1998 season. This plan overshadowed the one presented by music director Max Bragado-Darman, which was filled with chamber works as a *de facto* demonstration that the orchestra could be downsized. Management justified the repertoire choices by claiming that they wanted to eliminate hiring extra players for larger scale orchestral pieces. The musicians' plan contained pieces

that employed virtually all the orchestra's present musicians, while actually eliminating the need for a high number of extra musicians. This plan suggested highly marketable themes into which the pieces could be grouped, many of which were adopted into the next season's subscription concert offerings.

Scene 5: THE 1996-97 NEGOTIATIONS

The musicians' committee's constructive engagement approach began to have some results. In the early talks, the musicians committee persuaded the board to agree to a process called "Fogel II," which would commit the orchestra's management to continuing a periodic joint review of its operations. However, agreement on key issues, especially the number of musicians and salary recovery, became increasingly elusive and obviously frustrating to both sides.

After all the time and effort they had expended to make the Fogel process work, the musicians felt betrayed. In the October 1996 issue of *The Music Stand*, newsletter of the Louisville musicians, committee chair Clara Markham wrote, "Fiscal responsibility is good – the musicians applaud it. However, consciously draining financial resources from the orchestra during the year of musician contract negotiations, and then retrieving those same resources in a subsequent year in which the institution doesn't have to prove penury in order to extract more concessions from the musicians, isn't fiscal responsibility. It's financial chicanery, and not a little mean-spirited, too. . . It's not a partnership when one partner pulls back the company's profits just as the other partner's salary comes due."

Another period of informal talks ensued with no substantial progress being made. Recognizing the need to establish a firm starting point for more meaningful negotiation, the musicians wrote a letter to Gregg Gustafson on November 26, 1996, citing the significant positive shifts in direction and accomplishment of the institution through and since the Fogel study, and quoting Henry Fogel's report, "It is my own very strong personal belief that the revenue is there to support the artistic payroll of the orchestra and that downsizing at this time would be more destructive than helpful to the immediate financial structure." In their letter the musicians stated, "We must all embrace the commitment to 70 full-time positions, find a route to a long-term contract, and help the musicians begin to recover a portion of their enormous salary concessions, which total more than \$600,000 during the past three years." This letter, which also referred to a strike vote unless there was a formal proposal reflecting this commitment by December 2, 1996, yielded the first proposal from the board which contained a commitment to 70 full-time positions.

This was the turning point in the negotiations. The one non-negotiable objective and ideal for which the musicians had stood unified had been attained. But despite this quantum leap and other progress, the negotiations bogged down. The talks about money and other issues were at a standstill. Although sometimes Gustafson seemed to be convinced that the budget could support a salary increase, he couldn't seem to instill confidence among board members that it could work. The orchestra's management took the position that it had made the ultimate sacrifice by abandoning its downsizing ambitions and compromising on the number of full-time

musician positions. Management made it clear that it was up to the musicians to compromise on all the other issues, including the musicians' requested salary increase, which would be their first since the 1992-93 season.

The musicians' committee began to have meetings with executive director Gregg Gustafson. These meetings were not formal negotiating sessions, but did give the musicians frequent opportunities to learn why Gustafson didn't think the orchestra could afford musician raises. Having thus learned the specific financial insecurities that kept Gustafson from agreeing to a settlement, musicians' committee members Ernie Gross and Brooke Hicks tore into the budget again, isolating cost savings to which the musicians could agree and which would free up revenue that could be devoted to the restoration of the musicians' salaries.

Scene 6: BRINKSMANSHIP

Both sides decided to bring in Fogel again for a face-to-face meeting that would either settle the issue or make it clear that the more unambiguous message of a strike would have to be sent to the orchestra's management. The meeting was scheduled for February 4 and 5, 1997, and was one of the rare gatherings of all the major players since the 1995 agreement. Fogel flew in from Chicago, and musicians' attorney Medina from San Diego.

During the first day of talks, minor progress was made on working conditions, but there was virtually no movement on salary. As the second day dragged on, the board's negotiation team still claimed there was no more money available, and the talks appeared to be breaking up. The musicians had already scheduled an orchestra meeting for that evening and were prepared to go on strike. At 4:00 p.m. the musicians' media spokesperson let the media know of the 6:00 p.m. orchestra meeting. Within 45 minutes, management returned with a 4% pay increase that would take place immediately, along with a \$400 bonus that would be paid in September 1997. The two sides tentatively agreed on the package, and both sides presented the tentative agreement jointly to the press at 7:45 p.m.

The musicians' committee spent nearly another month negotiating with Gustafson to formalize the exact language to implement the working conditions improvements that the musicians had worked so hard to win. Finally on March 6, 1997, the musicians ratified the final agreement.

Entr'acte: LESSONS LEARNED

The route that the Louisville Orchestra took to this agreement was long, and filled with very hard work. It takes a lot of **expert help** to take on an institution's board, comprised of the city's leading lawyers, accountants and business leaders. Liza Hirsch Medina proved to be a tremendous strategist and a spectacularly successful negotiation room player. She pointed out the necessity of getting good financial analysis, which Ron Bauers provided, and good media help, which William Thompson provided with a well-designed media plan. His arts management background helped him train the musicians in how to analyze the institution's workings,

which led to effective decisions about transforming the institution into a more productive force.

The members of the musicians' professional team emphasized that the musicians would have to **learn many high-level non-musical skills** if the campaign was to be a success. The musicians were trained in all areas of orchestra operations – public relations, finance, marketing, development, and programming. **Extensive research** was done early, and shared with important friends as quickly as possible. Spreadsheets, charts, and financial analyses were produced to answer every relevant as well as every irrelevant question, and when the analyses were presented to other unions, political figures and media leaders, virtually every one of those questions came up. The organization's failings relative to other orchestras were investigated, and ways found to improve management's performance. The musicians' knowledge of the Louisville Orchestra's performance relative to other orchestras was vital in guiding the Fogel study to recommendations that strongly supported the musicians' contentions.

That examination led to suggestions of specific programming, marketing, and cost-control improvements to counter management arguments that they didn't have the money to fund the musicians' proposals. The musicians used raw income and expense numbers from the orchestra's own audited statements and formal budgets to criticize management's financial projections. That kept the musicians' credibility high, and prevented management from casually dismissing the musicians' differing financial projections. The musicians' capacity to counter management's contentions immediately stopped several of management's initiatives in their tracks.

The realization that the first priority of management was to downsize rather than to find the money to restore musicians' salaries made the necessity for a **community partnership** apparent. The highly successful **media campaign**, based on facts, not rumors, brought crucial public support to bear in favor of the musicians' position.

There have been numerous positive changes in the Louisville Orchestra organization, and for the moment the Louisville Orchestra has done an about-face away from downsizing. What has been learned, however, is that **vigilance over the organization can never end**. The so-called "shadow administration" of monitoring the organization's performance was a key to helping establish the musicians' credibility and then effecting true reforms. It is those reforms that brought enough money into the orchestra's coffers to reverse the cuts the musicians had been forced to take. But the disease to which the Louisville Orchestra had fallen victim could return, and the "Fogel II" study was written into the new contract to monitor progress, insure that the suggestions the musicians made will be implemented, and guard against repeating the mistakes of the past.

There is no way the Louisville musicians could have accomplished what they did without having organized themselves into a strong, solid team in the best spirit of unionism. But have you noticed that so far there's been no mention of Louisville's local union? There's a good reason for that, and you'll find out what it is in ACT III (back in Louisville, Kentucky, 1996-1997), appearing in the next Senza Sordino.

Newslets

The Wall Street Journal printed two responses to an opinion piece by Shawn Ritenour entitled “**How Subsidies Kill Symphonies,**” one from ICSOM and one from Mary Landolfi, vice-president of Local 802 (New York). Landolfi wrote “the problem is not too many public subsidies for artists, but too few. A study . . . revealed that every dollar invested by the New York State Council on the Arts in nonprofit theater generates a \$68 benefit to the economy.” ICSOM chair Robert Levine wrote that “Ritenour’s claims . . . are in complete contradiction of the facts. There are far more professional symphony orchestras in the U.S. now than existed before the founding of the NEA, or before orchestra musicians started agitating (in a classic example of grass-roots unionism) for better wages and working conditions. . . It is no accident that American orchestras began to perform better when they started paying better, nor that so many more people attend concerts now that the quality of orchestras has improved.”

Orchestra Newsletter Wins Regional Awards – *The Bugle*, newsletter of the Honolulu Symphony Musicians, and its editor Marsha Schweitzer, have received two awards from the Western Labor Press Association, an affiliate of the International Labor Communications Association (ILCA). Marsha’s editorial “Back To Normal?” from the October 1996 issue of *The Bugle* won First Place for “Best Column/Editorial” in the Newsletter (Mimeo) category, and Marsha also won a Special Award for “Volunteer of the Year.”

The **Louisville Orchestra** has been placed in the AFM Orchestra Services Program (OSP).

The ICSOM Governing Board has approved this year’s slate of ICSOM’s **Mendelson Memorial Awards winners**, providing scholarship assistance to nine minority students during the next year. This year’s awards totalled \$5000: \$4000 allocated for the coming school year, plus an additional \$1000 remaining unused from last year’s allocation. Award winners were determined through a cooperative audition process with the American Symphony Orchestra League (ASOL), which also provides financial assistance to minority students through their Music Assistance Fund. ICSOM President Dave Angus is ICSOM’s liaison with ASOL. This year’s award winners are:

Wade Davis, cello, Brevard Music Festival
 Kazem Abdullah, clarinet, Cincinnati Conservatory
 David Davis, viola, Roosevelt University
 Robert Davis, clarinet, Cleveland Institute
 Mariana Green, violin, Juilliard School
 James Shaw, viola, University of Denver
 Jennifer Snyder, viola, Juilliard School
 Tahirah Whittington, cello, New England Conservatory
 Jeffrey Ziegler, cello, Rice University

The Mendelson Memorial Awards are named for Ralph Mendelson, a violist with the New York Philharmonic and an officer of ICSOM from 1970 to 1974. Mendelson died in 1979, and the Ralph Mendelson Memorial Awards were established in his memory in 1982.

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Players' Conferences Join Forces IN SEARCH OF A REAL FIX

In the wake of a failed effort to restructure the AFM at the 1997 AFM Convention, the working musicians of the AFM faced an untenable situation. Already paying more than their fair share of the union's bills at both the local and national levels and getting less than they pay for in service, working musicians saw themselves faring even worse as a result of the AFM budget cut that was adopted by the 1997 AFM Convention. They asked, "Who will be able to really fix the trouble with the AFM, and when?" The answer, they have decided, is themselves, and now.



Keynote Speaker I. Philip Sipser, ICSOM's first legal counsel, receives a plaque from ICSOM Chair Robert Levine commemorating his years of devotion and service to ICSOM and orchestra musicians.

In a dramatic display of unity among working musicians, all four players' conferences — ICSOM, OCSM (the Organization of Canadian Symphony Musicians), ROPA (the Regional Orchestra Players' Association), and RMA (Recording Musicians Association) — at their respective summer gatherings passed corresponding legislation to establish an unprecedented cooperative and collaborative relationship among them. Working together, the four conferences will form a joint committee (Investigative Task Force) to investigate the AFM and its problems, and in August 1998 will produce the first-ever joint meeting of the four players' conferences. At that Unity Conference virtually every AFM symphonic and recording musician in the United States and Canada will be represented — the largest convergence of working AFM musicians in history.

The keystone of the players' conference collaboration was put into place at the 1997 ICSOM Conference, held August 20-23 in Vail, Colorado. Discussion of AFM restructure was the major item on the agenda. A panel moderated by Richard Totusek, Treasurer of Local 47 (Los Angeles), and consisting of Dennis Dreith, President of RMA; Andrew Brandt, President of ROPA; Robert Levine, Chair of ICSOM; William Moriarity, President of Local 802, New York City; Kenneth Shirk, member of the AFM International Executive Board (IEB); and Leonard Leibowitz, ICSOM Counsel, presented their ideas and opinions about the nature of the AFM's problems and the possible solutions, followed by discussion from the floor.

The floor discussion of AFM restructure was a recitation of the many questions left unanswered by the AFM Convention and the previous restructure attempt. These questions and comments from ICSOM Conference participants give some idea of the formidable challenge the joint players' conference Investigative Task Force has before it:

- How would we structure the AFM if we started over from scratch?
- What is the definition of a union?
- Is member service a Federation or local responsibility?
- What intrinsic problems in the nature of our profession must be considered in any restructure?
- Is this just a matter of generating more money, or a matter of restructure?
- Working musicians are outnumbered by nonworking AFM members who may disagree with our definition of a union.

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- The problem is not enough members.
- The problem is the locals.
- The problem is the antiunion climate among musicians and in society.
- We need more than money; we need a more efficient way to deliver services.
- Would the AFM be better off with a smaller, more exclusive membership of full-time musicians, or with a larger, more inclusive membership?
- Symphony, recording, and club-date musicians need different services; the AFM cannot be a one-size-fits-all union any longer.
- Can we have different classes of membership with different dues and service structures?
- Money in the music industry is in rock & roll. We milk symphony musicians while rock & rollers are untouched.
- Who does the IEB represent?



Frederick Zenone, a cellist in the National Symphony and ICSOM Chair from 1980 to 1986, reported on the activities of the Symphony Orchestra Institute. (photo by Mark Schubert)

ICSOM Chair Robert Levine described the AFM as a Rube Goldberg-esque creation: “The AFM’s approach to problems has always been crash, burn, short-term fix. The Orchestra Service Program (OSP) is a bandaid. The Regional Orchestra Emergency Relief Fund is a bandaid. The recently enacted IEB Oversight Committee is a bandaid. We have layer upon layer of bandaids. Instead of patching over problems, let’s fix the fundamentals.”

AFM President Steve Young pointed out from the floor that any new plan agreed upon by the players’ conferences and the AFM leadership would have to be approved by the delegates at the 1999 AFM Convention. He urged all musicians to lobby aggressively at the local level to elect and educate delegates to the 1999 AFM

Convention who would champion our reforms and vote to further them.

In his annual address to the ICSOM Conference, Young stated that the AFM has no money in the bank and no financial reserves. He also described pressing problems that the Federation must address — emerging technologies like digital movies and the Internet, organizing, and legislative lobbying — in the face of budget cuts mandated by the 1997 AFM Convention. President Young said, “I want to build a better union for working musicians,” and while no one doubted his sincerity, he did not explain how the AFM’s increasing new problems, as well as the old ones, could be addressed with even less revenue while, at the same time, maintaining necessary services to working musicians.

All during the ICSOM Conference, ICSOM made available for sale two books, *Music Matters*, a history of the AFM, and *For The Record*, a history of the AFM recording musicians, with the proceeds of the sale going to support TEMPO, the AFM’s political action committee. \$650 had been raised for TEMPO by the end of the conference.

The keynote speaker of the 1997 ICSOM Conference was I. Philip Sipser, former counsel of ICSOM and legendary negotiator for orchestras. Sipser’s address retraced the history of ICSOM from an officially maligned union democracy guerilla movement to a respected force with official conference standing within the AFM. He warned about the latest management strategies to manipulate money and the media to create false perceptions of orchestra finances and musicians’ needs. He urged ICSOM to hire a public relations specialist to counter the misleading images of musicians that managements have promulgated in the press. Sipser also urged musicians to become voting members of their orchestra organizations and apply pressure on boards from corporate membership positions as well as at the bargaining table.

Two related panel discussions, on 1996-97 striking orchestras (Oregon, San Francisco Symphony, Atlanta, Philadelphia) and on early settlements and other strike alternatives, revealed some interesting parallels. Whether in war or peace, negotiation success depends on an absolutely unified orchestra, speaking with one voice through its duly elected orchestra committee. Threats to orchestra solidarity come from all sides — from management, board, community, and most painfully, from dissidents within the orchestra. An orchestra’s resilience to the rigors of a strike is predicted not so much by the strength of a strike vote, but by the willingness of musicians to do the work of a strike, such as serving on strike committees, and by the depth of their understanding of the issues central to the strike.

Several striking orchestras admitted having inadequately educated and prepared their musicians for a strike, inadequately developed their strike strategy, and inadequately researched their orchestra’s financial and labor histories. As a result, some striking musicians held unrealistic expectations and became disgruntled when their strikes did not quickly end. In some cases, this growing disunity in the ranks threatened the outcome of the strike.

The orchestras describing early settlements (St. Paul, San Francisco Opera, New York City Opera, New Jersey, Louisville, Milwaukee, and San Antonio) were not necessarily better off

Re-elected

at the 1997 ICSOM Conference to new two-year terms as ICSOM Members-at-Large were **Mary Plaine** (Baltimore Symphony), **Charles Schlueter** (Boston Symphony), **James Clute** (Minnesota Orchestra), and **Michael Moore** (Atlanta Symphony).

financially than those who struck; in fact, some were worse off. What they did have, however, that the strikers did not was a constructive, productive dialogue with their managements and boards that fostered open, honest communication and complete disclosure of all relevant facts about the institution. In several cases, that improved relationship came as a direct result of a previous painful labor dispute. Panelists agreed that there must be a willingness by all parties to be reasonable, to look at the big picture for the good of the organization as a whole, and to seek creative solutions, including those that come from musicians.

Trust was repeatedly cited by panelists as the key to success. Where it exists, strikes can be avoided. Such trust seems to be possible only where managers and boards are perceived to be competent, diligent, and genuinely respectful of professional musicians. Trust is sustained by management's keeping its word, making good on its promises and proving that the musicians' confidence was well placed. In several orchestras, musicians have effectively persuaded the organization's leaders to make changes in board and management personnel as necessary to clear the way for the development of such improved labor relations.

The participants stressed that, even in amicable negotiations, the hard work is never finished. Honest communication and trust are good for starters, but they must be followed up with ongoing vigilance. Complacency is a constant danger for both management and musicians, and sometimes maintaining good labor relations is harder than establishing it in the first place.

Informative and at times entertaining workshops were presented on "Shop Stewards" and "Sexual Harassment" by ICSOM Counsel Leonard Leibowitz and AFM Symphonic Services Division Director Florence Nelson. The final speaker of the 1997 ICSOM Conference was Frederick Zenone, ICSOM Chair from 1980 to 1986, who updated us on the efforts of the Symphony Orchestra Institute to effect change in orchestral organizations. Fred's moving tribute and expression of personal indebtedness to keynote speaker Phil Sipser brought the conference full-circle to a fitting close.

Not only the ICSOM Conference, but also ICSOM itself, has come full-circle. ICSOM began 35 years ago as a dissident movement within the AFM with the goal of improving the union's service to working musicians. This summer, together with her sister conferences, ICSOM has once again taken on the mantle of responsibility for changing the AFM. Local 802 President Bill Moriarity told the conference, "Power for a local comes from its working musicians." It seems that the time has come for the working musicians of the AFM to exercise that power and take control of their union. The stage has been set for the historic Unity Conference, scheduled for August 1998. Stay tuned.

Strike Averted at Chicago Lyric Opera

After more than seven months of negotiations and a four-day work stoppage that threatened opening night, a settlement was reached covering the orchestra at Lyric Opera of Chicago for the next three years.

Lyric management presented its "final offer" to the Orchestra Committee on September 4, five days before the first rehearsal for the season. At a meeting on Monday, September 8 (the first day of scheduled rehearsals), the orchestra followed the committee's recommendation and voted overwhelmingly to support the committee and to reject Lyric's offer, despite several letters from Lyric management and the board president and an intense media campaign which threatened cancellation of productions and perhaps the whole season.

The federal mediator called the parties back together September 10, and following a 14-hour bargaining session, agreement was reached on a three-year contract that improved Lyric's previous offer by nearly \$500,000 and brought significant improvements in a number of areas. The orchestra's solidarity and the wonderful relationship of the committee, Local 10-208, headed by President Ed Ward, and counsel Mike Greenfield proved invaluable in reaching this agreement, which represents a 26.1% increase over the three years.

Settlement Summary

(1996-97) 1997-98 1998-99 1999-00

| | | | | |
|--------------------------|--------|--------|--------|--------|
| Weeks: | 24 | 24 | 24 | 25 |
| Weekly wage: | \$1475 | \$1540 | \$1615 | \$1675 |
| Prin Overscale: | 25% | 25% | 27% | 30% |
| Asst Prin Overscale: | 8% | 8% | 9% | 10% |
| Doubling: | 25% | 25% | 27% | 30% |
| Pension: | 9% | 9% | 9% | 10% |
| Seniority (over 25 yrs): | 4% | 4% | 5.5% | 7% |

*James T. Berkenstock
Orchestra Committee Chair, Lyric Opera of Chicago*

Your Dues Dollars At Work:

ICSOM Conference Coordinator Tom Hall (Chicago Symphony) fills the mailboxes of conference participants . . .



Voicings

On June 16, 1997, I tripped over a crack in the sidewalk while on my afternoon jog. I fell hard on the cement, but I picked myself right up and started to walk it off. It wasn't until I got to the end of the block that I realized I couldn't open or close my right hand.

I had broken my wrist, exactly two days before the start of the Grant Park season. That night, I called the personnel manager, Ted Kaitchuk. I told him the situation, accepted his sincere, and horrified, sympathies, and asked about disability. When he told me that the Grant Park Symphony had no disability plan beyond my week's worth of sick days, I realized that this would be much more than just an inconvenience.

I had just moved to Chicago, having taken a leave of absence from my position in Memphis. I had been counting on the summer's income to get me through what I knew would be a slow first couple of months. Now I was faced with the prospect of no income whatsoever, and, with a useless right arm, no way of getting any income. I visited the unemployment office, looked into part-time work, and examined all the alternatives I could, but it was looking like I would be living courtesy of my VISA charge card for quite awhile.

The Grant Park Symphony was under no obligation to do anything for me. In fact, since I was technically refusing work which was being offered to me, I could have been, under a strict reading of the contract, terminated. Fortunately, no one in management even considered doing this. In fact, the management met immediately with the orchestra committee to find a way to help me out. What they came up with was, I believe, extraordinary.

The General Director, James Palermo, proposed a system whereby the other members of the orchestra could voluntarily donate sick days to me. (In Grant Park, personal leave is capped, but sick leave can accumulate indefinitely). I would thus be paid for whatever services were covered by these sick days gifted to me, until either they ran out or I recovered well enough to come back to work. The orchestra committee, chaired by Michael Shelton, enthusiastically accepted this proposal.

On behalf of the musicians of the Jacksonville Symphony Orchestra, I would like to thank the orchestras of ICSOM for accepting the Jacksonville Symphony Orchestra into its membership. It couldn't have happened at a more appropriate time. We are currently in the midst of a search for Music Director and also Executive Director. We consider ourselves very fortunate to have the resources of ICSOM available to us. It is also a year in which we will be negotiating a new master agreement. We are looking forward to doing our share as a member of ICSOM's team of orchestras.

*Karl Pituch
Chairman, Orchestra Committee
Jacksonville Symphony*

I was amazed. I had witnessed so many instances in other orchestras where management and the players would inflexibly hold to their reading of the contract, and common sense would fall victim. Here was the opposite: orchestra members helping one of their own, management making it possible.

The response from the orchestra was overwhelming. Many musicians donated their sick days, and many more told me they would do so if I needed them. Ted, in particular, offered to give me as many sick days as I needed. (Like Cal Ripken, Ted has never missed a day's work). By the end of the first week, I had enough sick leave to last the entire ten-week season. I tried to thank the orchestra as best as I could, by bringing food to the orchestra breaks, helping out a little in the office, and coaching the softball team (one-handed!), but I knew that nothing I could do would be thanks enough. Luckily, I was able to return for the final three weeks of the season.

I felt, and still feel, privileged to call these people my colleagues. I will never forget their generosity.

*Kevin Case
Grant Park Symphony
Memphis Symphony*

I just attended the 1997 ICSOM Conference. The Conference provided training that would be a valuable resource if I were ever to serve on a negotiating committee.

Unfortunately it seems that there are too few members of ICSOM orchestras at these conferences. Most orchestras only send one person to the conference. Urge your union to follow the example of Local #3 [Indianapolis], which pays for the ICSOM delegate and an observer to attend the yearly conference.

Too many orchestras are electing the same delegate for many years, some for as many as 10 or 20 years. Orchestra members should consider the benefits of electing a new delegate, if their delegate has served for several consecutive years. Delegates who have served for many years should decline nominations for at least a year or two.

For ICSOM as a whole, electing the same delegates year after year deprives ICSOM of the broader base of talent and experience that a larger pool of delegates would provide. For each ICSOM orchestra, this practice deprives that orchestra of the broader power base it could and should have if more members benefited from the valuable training that the ICSOM conferences provide.

*Michael Hartt
Indianapolis Symphony Orchestra*

The editor replies: *In ICSOM, as in any representative body, there are both advantages and disadvantages to long tenures by delegates. Each orchestra should weigh all factors in electing its ICSOM delegate. It is not necessary to be a delegate, though, to attend an ICSOM conference, as Mr. Hartt's attendance confirms. It is ICSOM's policy to welcome any and all members of ICSOM orchestras to the conference who wish to attend as preregistered observers. At this year's conference, five musicians from the Louisville Orchestra, in addition to the delegate, attended.*

Houston Musicians Battle Downsizing, Sign One-Year Contract

On September 19, the musicians of the Houston Symphony accepted a one-year contract restoring salary cuts. Announcement of the new agreement came a scant 11 hours before the first strike in the orchestra's 84-year history.

The musicians played without a contract for almost four months. On July 13, the Houston Symphony Society declared a negotiation impasse, imposing the terms of its "last, best and final offer," including an 8.7% salary reduction, a plan to reduce the size of the orchestra through attrition, and a byzantine "vacation accrual" method leaving players with slim paychecks during the July/August vacation period. The musicians filed an unfair labor practice charge with the National Labor Relations Board against the Symphony Society, and mobilized a public information campaign resulting in generally favorable publicity supporting the high level of the orchestra's artistic achievements.

Back at the bargaining table, the Society's representatives did not share the public's advocacy of a progressive settlement. As the orchestra reassembled following vacation, our negotiating committee investigated every avenue for peacefully resolving the dispute. The Louisville Orchestra's successes with the oversight process of Chicago Symphony President Henry Fogel were noted, and Fogel agreed to come to Houston to mediate.

Fogel's first trip to Houston, shortened by news of the death of Sir Georg Solti, involved meetings with both sides' bargaining representatives and contacts with Mrs. Elyse Lanier (wife of Houston Mayor Bob Lanier) and local philanthropist M.S. "Mike" Stude. Lanier and Stude ultimately led a small coalition providing \$490,000 to fund reinstatement of the musicians' salaries and benefits.

The one-year agreement extends most terms of last year's contract; a minimum salary of \$62,400 (including EMG), and a minimum strength of 97 players. In a new development, the orchestra will enter the AFM-EPF pension, with transition issues for near-retirees under the existing defined-benefit plan yet to be worked out. The musicians of the Houston Symphony wish to thank Mr. Philip Sipser for his legal representation, and we are especially grateful for the invaluable assistance of AFM Local 65-699.

The "Fogel Process" will continue throughout the season, with task forces comprised of staff, board, and musicians reviewing the performance and efficiency of marketing, public relations, board effectiveness, etc. Within the orchestra, many are relieved that a strike has averted, but there exists an uneasy feeling that a battle may have been delayed rather than avoided.

The challenges of this difficult period in Houston have clear significance for every ICSOM member. In recognition of this, we plan on providing a future report detailing a new era of organizational leadership reflective of the Houston Symphony musicians' continued dedication to artistic quality.

*Fred Edelen
Houston Symphony ICSOM delegate*

1997 ICSOM Conference Resolutions

Whereas, Abe Torchinsky encouraged ICSOM to initiate a program to provide services to retired members of ICSOM orchestras, including sending them *Senza Sordino* and the ICSOM Directory; and

Whereas, Abe Torchinsky has served as the administrator of the ICSOM Emeritus Program since its inception in the early 1980's; and

Whereas, Abe Torchinsky is unable to attend the annual ICSOM Conference for the first time in many years; therefore, be it

Resolved, That the ICSOM Governing Board and the delegates to the 1997 ICSOM Conference express their profound gratitude to Abe Torchinsky for his service as founder and administrator of the ICSOM Emeritus Program and for the service this has provided to retired orchestra musicians; and, be it further

Resolved, That the ICSOM Governing Board and the delegates to the 1997 ICSOM Conference express their deep regret that Abe Torchinsky cannot be with them at the 1997 ICSOM Conference and extend him their warmest regards and best wishes.



Whereas, The International Conference of Symphony and Opera Musicians has long respected and admired the hard work, dedication and leadership of Evelyne Robitaille; and

Whereas, She has faithfully served the Organization of Canadian Symphony Musicians (OCSM) as President for eight years; and

Whereas, She has been a key representative and spokesperson on an international level for symphonic musicians in Canada and the United States; and

Whereas, She has always been willing and able to speak truth to power; therefore, be it

Resolved, That the Officers and Delegates of ICSOM hereby express their profound gratitude and admiration to Evelyne Robitaille for her dedication, humor, and devotion to furthering the goals and interests of symphony musicians worldwide, and extend their best wishes to her in all her future pursuits.



Whereas, The budget of the Symphonic Services Division (SSD) has decreased significantly since 1995 while symphonic work dues steadily increased; and

Whereas, The need for services to symphonic musicians is greater than ever; therefore, be it

Resolved, That ICSOM urge the AFM International Executive Board (IEB) to increase the staffing and funding levels of the Symphonic Services Division so that those levels support the 1994 staffing and funding levels for the New York office of the Symphonic Services Division, and at least maintain, as a minimum, the current level of staffing and funding for Symphonic Services Division, Canada.



Whereas, Orchestra managements often view an orchestra librarian as just another clerical employee, hired for low wages and poor benefits and without consideration for his/her training and experience; and

Whereas, Orchestra librarians are an integral part of any symphonic orchestra and are professional musicians; and

Whereas, Orchestra librarians must have special skills to successfully service the needs of performing musicians; and

Whereas, It is in the best interests of these performing musicians to have representation in the hiring and dismissal procedures of its orchestra librarians; therefore, be it

Resolved, That the delegates to the 1997 ICSOM Conference encourage member orchestras to seek the inclusion of all orchestra librarians in their collective bargaining units.



(continued on next page)

*... confers with ICSOM President
Dave Angus ...*



(continued from page 5)

Whereas, Most of the recommendations of the AFM's Restructure Committee were not adopted by the 1997 AFM Convention; and

Whereas, The problems of the AFM are profound and could threaten its very existence; and

Whereas, The AFM must address its problems with modern tools and techniques within the principles of solidarity and union democracy; therefore be it

Resolved, That ICSOM join with the other Player Conferences in forming and funding an Investigative Task Force to study ways to enhance the AFM's services, efficiency and resources so that the AFM can better serve professional musicians.

✂ ✂

Whereas, The 92nd Convention of the American Federation of Musicians amended Article 20, Section 13, of the Federation Bylaws to add a third player Trustee to the American Federation of Musicians Symphony-Opera Orchestra Strike Fund; and

Whereas; The amended Article 20, Section 13, provides that ICSOM select two Trustees to the American Federation of Musicians Symphony-Opera Orchestra Strike Fund; therefore, be it

Resolved, That the ICSOM Governing Board be authorized to select those two trustees.

✂ ✂

Whereas, Symphonic musicians are all too often faced with demands for concessions or threats of bankruptcy; and

Whereas, Financial information, and impartial professional analysis of that information, is critical to successful bargaining; and

Whereas, An increasing number of musicians are serving on management boards and committees, in which capacities they need information and assistance, therefore; be it

Resolved, That ICSOM urge the IEB — in consultation with the SSD and its Steering Committee — to fund the development and maintenance of a database of current and past financial information, together with professional analysis of that information, for all symphonic institutions that employ AFM members; and, be it further

Resolved, That this project employ the services of Ronald J. Bauers, recognized as the preeminent expert on American and Canadian orchestra finances, working in conjunction with a Canadian chartered accountant; and, be it further

Resolved, That the AFM continue funding financial analyses of orchestras during the development of this database.

✂ ✂

Whereas, The International Brotherhood of Teamsters, at great cost to themselves, won a tremendous victory for the entire American labor movement in their recent struggle with United Parcel Service; therefore, be it

Resolved, That the International Conference of Symphony and Opera Musicians extend its congratulations to the rank-and-file membership and the locals of the International Brotherhood of Teamsters and to its president, Ron Carey.

✂ ✂



Dale Gosa is the delegate from ICSOM's newest member orchestra, the Jacksonville Symphony. Jacksonville was unanimously elected to ICSOM membership at this year's Conference.

Whereas, The present scheduling of Player Conferences annual meetings at different time and locations is an impediment to effective interaction among the Player Conferences; and

Whereas, The 1997 AFM Convention resulted in an unprecedented unity among the Player Conferences, and

Whereas, It is crucial to build on that unity for the 1999 AFM Convention and for the future; therefore, be it

Resolved, That ICSOM, in conjunction with OCSM, ROPA, and the RMA, create a Unity Conference for the summer of 1998, at a time and place to be mutually decided, in lieu of the present separate meetings.

✂ ✂

Whereas, The delegates to the 1995 ICSOM Conference passed a resolution encouraging all ICSOM orchestras to provide domestic partner benefits and urged the Symphonic Services Division to make available to orchestras appropriate contract language and documentation; and

Whereas, Many member orchestras have successfully negotiated domestic partner benefits into their collective bargaining agreements, thereby reducing the disparity of employers' benefits packages to their constituent musicians; and

Whereas, A comparable disparity still exists within AFM-Employers Pension Fund benefit plans; therefore, be it

Resolved, That the delegates to the 1997 ICSOM Conference urge the trustees of the AFM-Employers Pension Fund to allow the participants the option of choosing joint survivor (husband/wife) benefits for their surviving domestic partners.

✂ ✂

Whereas, Conductor Neeme Järvi displayed unusual courage in contributing his services to the striking musicians of the Philadelphia Orchestra, conducting a concert for "One Maestro, Two Orchestras," and

Whereas, Neeme Järvi undertook this engagement despite recommendations by leading managers of American symphony orchestras that he not do so; and

Whereas, Neeme Järvi generously donated his fee for this concert to the strike fund of the musicians of the Philadelphia Orchestra; and

Whereas, The performance under his direction was remarkable for its artistic excellence, with only a single rehearsal in preparation; therefore, be it

Resolved, That the delegates to the 1997 ICSOM Conference express their most profound gratitude and admiration to Maestro Neeme Järvi for his recognition that, in the end, orchestra musicians and conductors stand on the same side.

✂ ✂

Whereas, The toll-free telephone line of the American Federation of Musicians is a valuable service to AFM members; and

Whereas, Elimination of the toll-free telephone line would serve as a disincentive for rank-and-file AFM members to ask their union for help with their legitimate trade union needs; therefore, be it

Resolved, That the International Conference of Symphony and Opera Musicians urge the International Executive Board of the American Federation of Musicians to retain the AFM's toll-free telephone line.

(continued on next page)

THE 1997 ICSOM GOVERNING BOARD (L to R): **Charles Schlueter** (Boston Symphony), Member-at-Large; **Marsha Schweitzer** (Honolulu Symphony), Editor, Senza Sordino; **Lucinda-Lewis** (New Jersey Symphony), Secretary; **Mary Plaine** (Baltimore Symphony), Member-at-Large; **Leonard Leibowitz**, Counsel; **Robert Levine** (Milwaukee Symphony), Chair; **James Clute** (Minnesota Orchestra), Member-at-Large; **David Angus** (Rochester Philharmonic), President; **Stephanie Tretick** (Pittsburgh Symphony), Treasurer; and **Michael Moore** (Atlanta Symphony), Member-at-Large. [photo by Mark Schubert]



Toward UNITY 1998:

PCC Forms ITF, Meets IEB

The elected leaders of the four player conferences of the AFM, constituting the Players Conference Council (PCC), met with the newly-elected International Executive Board (IEB) of the AFM on September 21 in New York City. It was a meeting quite unlike that envisioned in the 1990 Roehl Report, in which such meetings were formalized, and which stated that “the purpose of the meetings shall be to exchange information and ideas on appropriate subjects regarding the good and welfare of the American Federation of Musicians.”

The members of the Players Conference Council (Andrew Brandt from ROPA, Dennis Dreith from RMA, Robert Levine from ICSOM, and Beverly Spotton from OCSM) presented the parallel resolutions that had been passed by the four player conferences, as well as a handful of conference-specific issues. The response from the IEB to the requests from the four player conferences was as if a vow of silence had been added to the oath of office. But the silence — total and deafening — spoke volumes.

The members of the PCC also updated the IEB on the activities of the Investigative Task Force (ITF), set up by the four player conferences at their respective annual conferences, and invited the IEB to talk to the Task Force and to make AFM staff available to talk to the Task Force as well. The response, at least so far, has been — silence.

Why is the leadership of our union so reluctant to engage in an open dialog with the elected representatives of those AFM members who carry most of the financial burden of funding this union?

On a more positive note, before the meeting with the IEB, the members of the PCC met with the other members of the Investigative Task Force—Bill Moriarity, President of Local 802, and Richard Totusek, Treasurer of Local 47—and held a very productive discussion about the group’s methodology, membership and timetable.

*Robert Levine
ICSOM Chair*

. . . and then gets down to the really important business of the Conference!



To
I. PHILIP SIPSER
*In Appreciation of
 and Gratitude for
 His Countless Contributions to
 Symphony, Opera, and Ballet Orchestra Musicians
 Throughout the Country
 Over the Course of Thirty Years
 of Representation*

* * *

*Presented by the
 International
 Conference of
 Symphony and
 Opera
 Musicians*

1997

*Presented to I. Philip Sipser at the 1997 ICSOM Conference
 Vail, Colorado, August 23, 1997*

(Conference Resolutions, continued from page 6)



Whereas, The management of the Puerto Rico Symphony has chosen to lock out the musicians of the Orchestra rather than engage in serious labor negotiations; therefore, be it

Resolved, That the Governing Board and delegates to the International Conference of Symphony and Opera Musicians pledge their support to the musicians of the Puerto Rico Symphony, Local 555, American Federation of Musicians, in their efforts to win a fair and just collective bargaining agreement and to return to performing for the citizens of Puerto Rico.



Whereas, The musicians of the Houston Symphony have been playing without a contract since June 1, 1997; and

Whereas, The Houston Symphony Society has illegally implemented a unilateral wage cut and hiring freeze; and

Whereas, The Society, through its actions, has shown it has no intention of bargaining in good faith but instead threatens to undermine the artistic achievements of the Houston Symphony of the past decade; therefore, be it

Resolved, That the Governing Board and delegates to the 1997 International Conference of Symphony and Opera Musicians call upon the Houston Symphony Society to desist this destructive and unnecessary course of action; and, be it further

Resolved, That the Society offer the Houston Symphony musicians a decent, fair, and competitive contract which will ensure the continued artistic growth of the Houston Symphony.



Whereas, It has been recognized that rock-and-roll, jazz, R&B, and alternative music musicians have not been effectively organized; and

Whereas, All musicians, including symphony musicians, should be concerned with the well-being and effective representation of rock-and-roll, jazz, R&B, and alternative music musicians by the American Federation of Musicians; and

Whereas, A most significant portion of potential revenue is being lost to the union by not organizing these groups of musicians; therefore, be it

Resolved, That the International Conference of Symphony and Opera Musicians recommend to the International Executive Board of the American Federation of Musicians that a task force be created to report on ways of effectively organizing these groups of musicians.



Newslets

The Pittsburgh Symphony's Tiny Tots and Fiddlesticks Concerts were profiled in the August 1997 issue of *Chamber Music* magazine. In an article entitled "Little Ears: Early Childhood and the Next Musical Frontier," authors James Houlik and Terese Kaptur wrote, "The Fiddlesticks Concerts are intended for four- to ten-year-olds and are presided over by a mascot named Fiddlesticks. Prior to a forty-five-minute concert, the children visit each of six rooms for an eight-minute kinesthetic interactive experience featuring members of the instrumental families. Basic concepts and materials for the concerts are developed by a committee of teachers representing twenty-five schools, the conductors, and the staff."

The article documents the value of music in early childhood development, even prenatal development, and describes several projects underway around the country to bring music into young lives. The authors point out that early music education is a rapidly evolving field, warning us that "involving live music in education and health delivery systems will require musicians to assume roles that will challenge preconceptions about professional life."



Peter K. Gregersen, M.D., chief of the Division of Biology and Human Genetics at North Shore University Hospital in Manhasset, New York, is working to find **genes that bestow perfect pitch**. "Of the 126 people that we studied who have perfect pitch, 26% said they have siblings with the skill. Musicians without perfect pitch reported only 1.3% of siblings with the ability," he explains. "This strongly indicates a genetic basis for perfect pitch. Identifying genes for perfect pitch could help us understand genetic control of cognition in general, and help shed light on conditions

such as autism, which is occasionally accompanied by perfect pitch ability." If you have perfect pitch and would like to participate in the study, contact Dr. Gregersen at North Shore University Hospital toll-free at 1-888-897-3098.

Unless otherwise noted, photos in this issue are by Marsha Schweitzer.

Due to late-breaking developments, **Part III of "Rhapsody In Bluegrass,"** our continuing saga about the Louisville Orchestra, will be postponed until the next issue of *Senza Sordino*.



(photo of "Senza & Sieglinde" by Stephanie Tretick)

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