

Senza Sordino

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New Orleans and the Louisiana Philharmonic One Year Later

by Laura Ross, ICSOM Secretary

I was recently invited to travel to New Orleans to join the Louisiana Philharmonic Orchestra (LPO) in one of their two concerts celebrating living composers. Since my return I have had the hardest time gathering my thoughts to write this article, and it finally struck me that it's because they are really two stories, though one is intrinsically tied to the success of the first.

As I arrived in town for the first time since 1984 when I took an audition for the New Orleans Symphony, a billboard caught my attention: "Free Demolition with the Purchase of Flood Insurance." Beyond the sign was the Superdome, recently reopened for New Orleans Saints football games. Another facility that had housed the thousands trapped in the city was the Convention Center, venue for this LPO concert. What I found was a city that is still in the process of rebuilding, with many areas still as abandoned as they were when the city evacuated fourteen months ago.

New Orleans is a study in resilience. Although so many who left have not come back, those who returned do for themselves, because it doesn't appear anyone else is going to help. As one example, our "official guide," Sharon, told us one afternoon that her house had been beneath 1½ feet of water. To fix it up, she hired workers and purchased all necessary supplies except sheet rock, and brought them all down from Chicago.

The French Quarter seems mostly undisturbed as it sits about fourteen feet above sea level; it sustained solely hurricane damage. Repairs there, many quite substantial, were undoubtedly covered by insurance. For these folks it was about finding workers and supplies to rebuild. (Knowing the difficulties Nashville faced following the tornadoes that ripped through downtown and East Nashville a few years ago, it had to be a monumental task with so much damage throughout the city.)

Many attribute the failure of the levees to the United States Army Corps of Engineers. Until you experience fully the magnitude of the devastation—miles and miles of abandoned and gutted homes—you might not understand how angry the residents were.

When you visit the 9th Ward you notice that the streets have been cleaned up, that the sand and dirt has been hauled away, but that the gutted houses remain. In this area it's very rare to see a trailer in front of a house, meaning the tenants expect to rebuild. The houses are covered with giant spray-painted X's that tell whether pets and people were found. This area is one of several that lie two feet below sea level.

Lakeview is a more affluent neighborhood, memorable for the photos taken there after the storm of the cleanup of thirty-foot piles of garbage, homes, cars, trees—you name it—stretching as far as the eye could see. Some brave souls there have actually rebuilt their houses. They did this despite their proximity to the 17th Street levee that also failed. Word has it that the levee is not yet fixed.

There is bitterness, but there is also incredible hope. In the 9th Ward we found two ladies selling candy bars to raise money. They were living in one of those tiny trailers and spoke about others in the neighborhood who had plans to return. The musicians performing at K Paul's Restaurant were extraordinarily grateful to the tourists that came to New Orleans, publicly thanking the restaurant's patrons after each set.

On our way to rehearsals at Loyola, we traveled on St. Charles Avenue where, a year ago, trolleys ran up and down the boulevard. Those tracks lie buried in mud, but we saw workmen just beginning to dig around the tracks. Meanwhile, the cables and trees all along the boulevard are strewn with beads, undoubtedly left over from a previous Mardi Gras celebration.

In so many ways, the orchestra reflects the spirit of the city. It is resilient. Its members are doing it themselves, and they are persevering. Once, years ago, the orchestra had to start from scratch. It's sad to realize now that they are all too familiar with starting over again. They rehearse and perform in at least six different venues, and it's not likely this will change anytime soon. They have been forced to break the rules to make things work.

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Chairperson's Report by Bruce Ridge



Breaking the Fourth Wall

I still remember vividly the first time I heard the Boston Symphony in a live concert, a 1978 performance of Schubert's C Major Symphony with Sir Colin Davis. For many years, I have had a book about that great orchestra called *Community of Sound*, by Louis Snyder. Twenty-seven years after its publication, it is enjoyable to read about a few of my teachers when they were younger and to see pictures of mentors sadly now absent. Of course, when I bought the book I was much younger too, which is a fact I find slightly less enjoyable. I've kept my copy for all of this time, and I've always especially liked its title. I've thought a great deal over the years about the phrase "community of sound." What does that really mean, and what could it come to mean in its full potential?

"Community" is a bit of a buzz word in the orchestra world today. I use it all the time. It appears more and more in the literature that surrounds the field, but I wonder if we are all using the word with the same meaning. We must strive to make sure that "community" refers not only to an investment in us, but that it also means that we musicians invest in the community. To establish indelibly the positive sense of community that our Players' Associations seek to develop, musicians must learn to break the fourth wall.

In theater, the fourth wall is the imaginary wall between the stage and the audience, the other three walls being formed by the shell of the stage. In strictest terms it is the defining line between fiction and reality, or "the suspension of disbelief." In his theory of epic theater, Bertolt Brecht created the term "breaking the fourth wall" for that moment when a character will turn, most uncharacteristically, to address the audience directly, thus giving the audience an access through reality to the fictional world they are observing on the stage. The term has been adapted from the theater to include books, film, and television.

Musicians in symphony orchestras can adapt the term to serve a new purpose as well. All too often in our concerts halls there seems to be a dividing line between the orchestra and the audience. To establish a closer relationship with our audiences, boards, and community leaders, orchestra musicians need to break the fourth wall.

I realize that I am distorting the term somewhat. In music, there is not the dramatic line between reality and fiction, though I suppose some would argue that point. But, allowing for that distinction and the adaptation, what would it mean for symphony musicians to break the fourth wall?

It would mean establishing a connection with the audience and inviting them into the community that surrounds every orchestra. Further, it would entail expanding that community to all constituents of the city or region.

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President's Report by Brian Rod



This is my first column since being re-elected as ICSOM President after a year away. I told the delegates, officers, and guests at the 2006 ICSOM Conference that I missed the tremendous energy and vast knowledge of Governing Board members and Distinguished ICSOM Legal Counsel (DILC), as well as the friendships created with officers, delegates, and committee chairs over the past several years.

I am thrilled to be back and look forward to working with you towards building a stronger and more successful ICSOM.

One of the Governing Board's priorities this year will be to increase our connection with all fifty-two ICSOM orchestras. To this end, here are some of the activities we will actively pursue:

- One of ICSOM's greatest assets is the ability to share information quickly with member orchestras and musicians. We will continue to develop and use tools such as *Senza Sordino*, the annual ICSOM Directory, the Wage & Scale Chart, and the mailing lists Orchestra-L and Delegate-L. The challenges of balancing budgets, reaching out to communities, evaluating and selecting conductors, increasing communication within our ranks and to boards and managements are issues we all face daily, regardless of budget size or season length.
- Chairman Bruce Ridge is expanding his travels across the country to listen to member orchestras and committees and to offer ICSOM's assistance. These site visits have many tangible benefits, which serve to remind us how much we actually have in common and that solutions for one orchestra's problem may well lie in how other orchestras have dealt with the same issue in the past.
- Negotiation conference calls are back by popular demand. During each of the past two years the Governing Board has initiated and hosted conference calls for member orchestras preparing to negotiate or already in the throes, and the Governing Board is offering this opportunity again this year. It is our intention to group orchestras together by negotiation timelines and budget sizes, as needed. Initial requests have already gone out on Delegate-L to delegates and committee chairs. All negotiating orchestra committees are invited and encouraged to participate. Just e-mail or call me.

These calls might include not only committees and their chairs, but also attorneys, local presidents and the SSD, depending on each group's unique circumstances. Conference calls normally begin a few weeks before negotiations start and continue as needed until negotiations are completed. Management proposals and strategies as well as musician responses and counter-strategies are discussed in-depth. Calls provide an ideal forum for comprehensive and confidential exchange of

ideas from ICSOM colleagues in similar circumstances regarding the difficult negotiating environment many committees continue to encounter.

- The ICSOM Media Committee continues to deal with the many complex issues associated with our recorded products. Some topics considered recently are digital downloading, archival recordings, video game music, and syndicated radio broadcasts.

This brings me to my final point as we begin 2007. It is worth mentioning again that a strong ICSOM does not depend as much on its officers and counsel as it does on strong member orchestras and, particularly, musicians. While it is important to have strong and committed leadership and expert counsel, the real strength of any group, particularly a labor organization, is with its members. The Governing Board is keenly aware of this; hence the many site visits, negotiating orchestra conference calls, media committee forums, and other important ICSOM activities.

It is an opportune time for each ICSOM musician and orchestra committee to reflect on what more can be done to strengthen our orchestras. Orchestra musicians are talented, bright, industrious, and creative people. Although orchestra life is busy and family demands often leave precious little extra time, there are plenty of ways musicians can make a difference in their orchestras. Placing special calls to donors to thank them for their support, writing letters of thanks and support to community leaders, meeting-and-greeting the audience informally before and after concerts or during intermission, speaking to audiences at more formal pre- and post-concerts presentations, assisting in the design and maintenance of player association websites, serving on project-specific orchestra committees such as community outreach: these are all ways that musicians can help to make a difference in their own orchestras.

In closing, allow me to reference President Kennedy's famous inaugural speech from 1961. In this new year, what can you do to help your orchestra and, in turn, ICSOM?

Notice

The planned December 2006 issue of *Senza Sordino* was not published. Vol. 45 No. 1 (March 2007) immediately succeeds Vol. 44 No. 3 (October 2006), and there was no Vol. 44 No. 4 issue. The editor apologizes for any inconvenience or confusion this may cause.

Orchestra Newslets

Newslets are compiled with the help of ICSOM delegates and ICSOM Members at Large from sources that include direct submissions, member orchestra websites, and topical news items. The editor encourages input and submissions.

Atlanta Symphony delegate Michael Moore reports that the Atlanta Symphony Orchestra Board of Directors and Players' Association jointly announced the ratification of a new four-year contract on November 21, 2006. The new agreement will commence August 26, 2007 and extend through the 2010-2011 season. This collective bargaining agreement, reached nine months in advance of the current contract's expiration with only 35 days of negotiation, exemplifies the institution's continuing culture of cooperation and shared aspirations to advance the ASO.

Charlotte Symphony's music director, Christof Perick, will step down in the spring of 2009, and the group is forming a committee to choose his successor. Perick will return for two seasons with the new title of Laureate Conductor.

His departure will open up one of the most prominent jobs in the city's cultural scene: leader of its largest performing arts group. Perick, who took charge of the orchestra in September 2001, shuttles between Charlotte and work in other cities—especially in his native Germany, where he has two other jobs. According to the *Charlotte Observer*, the conductor search group is likely to put a priority on finding someone who can spend time promoting the orchestra across the region.

After an absence of several years, the **Chicago Symphony Orchestra** will begin syndication of 39 national radio broadcasts as part of a comprehensive media strategy that includes the launch of a new in-house recording label for compact discs and digital downloads. Delegate Rachel Goldstein reports that broadcasts are scheduled to begin in March 2007.

The *Cincinnati Enquirer* reports that a task force aiming to renovate Cincinnati's Music Hall is now active. Music Hall was built in 1878 for the choral concerts of the Cincinnati May Festival. Today it also serves the **Cincinnati Symphony Orchestra** (including its Cincinnati Pops Orchestra), the Cincinnati Opera, and the Cincinnati Ballet. The Music Hall Working Group consists of representatives of the main tenants, as well as the Society for the Preservation of Music Hall, and the Cincinnati Arts Association, which manages the Hall on behalf of the city, which owns Music Hall.

According to the article, the project was originally prompted by concerns that the massive 3400-seat hall is only half full on many symphony nights. With all the hall's tenants wanting to make the Over-the-Rhine landmark a more glamorous destination, officials are brainstorming a menu of ideas, including possibly adding a restaurant, bar, gift shop, and donor lounge, fixing up aging symphony offices, more secure parking, and improving backstage technology. Maintaining the hall's excellent acoustics will be a major concern.

On September 28, 2006, the musicians of the **Colorado Symphony** ratified a three-year agreement that continues through August 31, 2009. A significant change to this contract regards health insurance. The orchestra's management had not made any contributions toward dependent health insurance since 1989, but with this contract they will contribute increasing percentages of dependent coverage. Other changes include paid parental leave, scheduling and working condition improvements, and salary and EMG increases. Also, the librarian has been added to the bargaining unit.

The **Dallas Symphony** is experimenting with a new concert format. Friday Casual Classics is a series of six concerts spaced throughout the season. Each concert begins at 7:30 PM and comprises a condensed version of the week's program. The concert is slightly shortened to one and a half with no intermission. The orchestra wears all black for the series instead of the usual evening formalwear. The audience is also encouraged to dress down in a come-as-you-are fashion. Each of these concerts is introduced by a few minutes of talk describing the music. Delegate James Nickel says that the audience response to the series has been very positive. Meanwhile, the DSO narrows its search for a new music director and has added five new members on one-year contracts.

*From the **Houston Symphony**, we have a report of interest from delegate Eric Arbiter:*

As a longtime photographer (of 40 years or so), one of my long-held dream projects has been to do all the portraits of Houston Symphony musicians. I have photographed many of the individuals over the years. The HSO musicians were planning do a series of portraits funded by our internal musician's organization, Musicians of the Houston Symphony (MOTHS). That organization generally performs chamber music in home settings to raise funds to funnel back into the Houston Symphony. Some projects funded in the past include significant donations to restore our flood-decimated music library, donations to the orchestra's capital campaign, and raising funds for Red Cross for hurricane relief.

When management told us they were considering re-doing all of the musicians' portraits, I mentioned a similar MOTHS plan that was already in progress. After they confirmed that my portfolio of past work was the type of portraiture they had in mind, management and MOTHS decided to partner the program.

I plan to take at least a year to photograph the musicians, giving at least an hour for each individual portrait session. Since I have known most of the musicians for years, I hope that familiarity and trust will translate to portraits which may be more revealing of each musician's personality than if a portrait were done by a photographer the musicians may not know. Plus, I am committed to work until we achieve satisfying results, since I don't want any of my colleagues annoyed at me for a less than excellent portrait! The portrait sessions are already under way.

The portraits will be used in conjunction with musician bios on the web, on our large screens in the concert hall before the concerts and during intermission, as prints in the foyer, and on some new large flat panel TV screen in the lobby. Prints also will be made available for purchase for the musicians. We may also present musician' portraits as thank-yous to each musician's sponsor.

At the **Metropolitan Opera**, a special 100-minute English-language adaptation of Mozart's *The Magic Flute* inaugurated a first-ever series of family holiday matinees. Directed by Julie Taymor (award-winning director and costume designer of *The Lion King*), it features a new translation by poet J.D. McClatchy. With its trademark stage magic and puppetry, the spectacle that has charmed sold-out houses since the staging's 2004 premiere included in its cast many of the stars of the acclaimed full production, including Nathan Gunn as Papageno and Matthew Polenzani as Tamino. Music Director James Levine conducted the first four of six performances, December 29 through January 4, including New Year's Day.

According to a press release issued by the **Milwaukee Symphony Orchestra**, Music Director Andreas Delfs will leave his post at the end of the 2008–09 season. By accepting a one-year extension of his contract, he will remain as music director for the MSO's 50th anniversary celebration in 2008–09.

Delfs will conduct eight subscription programs next season and seven in his final year, along with several weeks of regional and state-wide concerts. Delfs will further serve as Music Director Laureate for three years, with at least one subscription program weekend in Milwaukee each season.

In late-breaking news, the **Honolulu Symphony** announced that Delfs will serve as its principal conductor commencing with the 2007–08 season.

Nine emerging composers from across the country participated in the **Minnesota Orchestra** Composer Institute, which ran from November 26 through December 2, 2006. The composers, ranging in age from 24 to 39, were selected through a competitive submission and judging process of 143 qualifying scores from 37 states. Aaron Jay Kernis, the orchestra's new-music advisor, headed the panel of judges and co-directed the Institute along with Beth Cowart, the orchestra's artistic planning associate. The nine composers who participated were Garrett Byrnes, Anna Clyne, Kurt Erickson, Stephen Gorbos, Missy Mazzoli, Ashley Nail, Alejandro Rutty, Dan Visconti, and Gregg Wramage.

The Minnesota Orchestra and the American Composers Forum present the Composer Institute every season in cooperation with the American Music Center and University of Minnesota School of Music. This is the sixth season of the full Composer Institute and the twelfth of the new music mentoring program. This year for the first time the Institute culminated in a performance conducted by Music Director Osmo Vänskä.

The Institute, which is unique in the nation, nurtures the participants' musical acumen and broadens their career management skills, assisting in their growth as artists and community leaders. Past participants have said that the Composer Institute was the single most important experience of their musical educations. Many have gone on to secure important awards, positions, commissions, and performances.

The intensive week includes instrumental workshops with orchestra musicians for the invited composers and local auditors, and numerous seminars with leading music industry professionals on topics ranging from copyright law and commissioning to grant-writing and publishing. Featured seminar speakers this year included Henry Fogel (ASOL), Ralph Jackson (BMI), copyist Bill Holab, and music attorney James Kendrick, among others.

Thanks goes to Minnesota Orchestra delegate and librarian Paul Gunther for reporting those details. Paul, who is also an ICSOM Governing Board Member at Large, also took special note of the Colorado Symphony's inclusion of a fellow librarian in its bargaining unit, a move he says "speaks volumes to this orchestra's acuity and perception of its position as a twenty-first century orchestra."

North Carolina Symphony Music Director Grant Llewellyn has signed a contract extension that will lengthen his tenure with the orchestra through 2012. Since Llewellyn's hiring in 2004, which followed a three-year search process led by current ICSOM Chairperson Bruce Ridge, attendance for the orchestra has increased by nearly one-fourth. Delegate Elizabeth Lunsford says that during that time, the orchestra has also grown with the addition of three full-time members and that three more new positions will be added next season.

The **Pittsburgh Symphony** recently announced a transformational \$29.5 million gift from Dick Simmons and the R.P. Simmons Family. According to an article in the November 18th issue of *Business Wire*, the gift is designed as a catalyst for a major endowment campaign, to ensure the financial stability of the orchestra, to encourage support from the community, and to foster financial discipline by the entire Pittsburgh Symphony family.

Artistic Advisor Sir Andrew Davis commented, "This gift is testimony to the Pittsburgh Symphony as a world-class orchestra. Any city would envy a similar investment in its orchestra. This is undeniable evidence that the first-rate leadership in Pittsburgh knows what it takes and is willing to pay the price for artistic excellence."

PSO Concertmaster Andrés Cárdenas said, "In times of organization-wide sacrifice, this generous gift from Dick and his family could not be more welcome. I think I can speak for all my colleagues in the Orchestra when I say we are humbled, inspired, and relieved to know that our work is valued so greatly."

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Newslets

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According to the American Symphony Orchestra League, this gift ranks fifth among very few private-sector investments of this magnitude in the orchestral world, many of which were made for capital projects or in much larger cities. With the forthcoming campaign based around this gift, the PSO has developed a bold and aggressive plan to eliminate an operational deficit, increase the size of the endowment while reducing the draw, continue its world-class artistic excellence, and make needed improvements to Heinz Hall for the Performing Arts. Concurrently, the PSO has just announced an \$80 million fundraising campaign, the largest effort in the Orchestra's history, a third larger than the \$60 million raised in 1993, the most recent previous effort.

On November 7th, 2006, the musicians of the **San Antonio Symphony** learned that Music Director Larry Rachleff's contract had not been renewed by the executive committee of its board. In keeping with the board's bylaws, the executive committee acted on behalf of the full board but without their knowledge. The reason proffered by the executive committee for the decision is that they believe that the role of the SASO's music director has changed since Rachleff was hired and that, among other non-artistic duties, it now requires residency in San Antonio. The orchestra committee and the orchestra's three elected musician board representatives worked for several weeks to reverse the decision. The most public action taken was the orchestration of a standing ovation for Rachleff onstage at the start of our November 9th concert, which was mirrored by the audience.

Despite many strong arguments against this decision, the protest of the musicians, massive public outcry, and calls for mediation from both musicians and board members, the decision will not be reversed. Delegate Emily Watkins reports that the full board is moving forward with the formation of a music director search committee. The musicians have been promised up to 50% representation on this committee (more than the one-third representation specified by our CBA). ICSOM Chairperson Bruce Ridge made a well-timed visit to the San Antonio Symphony on November 29 and 30, 2006, meeting with the orchestra, CEO David Green, and the orchestra committee. Many orchestra members were energized by the visit and expressed their appreciation.

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

Fourth Wall

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How is such a thing accomplished? Sometimes the smallest gestures are the most appreciated and have the longest impact. On your players' association letterhead, you should send notes of thanks to reporters when they have written positive stories, to business leaders when they have made positive contributions, and to audiences members who have made special gestures of support. Send signed cards from the orchestra to your friends and supporters to mark those major life events that affect us all, whether happy, sad, or worrisome. While the signing of a card will take each of us mere seconds, some of these cards will hang on the walls of your biggest donors for years and live in their memories for decades.

Before the concert, walk through the lobby and shake a few hands. That's how you start to build relationships—simply by meeting people. In the sports world, it is said that the incredible (and to me, mystifying) rise of NASCAR is largely due to the accessibility of the participants to their fans. While it might be hard for us to imagine, an audience member's experience is greatly enhanced by a few words with the performers. That person will tell their friends, all of whom will remember the positive experience of their encounter with a member of the orchestra. In all walks of life, the more friends you have, the more support you have when it is needed.

How does all of this serve to insure the survival of our institutions and the elevation of the livelihood of the orchestral performer?

The more our boards know about us, the more they will understand our lives and the inherent difficulties and challenges involved in making a living by performing in a symphony orchestra.

The more contact we have with our local press, the more trust we build. Through that connection, the positive message of our players' associations can be spread throughout the community.

The more access we create to our local political and business leaders, the greater our chance to communicate the financial role that our orchestras play in the healthy life of any city.

And while these are indeed contacts that might be needed in times of crisis, they are also contacts that can be built to avoid crises.

Some might correctly ask, "Isn't it our management's job to promote a healthy image of the orchestra?" And the answer would most certainly be "Yes, it is." Where managements are advocating for their orchestras with a positive message, then players' association and ICSOM should be there to assist them. But in this era of negative rhetoric about the arts, there are many situations in which we must become our own advocates. We can no longer concede the pronouncement of a negative future for the arts in America.

I have heard of stories where some managers try to create the illusion of breaking the fourth wall by instructing their musicians to

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New Orleans

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On the surface, a shutdown could happen to any orchestra. This one added a terrible twist—the dislocation of an entire population. I was pleased to hear that many LPO supporters, recently returned to New Orleans, were clamoring for their orchestra even before the LPO members were back and had a chance to put together a brief season from February to May. I'm thrilled to hear they have such support. The evening of the concert, the audience was extremely appreciative.

LPO piccolo player and newly elected president of the orchestra Patti Adams stood before a sizable audience at that concert last October 28 and spoke about angels. She described how small the musical world is and the remarkable support their orchestra received over the last year from musicians around the world, from tiny youth groups to the very largest professional symphony orchestras. Patti went on to speak of two special angels, the Nashville Symphony and the New York Philharmonic, who twice in October 2005 allowed the musicians of the LPO to come together from all over the country and perform when it was not possible in New Orleans following Hurricane Katrina.

Patti introduced me to the audience as a representative of the Nashville Symphony. She also introduced New York Philharmonic violinist Kenneth Gordon as well as the evening's soloist, New York Philharmonic Principal Clarinet Stanley Drucker. Stanley performed a piece written for him thirty years earlier, John Corigliano's *Clarinet Concerto*. Patti explained that October 28th was a special date for the LPO, because it had been exactly one year ago that LPO musicians had traveled to New York City to perform an incredibly successful concert/fundraiser with the New York Philharmonic and a slew of big name artists.

Kenneth, Stanley, and I all received generous expressions of gratitude from orchestra members, staff, and audience members during our few days in New Orleans. I also found a remnant of the Nashville LPO concert is still present—the full orchestra photo in this season's LPO brochure was taken on the stage of the Tennessee Performing Arts Center (TPAC).

I was thankful to be given the opportunity to renew acquaintances and friendships that had begun last October in Nashville. I was also able to spend time getting to know my New York Philharmonic colleagues Kenneth and Stanley, and Stanley's lovely wife Naomi. I was able to meet new faces in the LPO and to catch up with those musicians who had so kindly contributed their thoughts about the Nashville LPO concert last year for ICSOM's *Senza Sordino* and *Local 257's Nashville Musician*. Scott Slapin and his wife Tonya Solomon, and Burt Callahan lost all their belongings and have relocated to another area of town. Elizabeth Overweg, Patti Adams, and Annie Cohen appear to have landed on their feet. Treesa and Matt Gold lost all their possessions (they drove me by the site of their former home in Lakeview). Matt had just been offered a one-year position as librarian with the Richmond Symphony, so they were preparing to move. Treesa's health was somewhat better, but the

cancer treatment she had begun just prior to her visit to Nashville last year didn't appear to be working, so treatments have stopped.

I still have concerns about these new friends of mine. The population of New Orleans has dropped precipitously since Katrina struck, from about 500,000 to 150,000. Much of the orchestra's salary this year comes from grants and contributions due to the hurricane. Orchestra members cannot survive on their salary alone; they must have second jobs, and only some have successfully rebuilt their teaching studios. For many, a second income is required, and the infrastructure is not back in place yet. At least seven musicians have taken a leave of absence this year, reducing the orchestra even further to about sixty members. I still worry, but I am also awed by the strength and courage of the musicians of the Louisiana Philharmonic and the people of New Orleans. I will continue to hope they will not only survive but will thrive.

Now, one year later, I still believe Annie Cohen expressed it most accurately:

Our job as musicians is to keep playing and reminding our respective communities how very important music is, how it helps us all to be more complete human beings, and how necessary it is to both maintain and grow our culture. We have seen in New Orleans how thin the veneer of civilization can be, and how quickly cities can fall in the apocalyptic events of early September. I am struck again at what we can bring to our cities, to each other, and how we can work together to be sure that live music remains in the city that defined and brought American music to this country.

Her final sentence can now be stated emphatically: "And classical music ~~will return~~ *has returned* to New Orleans!"

Laura Ross is a violinist in the Nashville Symphony Orchestra and serves as ICSOM Secretary.



Left to right: Stanley Drucker, Laura Ross, Kenneth Gordon.

Fourth Wall

(continued from page 6)

“smile more.” The very idea of that directive assumes that the appearance of a happy workplace is more important than actually having a happy workplace! If you want the musicians to appear to be happy, isn’t it apparent that creating a positive atmosphere would prove more effective than issuing a memo?

The turnover in managerial positions will almost always be greater than the turnover in your board and players’ association. The musicians and the board can create an atmosphere that can sustain our organizations through the debates of our differences and lead us to the path of our shared visions for all that our orchestras can achieve.

All of our players’ associations have any number of committees: orchestra committees, negotiating committees, media committees, etc. It might be time for us all to invent another committee from within our ranks. This committee could be charged with fostering the environment of “family” that we all should hope will surround our orchestras. They could send cards to our members when they need the support of their colleagues. They could seek out opportunities to make gestures of friendship that would not only serve to unify us within our own orchestras, but also to build positive relationships with those who surround and support our musicians in their city. So the next time you have an opportunity to elect your travel committee or artistic committee, I hope that we all will also consider electing a “community committee” that will serve to strengthen the orchestra within the bargaining unit and elevate the profile of the players’ association in the minds of those we seek to serve.

At your next concert, imagine the fourth wall. Do you feel separated from your audiences? Sometime I sit back and wonder, “Why have these people left the safety of their homes to come and watch me

work?” That’s always an issue for musicians, isn’t it? Is anybody really listening? Do our audiences fully understand what we are trying to do? Really, why are they there?

I suppose they’ve arrived in our concert halls for many reasons. Certainly, some have come merely to be seen, and some have been dragged by their dates. But those are the few. The vast and not so silent majority have come to listen, learn, remember, dream, and imagine. They have come to experience a convocation in their city. I see no “graying audience.” I see a gathering of young and old who have come to see where we can take them.

In a time where every person’s day is filled with its unique difficulties, and in a world that slumps with its heavy burdens, they have come to allow their orchestra to provide them a moment for the suspension of their disbelief, a respite from the weight of their own day. That moment will serve as a reminder that the aspiration of the arts is the elevation of the human spirit.

For so long, the public has read of a decline in the relevance of the arts. But those questions of sustainability have been answered time and time again through the community service of the musicians in our orchestras and of those who support us. A recent report from the National Endowment for the Arts concluded that 51% of people who regularly attend arts events were also volunteers that served their communities, while only 19% of non-attendees were so inclined. I’m afraid that some of the negative rhetoric about the future of the arts in America has left some members of the public with the view that artists feel a sense of entitlement, as if society owes us something. But the truth is, society doesn’t owe it to us to support the arts; society owes it to itself.

Let us now resolve to reach out to our public and our communities anew, by breaking the fourth wall.

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Travels Without Charley

by Bruce Ridge, ICSOM Chairperson

A few late nights ago, with the help of a mileage-calculating website, I added up my travels for ICSOM and other orchestral industry activities over the past fifteen months or so. I was only slightly surprised when I finished the math to see that I had flown over 40,000 miles during that span. I have met with musicians across the country, addressed young people entering the arts management field, visited with our friends in ROPA, OCSM, RMA, and TMA, toured concert halls, and heard rehearsals from San Juan to Honolulu—not to mention the many fine patty-melts I have enjoyed at airport diners.

I feel that I am gaining a unique picture of orchestras in America. I am meeting with musicians and their leadership in our orchestras. I am listening to rehearsals and attending concerts. I am backstage in the musicians' lounges, and visiting them in their homes. I am meeting their board members and their executive directors. My visits in all of these cities are far too brief, but I do get a wide-angle snapshot of these organizations that has served to educate me in a profound way about our musicians' lives and the great potential of our orchestras to serve their communities.

During these past fifteen months, I heard the New York Philharmonic rehearsing in an empty Avery Fisher Hall and returned for a magnificent performance there. I heard the Puerto Rico Symphony in their rehearsal hall, and the San Antonio Symphony onstage at the visually amazing Majestic Theatre. I met with the Virginia Symphony in a giant dressing room at Chrysler Hall (the first place I ever heard a live orchestra), and the Charlotte Symphony onstage at the Blumenthal Center. I had the honor of speaking with the musicians of the Honolulu Symphony at their union hall, the legendary Local 677, when the vast majority of the orchestra spent close to five hours visiting with AFM negotiator Nathan Kahn and me on their day off. I toured the concert halls of the Los Angeles Philharmonic and the

Nashville Symphony. As I write this, I will soon be listening to The Cleveland Orchestra and meeting with the Jacksonville Symphony and the Oregon Symphony.

I am learning enough to fill several volumes. At the risk of putting a viral tune into your head, I've learned primarily that it truly is a small world after all. For while every orchestra I visit faces some unique issue, many of our issues are the same. Far too often our musicians have come to believe the negative rhetoric about the future of the arts in America, and they need to hear a message that compels them to unite and believe in themselves. They need to hear that, through ICSOM and their union, they can be a part of something greater than any individual.

Our orchestras all face some dispute within their own ranks, disputes that can only be addressed through the highest tone of debate and open democracy. But, all too often, they also face a board that is dealing with the very same issues. These problems, with their unavoidable fatigue and discouragement, tend to create a culture of hostility within our industry. This hostility sometimes inhibits our ability to communicate with our boards and our managements. It bears poison fruit in the media that perpetuates a negative future. Worst of all, it contaminates our ability to communicate among our ranks as a supportive bargaining and artistic unit.

There is nothing wrong with dissension, as long as it is expressed in a respectful environment. We are all performers, which means that something inside must convince us that we can command the attention of thousands of people on stage every night. Only strong-willed people who believe in themselves can pull off such a feat. It is only natural that self-assured people will occasionally need to debate their differences. That is the essence of the human and artistic experience. It is healthy, and the churning of emotion is how great art is made.

What I hear everywhere I go are incredible musicians performing at an absolutely astonishing level, no matter the size of the budget of their organization. The musicians I meet are inspired and inspiring people dedicated to serving their communities at the highest cultural level.

We must not let our souls fall victim to the culture of hostility. We have the ability to change all of that. And, most notably, we have the ability to put out a true and positive message about just what it is that our orchestras can do for our communities.

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Chairperson's Report by Bruce Ridge



A Call to Action

As the biennial Convention of the American Federation of Musicians approaches (June 18-20 in Las Vegas), the ICSOM Governing Board and, indeed, orchestra musicians all across the country have been awaiting the recommendations and resolutions to be considered there by our local delegates. As always, there are many issues of concern for musicians from ICSOM orchestras, but we are especially concerned about a specific financial package being proposed that we believe has the potential to harm our union and weaken our bargaining units.

Consider these facts:

- Work dues from orchestra musicians covered by collective bargaining agreements accounted for over **55% of all work dues** paid to the Federation between 2001 and 2005. This 55% represents **over \$8.3 million**.
- According to Tom Hall's book, *ICSOM; Forty Years of the International Conference of Symphony and Opera Musicians*, payments from orchestra musicians represented 37% of the work dues in 1979. In less than three decades, our share of the burden has risen by 50%.
- In 2006, the AFM collected over **\$2 million** from orchestra musicians in the United States and Canada.
- For the years 2002–2006, **the symphonic surplus** (i.e., the amount of symphonic work dues paid to the Federation minus what was expended for symphony-related expenses) **was nearly \$5.5 million**.
- Despite this symphonic surplus and the increased share of work dues paid by orchestra musicians, the Symphonic Services Division (SSD) of the AFM has **only 8 employees**, some of them part-time. Salaries for the employees of the SSD are not competitive with other fields.
- Other divisions of the AFM that have a fraction of the surplus revenue brought in from orchestra musicians have more than three times the number of employees working on their behalf! (We certainly are not suggesting that there are too many employees in these other divisions, but the inequity is obvious.)
- Our contracts are bargained on the local level, not on the Federation level. Almost all of our contract administration occurs locally.

Despite these facts, a proposal from the AFM Revenue Committee to be presented at the Convention would take more money from the AFM membership. We believe that ICSOM musicians are already paying more

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International Conference of Symphony & Opera Musicians

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

www.icsom.org

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Chicago Symphony Orchestra
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President's Report by Brian Rood



As the end of another concert season draws near, many ICSOM orchestras find themselves in the midst of negotiations. A few have already settled, while many others are in negotiations or scheduled to begin.

Before addressing these negotiations, I would like to reference the reasons behind ICSOM's creation. It is important to remember that the right to form orchestra committees, to participate in negotiations, and to ratify proposed settlements is still a fairly recent ICSOM victory. Just a few short decades ago orchestral musicians were seldom permitted to be "at the table," as their wages, benefits, job security, and other working conditions were often negotiated without their involvement or ratification.

ICSOM was created largely to ensure that musicians received and retained the right to meaningfully participate in negotiations. This fundamental right, one that now may easily be taken for granted, was achieved through the collective solidarity and determination of our ICSOM pioneers. Their perseverance demonstrated to orchestra managements and the AFM alike that orchestral musicians were united in their determination to conduct their own affairs. They believed, as we do now, that no one knows symphonic issues like symphonic musicians. Their collective struggle was often at great personal and professional sacrifice. By the end of the 1960's, though, ICSOM was finally recognized as a player conference within the AFM.

The 1979 AFM Convention authorized Federation work dues across the board on symphonic musician minimum scale wages. As a result, symphonic players alone carried 37% of the AFM budget. With the 2007 AFM Convention just a few short weeks away it is particularly interesting to note that this percentage now is much greater. The estimate for 2006 Federation work dues paid by symphonic musicians is actually closer to 55%, with the overwhelming majority coming from ICSOM musicians.

The figures for Federation symphonic work dues are important to consider when evaluating overall services and their value. ICSOM, for example, continues to provide many services on essentially a shoe-string budget. The real value comes from the involvement and commitment of each orchestra with another and to ICSOM. Possibly the most important service ICSOM offers is the annual Conference, this year being held August 15-18. It is imperative that each ICSOM orchestra be represented. Much of what is gained from annual conferences comes from the formal and informal exchanges between delegates and Governing Board members.

Returning to the original focus, another important service ICSOM offers its members is the conference call network for negotiating orchestra committees. Recommended in 2004, these calls have included delegates, chairs, and their committees. Attorneys and

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Secretary's Report by Laura Ross



As my orchestra prepares for negotiations here in Nashville—the first in our new hall—I have begun to reflect upon our own bargaining history and how it has been impacted by ICSOM's relationship with the AFM.

As ICSOM celebrates its 45th year, we once again will send a delegation of representatives to the AFM Convention, this year being held June 18–20 in Las Vegas. With the attendance of Chairperson Bruce Ridge, President Brian Rood, and Member at Large Meredith Snow at the Convention, we will witness some of the fruits of our labor. "What is that?" you might ask. It would be our representation at the AFM Convention itself—a voice on the floor of the Convention. In another step forward, the leaders of our Player Conferences (ICSOM, ROPA, OCSM, RMA and TMA) spoke before the entire body of Convention delegates two years ago. When Chairman Emeritus Jan Gippo asked all voting delegates who were orchestra musicians to stand, it was momentous, and it highlighted the activities of our orchestra musicians. Fully 10% of the voting delegates were orchestra musicians!

However, there still appear to be a number of AFM delegates (almost all of whom are local officers) who do not understand the role of ICSOM and the rest of the Player Conferences. ICSOM and others have fought for a number of worthy goals, yet the misunderstanding continues. Some even paint us as the enemy. ICSOM "plowed the road" for all those who came later. Our conference was formed 45 years ago because some of our locals were not representing our members well. Tom Hall's compilation of the first 40 years of ICSOM's history contains details of the trials in the early years, when locals ignored orchestra committees as well as musician concerns and requests. In some cases, locals continued their practice of negotiating "sweetheart deals" that did not address any of the concerns of the employees.

ICSOM said this practice had to stop, that musicians deserved representation at the bargaining table and to negotiate on their own behalf. (After all, who knows better what is going on than the employees themselves?) Musicians also demanded the right to form committees to assure that our contracts will be continually maintained and supported. Later the Player Conferences fought for a voice on the Convention floor so they could bring their concerns to the entire delegate body of the AFM.

Over the past few years, ICSOM Conferences have included discussions about how to work effectively with our locals. We have celebrated orchestras and locals that can work in harmony because they are all stronger for it. Any notion that ICSOM has any desire to run the AFM is ridiculous. Our goal has always been to advocate for the rights and concerns of our members to the AFM and its

(continued on page 8—see SECRETARY)

What's Happening to the Audition System?

by Elaine Douvas, Metropolitan Opera Orchestra

[Editor's Note: The following article was submitted at the beginning of the year. Unfortunately, space constraints prevented a more timely publication. As a result, some reporting on the state of U.S. oboe auditions is no longer current.]

It looked like a great year for oboe players, with nine fantastic jobs to try out for: principal in San Diego, Los Angeles Opera, Atlanta, Cincinnati, Rochester, and National; second in Minnesota; English horn in San Francisco and Buffalo; and several smaller ones too! But hope is turning to despair for the 60 or 70 players on the audition circuit, as seven of the nine auditions have already been held, but only three positions have been filled. In some cases a winner was chosen, but the job was not awarded. Instead, orchestras decide to stall—give “trial weeks,” hit the rumor mill, and beat the bushes for possible candidates who didn't go to the audition. In fact, some orchestras now want to preview the field before the audition, or before the opening even occurs. It doesn't seem right.

I play in the Metropolitan Opera Orchestra. We try to run the fairest auditions in the business, defined as follows: The screen stays up until the end. We are not allowed to talk to each other at all, thus barring attempts to influence others or assert one's taste over another's. Anyone may get a hearing, though some first hearings will be by CD. We do not invite a bunch of people to the finals, so as to have a few “in the bag,” as human nature dictates that people will judge the preliminaries more attentively if you have not already “skimmed off the cream.” The decision is made after hearing a 10-minute preliminary and 15-minute semi and final rounds. If you win the audition, you get the job—no questions asked, no trial weeks, no “nobody was good enough.”

How can I prove to you that this works, without naming names? “What if you get a real weirdo?” you might ask. “What if you get someone who can't blend in tone, personality, or ensemble skills?” There are two answers: You would be amazed how much you can tell about a person just from his playing, if you really listen in detail. Moreover, that is the purpose of the two-year probation period. Maybe you think, “They're in the pit; they don't need the same degree of soloism, creativity, or leadership that we do.” Wrong again. The Met plays symphonic and chamber concerts in addition to opera, and we value these qualities as much as any orchestra!

The Met has hired the young, the old, male and female, the small and the large, and (yes) the legally blind. Many of these great players were available to us because they had been passed over by other orchestras for non-musical reasons, or because an orchestra wouldn't hire anyone even though said musician had won an audition. We judge only by what we hear, and the majority vote rules. It usually works out fine—more than fine. Perhaps you know some of the players hired at our blind auditions who have gone on to international fame. I shudder to think how many of our amazing players might not have survived a trial week, the committee of 100,

or the rumor mill. Instant compatibility is not a fair test. You remove the player from the context of the dozens he out-played and put him in the chair for 100 orchestra members to search for flaws; often the result is a failure to appoint anyone. On the other hand, you could put him in the chair for two years and support him; more often than not he will perform better than at the audition.

“Doesn't it bother you to have only one vote out of 12, even when the opening is for your instrument?” No, it doesn't. Often, I did not vote for the winner, but experience has taught me that it will work out well. I trust and respect the system and the taste of the 12 judges, who all play the most closely related instruments. The other woodwinds have as much right to the decision as I do. Music Director James Levine respects the system too. He takes one vote out of 13, if his schedule allows him to come at all. He knows we will get him a fine player, and he is confident of his ability as a conductor to ask for what he wants.

Many of our audition winners were hired fresh out of school. Experience has its points, but when a young player can beat the competition while in his/her early 20s, imagine how far that musician can get by the age of 30! Regardless of age, it can take any newcomer some time to understand the conductor's philosophy and the taste of his new colleagues.

Maybe you are saying, “We should take all the time we want; why should we try to be fair to auditioners?” Because taking that time won't yield a better result than going with what you heard at the audition. Prolonging the process by inviting somebody's friend or protégé will not get you a better player. This will be proven later when your winner gets an even better job! If you don't hire from the audition, you encourage people to boycott auditions and try to slip in by the side door of politics. This is not in the best interest of your orchestra or our profession. It undermines the entire system and damages the morale of the group. Mutual respect is inherent when everyone gets in by the same fair procedure.

A common complaint by those who don't win is that auditions only produce note-getters with no special personality. Well, only if the majority so chooses! Do you know anyone who would choose a note-getter who lacked artistry? I don't. It's your vote, your taste, and your fault if you vote for such. Obviously, both artistry and instrumental mastery are required; there will plenty of overlap from which to choose.

Another argument I have heard is that how you play is only one of many qualifications for the job. “We need people who can give a speech, work the room at a donor dinner, go on the radio, or be an entertainer at a school concert.” To this, I would point out that there are many eloquent musicians who totally lack social skills but provide the greatest possible inspiration to their colleagues and to

(continued on page 11—see AUDITIONS)

Off the Record

by Leonard Leibowitz, (Distinguished) ICSOM Legal Counsel



Recently, a representative of an ICSOM orchestra asked me about “off the record” meetings. My definition of such meetings is that they are collective bargaining sessions which are attended by only one or two members of each team, and they are designed to create an atmosphere in which the parties can freely express their positions and exchange ideas for the ultimate resolution of the outstanding issues, without being bound to any one of those positions or ideas. Each of the attendees may then be free to offer reasons for their position(s) which they ask to remain confidential, or to propose an idea which they must later withdraw, without fear of committing an unfair labor practice, or being accused of a renege.

I then thought that my response to the inquiry might be informative and helpful to others involved in the process. Herewith is my response:

Off-the-record meetings are often the best way to move the negotiations forward more expeditiously, or, sometimes, unfortunately, to discover that the parties are so far apart that a settlement is probably not going to happen without a struggle. Either of these results of the meeting(s) is valuable to both sides in terms of adjusting or creating a strategy for the balance of negotiations.

However, any such meetings require these rules:

1. They are *not secret* meetings. Everyone on each negotiating team must be informed that they have been suggested. Everyone on each negotiating team must participate in the decision to have them occur and help decide who will be the representative(s) of their side. Neither side can dictate to the other who they want to be the representative(s). Everyone should also be informed as to when they will occur.
2. All attendees must be free to express any opinions, tentative proposals, rejections, or tentative acceptance(s) of proposals such that, should any of those tentative positions not pan out for any reason, they would not be accused of renegeing. That is, whatever tentative conclusions, if any, are reached, must be subject to the acceptance of each negotiating team.
3. While the details of some of the discussions may be confidential, the tentative conclusions, i.e., the positions taken by each side on each issue, should be reported to the full committee, and the full committee should retain the right to accept, reject or offer counters to any of those positions.

4. If the meetings prove useful, they can recur, but ultimately the parties should resume full, on-the-record meetings—if only to confirm what has been tentatively agreed. This will hopefully lead to the drafting and signing of a memorandum of agreement (subject, of course, to ratification by the union and the bargaining unit).

2007 ICSOM Conference

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Orchestra Newslets

Newslets are compiled with the help of ICSOM delegates and ICSOM Members at Large from sources that include direct submissions, member orchestra websites, and topical news items. The editor encourages input and submissions.

The **National Symphony Orchestra's** new Principal Guest Conductor, Ivan Fischer, of the Budapest Festival Orchestra, has led two subscription programs so far this season. One of them, an all-Mendelssohn program, was part of the Shakespeare in Washington Festival, a multi-disciplinary event involving most of the city's arts organizations in events highlighting the connection between various art forms and Shakespeare's work. Other recent artistic highlights included a concert performance of *Salome* featuring Deborah Voigt. On another front, delegate Jeff Weisner reports that the music director search committee is continuing its work of seeking a successor to Leonard Slatkin, who will leave at the end of the 2007–2008 season.

The **New York City Ballet Orchestra** is winding down its first winter season with their new music director, Faycal Karoui. Karoui has conducted several outstanding performances, including a recent all-Stravinsky program that contained *Agon*, *Monumentum Pro Gesualdo*, *Movements for Piano and Orchestra*, and *Symphony in Three Movements*. This spring, he will conduct a new choreographic production of Prokofiev's *Romeo and Juliet* to begin the season. Karoui has expressed his determination to bring the City Ballet Orchestra out of the pit and onto the stage for orchestral concerts. The company will travel to Washington, D.C. for a week of performances at Kennedy Center and will return for three weeks to its summer home in Saratoga Springs, New York.

According to delegate Ethan Silverman, City Ballet Orchestra musicians are grappling with the health insurance crisis that has infected many Local 802 musicians, when their union-administered "Plan A" virtually disintegrated without warning at the beginning of this year. The orchestra committee and an appointed sub-committee are busy trying to find alternatives.

San Francisco Opera Orchestra delegate Leslie Ludena reports that the San Francisco Opera continues to make positive financial and artistic strides. In October, Mrs Jeannik Littlefield, a longtime subscriber and former board member, made a gift of \$35 million, the largest private donation ever received by the company, with no restrictions placed on the funds. Nicola Luisotti has been chosen to become the new music director, starting in 2009. The appointment has generated much excitement among musicians and patrons alike. Also, there will be a simulcast of Mozart's *Don Giovanni* during the 2007 summer season, the third such live event in the last year. So far the performances have proved to be very popular, with the average outdoor attendance of around 10,000.

The musicians of the **Cincinnati Symphony Orchestra** ratified an extension of their current contract, guaranteeing a \$30 weekly salary increase for the 2007–2008 season and the continuation of the Anthem Blue Cross health insurance policy. Their management

and board have agreed to continue to pay the full cost of single and family premiums through January 31, 2008, when the existing policy expires; a 10% cap on increases will then apply. (The health insurance premium increase this season was around 30%.) As the board and management embark on an aggressive deficit reduction and capital drive, the extension enables the organization to stabilize finances as well as giving both sides the opportunity to examine possible health care alternatives before full negotiations in 2008.

In other news, the Cincinnati Symphony performed a special event concert conducted by Valery Gergiev on February 22, 2007. The program featured Stravinsky's *Petrouchka* and Tchaikovsky's *Fifth Symphony*. The large audience responded enthusiastically to both pieces. Music Director Paavo Järvi invited Gergiev to conduct when, in 2003, the Cincinnati Symphony and Maestro Gergiev's St. Petersburg orchestra were on tour in Japan at the same time.

A recent Nashville Opera performance of *Aida*, featuring the **Nashville Symphony Orchestra**, was threatened by two unrelated elevator incidents in the same evening. The first involved three orchestra musicians who shared a parking garage elevator with opera fans. The crowded elevator, which had exceeded its 20-person capacity, became stuck between floors before its final stop. Keiko Nagayoshi (violin), Radu Rusu (horn), and Dan Vidican (horn) were pulled from the lift 45 minutes later by emergency firefighters wielding axes. They were able to join their colleagues in the pit just ten minutes after the downbeat. They were not docked.

A short time later, a blocked loading dock forced two dromedary camels to make their entrance for the second act's Triumphal March scene through the musicians' entrance. Lacy, the smaller of the two, was easily loaded onto the backstage elevator, but the door was not quite tall enough to accommodate Callie's big hump. After a 15-minute struggle, during which no one was harmed, the elevator doors were finally closed on the reluctant pair, with NSO musicians quietly witnessing the spectacle. Later, emerging from the pit, they were glad to find that the hallway had been cleaned and deodorized.



Photo by Carrie Bailey

There is much activity surrounding the **San Antonio Symphony**. The first post-bankruptcy contract negotiations began in March, and searches are underway for a music director, an artistic advisor, and a resident conductor. The artistic advisor would be an interim position to fulfill music director duties after Larry Rachleff's tenure ends in 2008. The music director search is being conducted by a nine-member committee, composed of three board members, the CEO, one community representative, and four staff musicians.

The orchestra committee of the SASO is concentrating on creating positive PR and network-building. It has beefed up the musicians' online offerings by adding a blog and an e-newsletter to the musician website (www.sasmusicians.org). In keeping with its focus on PR, the orchestra committee took advantage of the AFM's intensive on-site PR training session with Barbara Haig. According to delegate Emily Watkins, as the first orchestra to receive the on-site version of this training seminar, they enthusiastically recommend it.

Concluding a three-year search, the **Dallas Symphony Orchestra** announced that Jaap van Zweden will assume the music director position in the 2008–2009 season. Jaap van Zweden hales from the Netherlands and is the former concertmaster of the Royal Concertgebouw Orchestra. As music director designate, he will conduct the DSO for three weeks next season. After that, he will conduct 12 weeks in 2008–2009 and 15 weeks in each of the following three seasons. Even though the musicians of the DSO have worked with van Zweden only once (in February 2006), there is much excitement over his appointment. The DSO will record the works for piano and orchestra by George Gershwin with pianist Anne-Marie McDermott and conductor Justin Brown this spring. The recording will be released by Bridge Records.

In October 2005, the **Milwaukee Symphony Orchestra** launched its own e-label, MSO Classics, and became the first American orchestra to distribute recordings previously unavailable for purchase through digital music stores. A check of the MSO's online Symphony Store shows another first: download-only binaural recordings. MSO's binaural recordings are largely the idea of Robert Levine, who is the orchestra's principal violist, president of Local 8, and chairman emeritus of ICSOM. The binaural recording process uses a dummy head with a single microphone embedded in each ear canal. When the binaural recording is played back through headphones, the experience is said to reproduce very closely what would be heard during an actual concert if the listener were situated where the dummy head was during the recording. MSO's first binaural recording, Saint-Saëns' *Symphony No. 3*, is also being offered in a standard stereo version. The next binaural releases planned include Tchaikovsky's *Symphony No. 5* and Grieg's first suite from *Peer Gynt*. MSO's goal is to make 10 to 12 new binaural downloads available each year.

The Saint Paul Chamber Orchestra recently completed a 10-day tour of Eastern Europe with Artistic Partner Roberto Abbado.

Delegate Lynn Erickson says that they traveled to Budapest, Zagreb, Maribor, Vienna, Warsaw, and Berlin. A live performance was broadcast by Minnesota Public Radio on January 23 from the Musikverein in Vienna. As part of an ongoing collaboration with Twin Cities Public Television, the orchestra was also accompanied by a film crew that is doing a documentary on the tour. The concerts were well-received by audiences and critics alike. Sadly, the SPCO mourns the loss of its dear friend and colleague, violist Alice Preves, who died of cancer on November 15, 2006. Her joyful spirit and wonderful musicianship will be greatly missed.

The **Los Angeles Philharmonic** is on a high brought on by a surprisingly seamless transition of music directors, according to delegate Meredith Snow. Although there was no formal search committee, their management worked quietly and effectively with the orchestra's Artistic Liaison Committee. For several years, that committee has been distributing conductor evaluation questionnaires to each member of the orchestra after every guest conductor's appearance. Those evaluations were taken very seriously by management. The overwhelmingly positive response to Gustavo Dudamel was virtually unanimous among the players.

The surprise dual announcement made to the orchestra regarding Esa-Pekka Salonen's departure and Gustavo Dudamel's arrival was stunning. Management and Salonen jointly informed the orchestra, even before telling the board of directors, and entrusted the orchestra to maintain silence so that there would be no press leaks. At the press conference where the dual announcement was made public, it was quite remarkable to see Salonen literally pass the baton to Dudamel. Officially, Salonen will step down at the conclusion of the 2008–2009 season, at which time he will have been music director for 17 years. Many orchestra members commented on the bittersweet nature of the news. Salonen is highly regarded by the members of the orchestra. Salonen has said that the LA Phil will always be a part of his life and that he will have a continuing relationship with the orchestra.

In February, **Honolulu Symphony** musicians welcomed ICSOM Chairperson Bruce Ridge and AFM SSD negotiator Nathan Kahn. Meetings with the orchestra, orchestra committee, local officers, and management, as well as radio interviews, kept Bruce and Nathan very busy. Delegate Steve Flanter relayed the orchestra's appreciation of the visits, where both Bruce and Nathan gave advice about HSO's upcoming negotiations while attempting to put things into the context of the larger orchestral community.

On March 6, after a search lasting more than two years, the Honolulu Symphony announced the appointment of Andreas Delfs as its new artistic leader. Signed to a three-year contract, Delfs will hold the title of principal conductor for two years, becoming music director in the 2009–2010 season. Delfs, currently music director of the Milwaukee Symphony, expressed his intention to raise the reputation of the HSO both locally and internationally, to learn about the culture and history of Hawaii, and to help establish a bond of trust with local audiences.

Secretary

(continued from page 3)

leadership. That's how we got the AFM Symphony Opera Strike Fund. Those wage charts we receive every year from the AFM were once produced solely by ICSOM. The AFM realized the importance of these charts and took it upon themselves to produce one of the most effective negotiation tools we have available. These are examples of the AFM and ICSOM working together.

Over the years our orchestras have wrought wonders with their contracts, improving the wages, benefits, and working conditions for their colleagues. In almost all cases, this was done with the union's presence and support. I'm astounded when I hear about a negotiation that does not have a local officer presence at the table. Why? Because it is the local's obligation to enforce the contract. If they have no knowledge of the contract, how can they legitimately enforce it, especially if some violation ends up in arbitration? I'm also surprised because part of the reason we pay work dues is so that when we retain negotiators, the local pays the bill. Additionally, while a contract applies mostly to contracted members, orchestras also hire substitute and extra musicians, and locals have the task of trying to protect those musicians as well. Locals have a vested interest in the content and success of any negotiation.

I become frustrated when a musician bashes the union, pointing to an individual or group in which the musician has a personal interest and asserting that the union or a union contract is hindering their success. The union is not one person, nor is it the officers we elect. The union is all of us collectively. Our contracts are the result of painstaking negotiations that include questioning our members for their desires as well as trying to correct problems that have occurred during previous years. I have always felt that collective bargaining agreements often serve to document the abuses orchestras have faced and dealt with during negotiations.

As union members, we are a part of our bargaining units and have every right to voice our concerns, especially during negotiations. Those who have chosen to "opt out" because they live in right-to-work states or assert their Beck rights (and who "freeload" on the backs of those musicians who do pay their fair share) have given up any right to a voice in our process. They do not receive strike fund benefits, they have no voice in overseeing our contracts since they can't participate on committees; and they have neither a say nor ratification rights when a contract is negotiated. They have no voice because they have elected to give up their rights. As an AFM member, though, you do have a voice.

As ICSOM prepares for attendance at this year's AFM Convention, I'd like to make you aware that ICSOM will sponsor two resolutions that will come before the delegates. We hope you will be in full support of these resolutions and discuss them with your local delegates before they head to Las Vegas in June.

The first is a resolution regarding a change to the Orchestra Services Program (OSP). While I have just written about the fine relationships ICSOM hopes to foster between our orchestras and locals, there

have been times (though thankfully few over the years) when the AFM was asked to step in and resolve a dysfunctional relationship. Article 5, Section 38(b) was incorporated into our AFM bylaws after the Seattle Symphony left the AFM in 1988 due to insurmountable problems between the musicians and their local. There was no solution to help Seattle back then. Since that time, the OSP has allowed the AFM to become the overseer of an orchestra's collective bargaining agreement until such a time as the orchestra and local could reasonably work together again. The key problem with the OSP is that it redirects 2% of the local work dues to the AFM to fund contract administration. This loss of work dues can severely harm a local. ICSOM's proposal would add another step that is less punitive. It would allow the AFM to appoint an overseer to act as a local buffer and go-between for a much more reasonable cost. ICSOM does not advocate getting rid of the OSP because there still may be future cases that warrant it. At the same time, we would like to address situations that may not have to go that far. We believe this resolution will address these concerns.

The second resolution goes back to 1997, when the AFM was talking about restructuring. Sadly, all that work led to few changes. One thing that became clear to many back then, however, is that it is a very bad idea to allow a contractor (in other words an employer) to serve as a local officer. Why? Imagine that you've been hired by that particular contractor for a gig and something goes wrong. You would normally contact the local to seek a remedy. Then you realize you are filing your grievance with the very person who employed you. We'd all like to think that our elected officers would be above retaliation, but human nature being what it is, there have been many workers who not only found no satisfaction but were also blackballed from future work. Unfortunately, there are still many locals with contractors serving as local officers, so this is an uphill battle. Over the years personnel managers and theater contractors have been excluded. Until all contractors have been removed, workers have no absolute protection from retaliation in the only place they have to look for assistance.

ICSOM continues to fight for the rights of its members and for the betterment of our entire industry. I hope you'll continue to support our efforts. Both of the resolutions I've mentioned are included in this issue. We urge you to speak to your delegates in support of this legislation.

Resolutions for the AFM Convention Sponsored by ICSOM

ICSOM Resolution #1 Regarding OSP Language

WHEREAS, It is AFM policy to provide the best possible representational services to its members; and

WHEREAS, One of the programs used to implement that policy for symphonic members is the Orchestra Service Program (OSP); and

WHEREAS, The current Orchestra Service Program by-law provides only one method of insuring that Symphonic members receive the best possible representational services; and

WHEREAS, It would be beneficial to members, locals and the AFM that there be other suitable programs; therefore, be it

RESOLVED, That Article 5, Section 38(b) of the by-laws of the American Federation of Musicians be amended as follows:

ARTICLE 5, SECTION 38(b)

In the event that a Local does not or cannot provide the services set forth above in a satisfactory manner, or upon the request of the Local or the members of an orchestra for reasonable cause, the International President (after consultation with the Local and the members involved) shall have the authority to take any of the following actions:

1. Appoint a representative who shall work to resolve any issues that may exist between the Local and the Orchestra members; such representative shall act at the direction of the President, who shall consult with the International Executive Board (IEB) and the appropriate Player Conference on these matters;
2. Implement Article 5, Section 30, of the American Federation of Musicians by-laws;

SECTION 30. Notwithstanding any other provision of these Bylaws and upon good cause shown, the IEB shall have the authority to assign collective bargaining rights from one Local to another. Such assignment shall be done in accordance with applicable labor law and with a procedure established by the IEB. Such procedure shall include:

- (1) Consultation with the current signatory Local;
- (2) Approval of the Local to which the collective bargaining responsibilities are being assigned;
- (3) Approval of the affected bargaining unit by secret ballot majority vote;
- (4) Agreement of the signatory employer if required by law or contract.

3. Place the orchestra in an Orchestra Service Program (OSP) established and maintained under IEB supervision. The OSP shall provide those services and such other assistance as the IEB may deem necessary in the situation at a cost to the Local of 2% of the scale wages received by the orchestra members under the CBA. If the Local Work Dues payable by the members of an orchestra placed in OSP are less than 2%, the Local Work Dues rate payable by the members working under that orchestra's CBA shall be automatically increased to 2%.

ICSOM Resolution #2 Regarding Contractors on Union Boards

WHEREAS, There are many Locals in which the Officers also work as Contractors, Personnel Managers, or Booking Agents, creating a clear, inherent conflict of interest that has a chilling effect on a member's ability to receive fair and impartial representation; therefore, be it

RESOLVED, That Article 5, Section 43 of the Bylaws be amended, as follows:

No Local Officer shall (1) serve in the position of Personnel Manager or Contractor for an employer/engager of musicians in the Local's jurisdiction [~~No Local Officer, except in Canada, shall serve in the position of a contractor of musicians in the musical theater field.~~]; (2) work in any position where s/he receives any remuneration from contracting or booking musical units (other than a regularly organized one of which s/he is a leader or member) in the Local's jurisdiction, except in his/her capacity as a Local officer administering an employment referral or booking program on behalf of the Local.

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

Call to Action

(continued from page 2)

than our fair share, and we would protest any increase in our work dues until a full accounting and review of AFM expenditures is completed and made public. While the AFM has asked for more money, it has never explained where these additional funds will be spent.

The AFM Revenue Committee was mandated by the 2005 AFM Convention as a part of the overall financial package it passed. The current recommendation put forth by that committee would raise work dues across the board; you would be required to pay an additional 0.10% on all your symphonic wages to the Federation. Currently, your local sends 0.55% of your symphonic work dues to the Federation. That figure would become 0.65%, and because the increase is being proposed as a “pass through,” your local’s work dues would automatically be raised accordingly. In addition, the Revenue Committee has proposed a \$5 *per capita* dues increase for each of the next three years (because they are also proposing that the AFM Convention become triennial instead of biennial).

In 2003, the Federation raised symphonic work dues 0.05%, promising in exchange that symphony and opera musicians would receive better services and staff enhancements that never materialized. Now, the AFM says it once again needs more funds, and they are including symphonic musicians in their net. We already pay more than our fair share. We do not pretend to suggest that there will never be a need for a dues increase, but we have a right to ask questions. Why do you need this money from us? What are you doing with the money we already pay? Are the right structures and safeguards in place to ensure that the union serves and is responsive to those who fund it?

We ask you now to help us argue against this increase in work dues, and time is of the essence. If the musicians of your orchestra feel that they are already paying enough dues, communicate that to the leaders of your local and, most importantly, your delegates to the AFM Convention. They, as our representatives, should also be our advocates. ICSOM orchestras pay an astonishingly high percentage of work dues to our individual locals. Check out column 38 on page 10 of the new *AFM Wage Chart of ICSOM Orchestras*. The numbers are daunting: 83%, 79%, 87%, 77%, 90%. Those are just the first five figures, listed alphabetically. There is one ICSOM orchestra that pays virtually all of its local’s work dues and another that pays 97%!

We are the musicians who pay our local officers’ salaries and who keep our locals, and indeed the Federation, financially afloat. Let your local officers know that we do not wish to see our wages cut again by an increase in work dues—certainly not before the Federation can prove to us the need and assure us that it would result in the increased and better services we need. Past promises have not been kept; the necessity for a dues increase has not been effectively demonstrated.

In the coming weeks, there will be postings about this issue on Delegate-L and Orchestra-L. We ask all ICSOM delegates to post these messages backstage and to alert your orchestra committees. A sample letter will be distributed through the mailing lists, and we ask that all orchestra members sign such a letter to protest this proposed increase. Please deliver those letters to your local officers and convention delegates.

We must be our own advocates—in our communities, with our managers, and even within our union. This is the very reason that the founders of ICSOM created this organization.

In my columns and articles for *Senza Sordino* I have tried to offer words of inspiration, to help us believe that individuals have the chance to be a part of something greater than themselves. A year ago I asked, “Is anybody reading this?” Again I ask: Are you reading this? Have we offered any message of hope? Have we suggested the power in every individual to act as part of a group?

If that message has been successfully delivered, we ask you to act now. We all believe in a strong union. To achieve that, we must let our voices be heard. Communicate with your colleagues, your local officers, and your AFM convention delegates.

Fortunately for our cause, our local officers are those AFM officials with whom we work most closely, and they are often highly sympathetic to symphonic player concerns. Let them know how you feel. We must make the effort, and from this effort will grow a strengthened cause for our orchestras to elect delegates from within our ranks. We ask that our locals join with us in a demand for a full and ongoing accounting of the use of our money by the Federation. We will make this union accountable to the very people who keep it afloat as we reach out in solidarity to all of our Federation brothers and sisters.

Visit ICSOM’s newly redesigned website

www.icsom.org

Travels

(continued from page 1)

Here is a fact about the future of classical music: Last year, the genre of music that saw the greatest increase in downloads, an increase of over 22%, was classical music! That's right—the rumors of the death of our chosen art form have been greatly exaggerated.

I write often of my early years as a musician, where I was playing all kinds of music in all kinds of settings, some glorious and some unsavory. I was surrounded by mentors. There were sane and mundane people, crazy and brilliant people, and they all offered me an education into the world of music. I listened and I learned; and I heard all kinds of music imaginable.

But there was something else I first heard back then: the myth of the graying audience. I was told, back in 1979 when I started, that the audience for classical music would soon be dead.

And yet, when I look out at audiences today, I see the same faces I saw then. I see the young and the old, the well dressed and the sartorially challenged. I was thrilled on a recent visit to Avery Fisher Hall to see the youth that dominated the lobby at a New York Philharmonic concert. It made me feel a bit old! I left the concert that evening and wandered the streets of Manhattan, pondering how we might change the concert experience to insure that symphonic music continues to appeal to the older generation.

The playwright Eugene Ionesco wrote, "A work is not a series of answers, it is a series of questions...it is not the answer that enlightens, but the question." Maybe that is what I have learned in my travels. Maybe it isn't the answer that is as important as the question. I'm reminded of that Harry Chapin song, where he sang "It's got to be the going, not the getting there, that's good."

We must remember that this we did with our lives for a reason. I read a great article in a Victoria, Canada, newspaper recently in which there was this quote: "A civilization is not judged by its ability to generate income."

It is our job as artists to remember that. We must rely on our managements to present the other truth, the real truth, that the arts do indeed generate income for everyone in a community. Where our managers are not promoting that message, we must point out the tremendous opportunities presented to them by just how impressive our musicians are, both as artists and as human beings. The good managers will hear our message and thrive. The others will fail. This we assert without hesitation: It is a new day for symphonic music in America. ICSOM is spreading a different message. It is a message of hope. It is a message of the most profound community service.

Over 40,000 miles have I traveled, and over 40 years has ICSOM persevered. But, we've barely begun. Opportunity awaits, and the message must be spread. When I grow weary, I am comforted by the knowledge that there is a generation of friends performing on the same night, at the same moment, as I. There are mentors that went before me, and generations that will follow.

As *The New York Times* reported just last year, this can be classical music's golden age. In a world that is weary with conflict and hostility, we can serve as a beacon, a beacon that has every opportunity to grow brighter with every note we play, and through every life we touch. Some of the orchestras I have visited have generously said that ICSOM's presence has been inspirational. But, to those orchestras, I would say that ICSOM, and I, owe them our thanks. I have been inspired by every musician I've met and every orchestra I've heard. We exist because of our members, and, on all-night flights back to North Carolina, I am never alone. I hear their music, and I carry the strength of our community of musicians with me everywhere I go.

Auditions

(continued from page 4)

the audience. Music is a language unto itself, and pure musical values are something we should fight to uphold in this era driven by glitz, glamour, and surface appeal. There will always be someone to give the speech.

So, I urge you in your role as judges: Don't be so insecure! Listen carefully and trust what you hear! Respect the majority vote, even when you don't agree, and trust that it is rare for anyone to play his or her best at an audition. Don't wait to copy the result from other orchestras. Don't withhold experience that the winner has earned and deserves. Banish the idea that there is one perfect person for the job, a god or goddess who will spring full-grown from the head of Zeus! There are many with the potential to be fine artists and leaders, if they are given the opportunity they earned by winning the audition. Don't drag it out for years, draining time and money from the auditioners and undermining everyone's confidence in a fair deal. Trial weeks put the whole thing into the political arena and increase the number of opinions exponentially.

I have watched the level of musical accomplishment rise dramatically in the past 30 years. There are lots of polished and imaginative players ready to fill the jobs. They shouldn't have to try out three times for the same orchestra. Put the winners in the chairs and let them fulfill their destiny to be music's next stars.

Elaine Douvas has been principal oboe of the Metropolitan Opera since 1977, oboe instructor at The Juilliard School for 25 years, and chairman of the woodwind department since 1997. She was principal oboe of the Atlanta Symphony (1973–77), and her credits include numerous summer festivals, master classes, solo appearances, and recordings.

Conference Calls

(continued from page 3)

local presidents are also invited. We have been very fortunate to have our own ICSOM legal counsel, Lenny Leibowitz, join us. SSD Director Laura Brownell graciously agreed to join, as well, to offer additional expert advice and assistance.

Beginning in late January calls involving several orchestras have been held regularly. Included are Detroit, Kansas City, Minnesota, Nashville, North Carolina, San Antonio, and Saint Paul. Others will be joining as their negotiation schedules warrant. These calls prove very helpful in providing confidential environments to discuss and evaluate management and musician proposals and counter-strategies with colleagues facing similar challenges in their own negotiations. ICSOM Treasurer Michael Moore deserves special mention as he continues to stretch your dues dollars by locating cost efficient rates for electronic services including these conference calls.

One of ICSOM's greatest accomplishments over the past forty-plus years is the ever improving ability to share information quickly and comprehensively. *Senza Sordino*, the newly redesigned ICSOM website, mailing lists Orchestra-L and Delegate-L, member-at-large interactions, the ICSOM Directory, recent on-site visits by Chairman

Ridge, and annual ICSOM Conferences are just a few examples of key services that bring valuable information and support to our orchestras and members.

In closing, I would like to draw your attention to another terrific ICSOM resource: *ICSOM; Forty Years of the International Conference of Symphony and Opera Musicians*. Part of my normal preparation in writing these columns is to study this comprehensive publication in order to better understand current ICSOM issues by studying our history. Tom Hall, who served ICSOM as editor of *Senza Sordino*, Governing Board Member-at-Large, and delegate (and who recently retired from the Chicago Symphony), authored the book in 2002. Delegates and orchestra committees alike should have copies within reach. New and veteran musicians alike are encouraged to read this terrific publication, easily one of the most accurate and informative references available about ICSOM's history and its importance to our orchestras. Copies of this book have been distributed to all member orchestras at past Conferences. If your orchestra or committee would like more copies please contact me. Additional copies will also be available at this year's ICSOM Conference.

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2007 AFM Convention

by Laura Ross, ICSOM Secretary

For the first time in 12 years, I had to miss the final day of the AFM Convention, when most of the real action occurs. This year, the Nashville Symphony hosted the American Symphony Orchestra League's convention. It overlapped with the AFM Convention on Wednesday, so I was on the red-eye early Wednesday morning to play the final rehearsals for our concert at the League convention. Having attended both conventions, I'd like to pass on a few of my own observations. *[Editor's Note: The American Symphony Orchestra League changed its name at its convention. It is now the League of American Orchestras.]*

First, some history: When I began attending AFM Conventions in 1995 as ROPA's secretary, there were significantly more attendees than today. Dissatisfaction with the AFM back then continued five years after the Roehl Report recommended, and the Blue Ribbon Committee made permanent, the formal establishment of the Symphonic Services Division and the Electronic Media Division. Player Conference delegates had a voice on the floor of the Convention by that time, but they were mostly relegated to some round tables off to the side of the voting delegates, near the AFM staff tables. I became a voting delegate for Local 257 (Nashville) in 2001 and moved over to one of about 15 long tables in front of the dais, where the AFM officers, division heads, emeritus officers, and general counsel sit.

Over the years I've watched as well meaning and thoughtful resolutions from the Restructure Committee, the Investigative Task Force, and the Futures Committee were discarded because many delegates feared change. The AFM has many problems that require thoughtful, purposeful changes, but fear of losing control is a strong motivator to continue to do nothing (regarding, for example, establishing regional centers to assist locals that some see as a threat to small locals). Of course, politics play into these decisions as well.

Well-meaning people continue to submit resolutions, and every once in a while something changes. A few changes occurred this year, the biggest being the move to a three-year convention cycle. Most saw

this move as essential to saving the AFM financially. (Removing the AFM's obligation to pay per diem and hotel expenses for one delegate from every local and Player Conference would probably save the AFM more. This year there were 317 delegates, and more than 200 received reimbursement.) A couple of resolutions designed to make the business of the AFM more transparent by ensuring better access to information easily passed this time, even though they went down in flames in 2005. A substitute resolution similar to the Orchestra Services "Lite" Program we approved at the ICSOM Conference last summer also passed. Delegates also adopted a two-year-old IEB policy regarding the appointment of Player Conference representatives to AFM committees.

One change that seems to have been lost in the shuffle of final day events redefined what a "rank-and-file" member is when one is chosen as an AFM-EPF trustee. The resolution dealt with a situation that, in part, caused a major rift that began initially between the AFM and RMA. It addresses the notification and consultation process between Player Conference representatives and the AFM president in choosing rank-and-file pension trustees. I hope this will finally repair the misunderstandings that have dogged this process in the past.

There were the usual time-wasting resolutions, which have more to do with opinion than with changing our AFM. However, they paled in comparison to two other matters that received discussions of over two hours' duration each at this Convention.

The first was an emergency motion from the Canadian Conference to waive the requirement that Montreal's dues be paid in full prior to the AFM Convention. According to Article 5, Section 47(e) of the AFM bylaws, a local in arrears one quarterly payment of per capita dues or in arrears three months in reporting and/or forwarding work dues shall not be allowed representation at the Convention. The Montreal local was in arrears by nearly \$100,000. The motion was presented before any Convention action occurred and required a two-thirds vote of approval just to be discussed. Numerous people spoke passionately about how Montreal's financial situation was caused by a previous administration that had been removed from office. They said that the new officers were making good-faith efforts and promises to pay back what was owed. However, the IEB established a policy many years ago that discontinued loans to locals. So without action by the Convention delegates, Montreal would have been prohibited from attending.

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Chairperson's Report by Bruce Ridge

My visits to Las Vegas never fail to leave me numbed by the 24-hour sensory overload that assaults you the instant you emerge from the Jetway. The din of bells and coins hitting metal trays mix in with the over-sized visual assaults, promoting magicians I've never heard of who are somehow famous enough to have enticed Pamela Anderson to be their assistant. In the midst of a beautiful desert, Las Vegas is a deceptive mirage.

But on my most recent trip to Vegas, the 24-hour activity of the ICSOM team had nothing to do with casinos, shows, street spectacles, or buffets. Rather, the 97th Convention of the American Federation of Musicians (June 18-20) was a show unto itself.

The ICSOM team arrived bolstered by the overwhelming support of our orchestras in our *Call to Action* campaign that protested a proposed increase in symphonic work dues. During this Convention, local presidents would seek us out at our table to tell us that they had indeed received petitions from their orchestras, and that they had heard the unified message of ICSOM. Our locals were receptive to our message, and we can report that the *Call to Action* campaign was a success and that the revenue package passed by the Convention does not include an increase in symphonic work dues.

This success is a result of the actions of the musicians of ICSOM, and we have effectively demonstrated the strength we have when we all respond to a collective call for action. Our positive message has been heard, and we can build on this effort for future causes as we continue to advocate for our musicians and the arts.

We had many allies in this effort. Our friends and colleagues from the other Player Conferences of the AFM must be thanked, as well as the many local officers who heard our message. But the main credit must go to our ICSOM delegates, our player associations, and to every musician who signed a petition or spoke to a Convention delegate. The success of this grass-roots effort should encourage every orchestral

(continued on page 6—see CALL TO ACTION SUCCESS)



Photo by Charles Venard

ICSOM Chairperson Bruce Ridge addresses delegates at the 2007 AFM Convention in Las Vegas.

International Conference of Symphony & Opera Musicians

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

www.icsom.org

Orchestras

Alabama Symphony Orchestra
Atlanta Symphony Orchestra
Baltimore Symphony Orchestra
Boston Symphony Orchestra
Buffalo Philharmonic Orchestra
Charlotte Symphony Orchestra
Chicago Lyric Opera Orchestra
Chicago Symphony Orchestra
Cincinnati Symphony Orchestra
The Cleveland Orchestra
Colorado Symphony Orchestra
Columbus Symphony Orchestra
Dallas Symphony Orchestra
Detroit Symphony Orchestra
Florida Orchestra
Florida Philharmonic Orchestra
Fort Worth Symphony Orchestra
Grant Park Symphony Orchestra
Honolulu Symphony Orchestra
Houston Symphony Orchestra
Indianapolis Symphony Orchestra
Jacksonville Symphony Orchestra
Kansas City Symphony
Kennedy Center Opera House Orchestra
Los Angeles Philharmonic
Louisville Orchestra
Metropolitan Opera Orchestra
Milwaukee Symphony Orchestra
Minnesota Orchestra
Nashville Symphony Orchestra
National Symphony Orchestra
New Jersey Symphony Orchestra
New York City Ballet Orchestra
New York City Opera Orchestra
New York Philharmonic
North Carolina Symphony
Oregon Symphony Orchestra
Philadelphia Orchestra
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Puerto Rico Symphony Orchestra
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Virginia Symphony

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President's Report by Brian Rood



Perspectives on the AFM Convention

An AFM Convention typically packs a great deal of business and politics into a whirlwind three-day session. Committees made up of local delegates appointed by the AFM president listen to many hours of testimony given by proponents and opponents of the many resolutions and recommendations submitted prior to the Convention. The committees include: Measures and Benefits, Law, Finance, Joint Law and Finance, Good and Welfare, and Organization and Legislation. These committees often arrive before the Convention begins to pore over and discuss financial packages, bylaw amendments, and other proposals, as well as additional matters affecting the Federation. After hearing testimony and discussing the merits of a proposal, a committee has the option to give a favorable or unfavorable recommendation, or to refer the proposal to another committee or to the IEB. A committee's recommendation is significant because it often carries great weight with the delegates on the Convention floor. There are times when delegates will vote against a committee's recommendation, but those instances are few and far between.

Regarding the election of AFM leadership, it is interesting to note that candidates do not have an opportunity for campaign speeches or debate in a public forum. It was strange indeed to go the entire Convention without once hearing from one of the two candidates for AFM President (even though he was seated at the head table near the podium). IEB members were elected who never spoke on the floor prior to the elections. It is easy to take for granted a key feature of ICSOM Conferences that offers delegates the opportunity to hear candidates' ideas and strategies to strengthen ICSOM.

As you have read by now, our *Call to Action* campaign was tremendously effective. With the support of our orchestras, ICSOM was effective in warding off increased work dues for symphonic players. An added benefit was that ICSOM's collective voice was heard firmly. Several proposals that made good sense for symphonic players as well as the AFM were adopted, and others that may have undermined our collective abilities were defeated. A personal highlight was to observe Chairperson Ridge as he spoke eloquently of unity on the Convention floor and in committee meetings. An equally poignant highlight was the effective camaraderie of present and former Governing Board members and other Player Conference officers as we interacted

with the various committees and on the floor to further not only ICSOM's interests but those of the whole AFM.

An unsettling aspect of the 2007 AFM Convention was the hostility clearly aimed at members of RMA. That there is tension between the the AFM's and RMA's leadership is not recent news. However, it became painfully apparent during this Convention that this rift, if not corrected soon, may well spell the end the AFM as we now know it. Appeals for unity and healing were made on the Convention floor by delegates, IEB members, and our own ICSOM chairperson. It is sincerely hoped that all leaderships will roll up their sleeves and rededicate themselves to healing the rifts and to building a stronger, more relevant AFM. Our collective future depends on it.

The hostility directed towards specific working musicians of the AFM that permeated this Convention was that much more remarkable given the relative ease with which delegates made adjustments to allow specific delegates to be seated. Legal considerations aside for the moment, it was commendable for there to be "unity" from the floor on the issue of seating these delegates. One can only wonder why this same compassion and dedication could not be applied to all AFM members, including the RMA and other working musicians.

When in its infancy, ICSOM endured and overcame obstacles with the Federation. We did so by creating change from within. Previous Governing Boards have stressed the need for ICSOM musicians to become more involved with their own locals and to become AFM delegates. I can count at least six recent past and present Governing Board members who are AFM delegates and integrally involved with their locals. As Chairperson Ridge states in his column, more ICSOM musicians must become AFM delegates in order to create the changes needed to strengthen the AFM. Are we up to this task? Are we ready? With the 2007 ICSOM Conference just a few days away, the Governing Board eagerly looks forward to meeting with the delegates to discuss how to strengthen ICSOM and the AFM.

In closing I would like to recognize Member-at-Large Stephen Lester as he leaves the Governing Board. Steve has provided invaluable advice and assistance during his tenure on the Governing Board and the ICSOM Media Committee. It has been a great personal pleasure to get to know and work with such a committed, passionate, and talented leader. Steve's presence helped ground us during times of discussion while urging us to look optimistically to ICSOM's future amongst the seemingly never-ending negative rhetoric coming from all sides. Steve, thank you!



First page of an Atlanta Symphony petition signed by all its musicians—one of many from ICSOM orchestras to their locals.

A Different View of How To Fix What Ails American Orchestras

A Food-for-Thought Perspective

by Lucinda Lewis

Establishing economic stability and community relevance have proven to be constant challenges for American orchestras, and of course, musicians have paid the highest price throughout this battle for survival. Cuts in weeks and wages have become the traditional response to orchestras' economic troubles but have never succeeded as a legitimate bridge to a long-term fix. So it's not all that surprising these days to find orchestras stagnating on the brink of financial insolvency, as musicians bargain themselves further into managerial and governance roles to join the pursuit of the elusive permanent solution. Our growing involvement in institutional decision making reflects not only how musicians have come to react to the economic malaise that has haunted American orchestras, but demonstrates how we are now complicating this problem.

In years past, if our managements were unable to keep things afloat, we accused them of inadequacy. Now that many of us have become part of our organizations' problem-solving machinery and have proven ourselves equally incapable of offering up long-term solutions, we have begun to parrot some of the age-old excuses we used to dismiss. That saying—*not being able to see the forest for the trees*—provides a fitting analogy.

Musicians are so close to the problem that, like our managements, we tend to see only the *micro* reasons that contribute to our institutions' failures and respond with *micro* solutions. Community outreach programs and musician involvement in fundraising and public relations are among a whole host of micro solutions which have not gotten the traction they need to be effective largely because the symphonic industry as a whole has never collectively addressed the *macro* problem. The macro problem begins with the way the industry has historically done business and the fact that orchestras are more comfortable with tradition than they are fond of change. Nothing bears this out more than an article from the 1930s and a study from the 1970s.

"Symphony Finance" was a lengthy exposé published in *Fortune Magazine* in 1937, which delved into the New York Philharmonic Symphony Society's financial difficulties in particular and those of other orchestras in general. In 1970, the Midwest Research Institute of Kansas City issued its comprehensive report, *25 Symphonies Doomed to Die*, which concluded that a combination of bad business practices in American orchestras and over-extended local philanthropies presented the greatest peril to the symphonic industry. What made these two studies particularly interesting was the degree to which they documented the mistakes made and the solutions sought by orchestras during two very different periods in American music. Remarkably, from 1898 to this day, the reasons orchestras have gotten themselves into trouble, and the ways they have attempted to get out of it are all but identical. In spite of that, American orchestras have never responded collectively to their redundant, individual financial calamities by making a wholesale adjustment in the way the entire industry does business.

Fortune Magazine launched its investigation in 1937 because orchestras were perpetually in debt and always close to being shut down by their boards. Unfortunately, what the magazine found back then—and continues to be the case today—was that not even a sudden infusion of large sums of money spelled permanent relief for an orchestra's financial woes.

Typically, when orchestras have had money, they expand their seasons, increase their touring and media, and generally inflate expenditures until the ledger bleeds red. The ensuing structural improvements and financial economies usually survive long enough until there is enough money in the bank to start the cycle all over again. This has happened with such regularity, it has fostered a rather naïve belief in the industry that fundraising shortfalls and structural deficits are economy-driven, industry-wide phenomena that affect every orchestra the same that we just have to live with. And live with it we have.

Our pursuit of the same, tired solutions hasn't exactly paid dividends either. A prime example is media. In spite of the multitude of recordings in the public domain and poor sales to boot, orchestras have always viewed technology and electronic media as the Holy Grail of bottom-line relief. Well, not exactly. As *Fortune Magazine* presciently observed back in 1937, "...science had twice been seen coming to the financial rescue of orchestras—once with phonographs and again with radio broadcasts—and twice she has produced flops." To this day, while orchestras rush to turn their archival recordings into CD box sets and find sponsors to underwrite their radio broadcasts, few have given a thought to the fact that not many Americans are actually listening to their broadcasts or buying their recordings. Therein lies the core of the *macro* problem.

Why do orchestras crave to produce recordings, do radio broadcasts and international touring, expand community outreach and educational programs, and try to turn their musicians into marketers? Simply put, these are all forms of *promotion*. We are still trying to find ways of selling ourselves, increasing our value, and expanding our local, national, and international audiences. The problem is, the aggregate impact of all of these micro strategies is short lived. Nevertheless, they have become central components of every orchestra's marketing arsenal.

In a nutshell, the macro problem boils down to the fact that classical music is not a vital part of the *national entertainment industry* or even on the radar of the majority of entertainment consumers. It's not difficult to see why. Our institutional business practices have historically been designed around basic survival at the local level and have not been innovative or collectively effective in selling symphonic music nationally to a society that loves music. Our industry has never explored the kinds of evolving national strategies necessary to generate and maintain public interest in what we have to offer. As a result, classical music has been relegated to the fringes

of society's rich entertainment menu. One would think that solving this problem would dictate involving the most progressive and creative marketing and public relations experts. Instead, many orchestras are courting a group of amateur advisors—their musicians.

Aside from the legal questions raised by musicians serving on symphony boards and playing at managerial activities, if orchestras legitimately want to find solutions to their longstanding economic and administrative problems, what value is there in turning to employees with no business training or expertise? The current trend to make management and labor more compatible may have added a layer of wishful thinking, but it has obfuscated the forest and prevented us from recognizing the underlying macro cause of our current industry-wide dilemma.

To most consumers, the words *symphony orchestra*, *opera*, and *ballet* evoke images of high brow, boring, passé entertainment for the rich. If so many people have the wrong image of our product, how can we ever expect them to patronize us? The lack of consumer interest in classic music is the primary reason American orchestras have had to devote such large portions of their annual budgets in constant fundraising and promotional campaigns.

You're probably thinking: *If we haven't been able to correct this problem in over a hundred years, how can we do it now?* Perhaps we need something along the lines of a corporate identity for classical music.

Corporate identity is an image-building technique for which for-profit and nonprofit corporations spend large sums of money to have created. This involved process develops an identity brand that makes a company or a charity unique and distinguishable, gives it instant recognition, and expands its ability to appeal easily to a target audience or customer base, as well as giving the public a greater sense of ownership in that company. Consider a few corporate identities: *The Muppets*, *Harley-Davidson*, *McDonalds*, *Ronald McDonald House*, *The Red Cross*. Each of these evokes a specific reaction in consumers that is the product of a well-developed branding strategy.

Obviously, orchestras cannot become one national brand because they are local entities. On the other hand, classical music is our common product; however, as long as that product is undervalued and under consumed by Americans, most orchestras will never be able to attract the top level of corporate and philanthropic gifts.

Big or small, corporations tend to use philanthropy more as an extension of their advertising and promotional campaigns than a support for worthy causes. It's, therefore, not surprising that companies reserve their largest gifts for organizations with national reputations that produce the most positive reaction in the public. Clearly, the lack of a broader public appetite for classical music undercuts every orchestra's fundraising capabilities, even in the oldest and bestknown American orchestras.

Unfortunately, maintaining audience interest and subscriber levels has become increasingly more difficult. Community outreach, youth concerts, media, tours, and pops concerts have not enticed new

subscribers in large numbers. After more than one hundred years of failing to identify strategies that keep them financially solvent and publicly inviting, one would think American orchestras would see the need for a new approach. Even so, orchestras do not like to stray far from the tradition of their familiar business practices. Instead of bringing outside innovation to the industry, American orchestras have consistently looked inward to themselves, apparently not noticing that innovation from within is hard to come by. They have been recycling old ideas—old solutions—and calling them new.

The macro predicament facing the symphonic industry will not be solved by local musician/management collaborations but by a broad, joint effort undertaken by the union, orchestras, and the major societal proponents of classical music. It is time for us to investigate the benefits of a long-term, national marketing campaign. While our cloistered view of institutional marketing may not allow us to envision what form such a strategy might take, there is a large marketing industry out there which knows how to peak interest and sell anything to the public, although it will not come cheap.

Admittedly, organizing industry-wide discussions around this idea may prove to be somewhat like herding cats, but musicians can provide the first level of leadership by instigating the dialogue within the player conferences and the union and eventually with other organizational and philanthropic supporters of classical music.

It goes without saying; musicians are big stakeholders in all of this. Our wage givebacks have not underwritten change, but subsidized years of the same failed policies and practices that have kept orchestras stuck in a perpetual state of economic uncertainty. The proliferation of feel-good management/labor collaborations at the local level may produce a few new micro strategies, but we don't need more micro strategies. We need a new national paradigm.

In the words of the great artist Marcel Duchamp, "*If there is no solution, there can be no problem.*" The time to act is long overdue. American orchestras will never change course unless their musicians put boot to butt. No one else is stepping forward to help us. The health and survival of classical music in the United States rests squarely upon our shoulders. The next step is ours to take.

Lucinda Lewis has been New Jersey Symphony's principal horn since 1977. She is the author of Broken Embouchures and Embouchure Rehabilitation, which deal with embouchure overuse and performance-related injuries of brass players. She was the secretary of ICSOM from 1990–2002.

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Call to Action Success

(continued from page 2)

musician to believe in the power they have to effect positive change. When we engage in debate with an elevated tone, effectively stating and supporting our positions, then the strength of our message cannot be denied whether we are working with our union, our managements, or spreading a message of hope to our communities.

But, we must not be content with this success. Let this be the start of a renewed era of activism. More calls for action will follow. We must be ready to activate our network of communication to send letters when musicians face troubles locally. We must advocate for causes that support the message of community service that our musicians embody. We must watch the news and demonstrate our unified sense of purpose through reasoned debate and activism.

No cause will be more important over these next few years than electing delegates to the AFM Convention from within our orchestras. The 2007 Convention voted to move to a triennial meeting, so we have three years to build upon our recent success. During that time, we must become more involved in our locals. We must start attending meetings at our union halls and representing the concerns of our orchestras. We must not be content with backstage mutterings about things that are wrong. It is time for us all to rise up and become involved. Be a leader in your orchestra, a leader in your local, a leader in the Federation, and a leader in your communities!

In every issue that is before us now, apathy is our biggest enemy. I understand the pressures of life, the constraints on time, and the obligations that exhaust us all. During my frequent 20-hour days I grow weary of the task before us now. But, the response of our musicians to the *Call to Action* campaign has invigorated me more than I can express. More than ever, I am filled with hope for what we can accomplish together. The success of our recent efforts should fill you with hope as well, and we need you to help us spread that message. It is a right of the people that they not be deprived of hope.

The other night I was reading *Music Matters: The Performer and the American Federation of Musicians*, by George Seltzer. The final chapter, "What the Future Holds," begins with this thought:

Throughout its long history, the American Federation of Musicians has been beset by a series of continuing problems. The wonder is not that these difficulties occurred, but rather that the Federation survived at all. The end of these distressful conditions is not yet in sight.

I leafed back to the front of the book to find that these words had been written in 1989, nearly two decades ago. And yet they seemed truer to me when I left Las Vegas than when I arrived.

Orchestral musicians can best prepare for the future by dedicating themselves to a renewed activism and a renewed commitment to their communities. Renew your commitment to your colleagues within your orchestra, to the community that supports your orchestra, and to the community of friends that perform nightly in every orchestra in North America. As they hear our music, let them also hear our voices. We have demonstrated that when we all speak as one, our message of hope cannot be ignored.

The subtitle of Julie Ayers' great history of ICSOM is "How Symphony Musicians Made Labor History." There is no doubt that those who went before us did indeed make history. And now, we just might have to do it again.

There can be no disputing that there is a long road ahead of us. Our positive message must be spread to our managements, staffs, boards, communities and locals. In my AFM Convention address, I said:

The unity within ICSOM strengthens our resolve to express our concerns and needs in a manner that avoids any vitriolic dialog. But, we do resolve to be heard. There can be no doubt that through such an overwhelming financial contribution to the well-being of the union, we have earned our place at these microphones. And with the united voice of ICSOM's 4,000 members, we call for a new day of positive communication. The musicians of ICSOM eagerly await the opportunity to share our ideas for this road that lies ahead.

The success of the *Call to Action* campaign belongs to every musician in ICSOM. I encourage you to take a moment to enjoy it—but then we have many more issues to discuss.

I left Las Vegas on the red-eye, flying directly to my favorite city (non-Carolinian, that is) of Nashville and to the annual conference of the American Symphony Orchestra League. The League has announced a name change, which they humorously attribute to an effort to avoid the famously unfortunate acronym, and they will now be known as the League of American Orchestras.

At the League's conference, I met with many managers, both in public forums and in private meetings requested in advance. I was joined by ICSOM Secretary Laura Ross as we met with the musicians who were attending the conference, as well as the Group 2 managers. It was my privilege to participate in a forum titled "Creating a Positive Environment in the Workplace," with SSD Director Laura Brownell, ROPA President Tom Fetherston, and Carla Johnson, executive director of the Virginia Symphony.

In addressing the League's conference, I couldn't help but take a moment to ponder just how few people have ever had the opportunity to address both the national gatherings of the League and the AFM within 48 hours! Here are a few excerpts from those remarks:

Everywhere I go, I see opportunity. Everywhere I go, I find inspiration for what our organizations can accomplish in their communities. We are fortunate people to be in a field that provides us the chance, on a daily basis, to educate the children of our communities, to elevate the profile of our cities, to enhance the financial well-being of our business communities, and to elevate the human spirit.

We are the stewards of a precious community. We must look to the future with similar goals. We must debate our differences in the most elevated of manners, and we must change a culture that promotes any negatives in the face of such an overwhelmingly positive opportunity to serve and enhance the lives of all those we seek to touch. This we assert without hesitation: symphonic music will thrive in America as we seek to serve our communities profoundly. As the *New York Times* reported in large and bold print just twelve months ago, this can indeed be the "Golden Age for Classical Music."

I must take a moment to express my personal gratitude to ICSOM Member-at-Large Steve Lester (Chicago Symphony), who will be stepping down from the ICSOM Governing Board this August. Steve is a great leader, and his dedication to the field should be emulated by us all. It has been an honor to work with him, and I am grateful for his guidance and friendship. We will miss him on the Governing Board, but we've no doubt that he will continue to enlighten us with his thoughts and ideas.

AFM Convention

(continued from page 1)

When I spoke against this measure, I explained that my local had its own financial problems a few years back and that no such offer was ever extended to us. Thankfully, we were able to pay our obligations prior to the Convention. Some argued that it wouldn't be right to disenfranchise such a significant number of members—nearly one-quarter of the entire Canadian membership. Puerto Rico was one of the few other locals prevented from attending by dues-payment problems. For more than a year, the Puerto Rico local has incurred substantial legal fees representing its symphony musicians, whose very right to collective bargaining was being challenged. In their case, they had requested dues relief from the AFM instead of a loan.

There were also issues never fully revealed about Montreal's situation during the two-hour discussion. I was told weeks later that Montreal's new officers discovered the financial problem only one month before the Convention began. Remember that strike the Montreal Symphony had a few years ago? According to another person, those "terrible" officers that had been removed had done the unthinkable: they matched strike funds with local funds while their musicians were out of work. Frankly, they put their members first—not a bad thing in my book.

Some believe the entire discussion was about politics, but some of us felt it was more about process. I believe that, because the resolution passed, it has set a new precedent for the future when seating locals with outstanding financial obligations.

The second discussion, on day two, was about African-American delegates. By way of background, locals with hyphenated local numbers, like Local 10-208 (Chicago), are the result of the merging of two locals—one white and one African-American. The mergers occurred starting in 1953 (in Los Angeles) and continued into the 1970s. *[Editor's note: See More Than Meets the Ear by Julie Ayer for a detailed account of the history of segregated locals.]* To counter the loss of African-American officers, these "hyphenated" locals were entitled to one additional African-American delegate. This continued for many years until, in 1989, the Department of Labor

(DOL) informed the AFM that it was illegal to have a delegate position that was open only to African-Americans. These delegates could still attend, but they could not vote in the election of officers. The AFM decided to honor the DOL ruling in 1989, but in 1991 it went back to "business as usual."

We're all aware of the attention that has been directed at labor unions in the past few years by the current administration in Washington. Further, due to a challenge about the elections by an AFM member, the DOL was looking hard at the AFM's election process in particular. Jeff Freund, AFM General Counsel, stood before the delegates for more than two hours and explained patiently and repeatedly that simply having the entire membership vote for the African-American delegates would not address the problem. What few seemed to understand was that the DOL required the delegate position be open to people of every race; delegates could still represent African-American concerns, but the position could not be restricted by race. More than once people stood up and suggested the bylaw be changed or recommended ignoring the DOL (saying that no one would challenge the election while disregarding entirely the fellow walking back and forth in the back of the room during the entire Convention who, I'm told, started the whole process to begin with). I understand that some members of the Diversity Committee had been aware of this problem for some time and had recommended addressing this issue to no avail. The entire discussion was an exercise in futility because too many people just didn't (or wouldn't) understand. It is my hope that the AFM finds a way to address this issue with a recommendation or a resolution that will finally put this matter to rest.

Earlier I mentioned I had to leave the Convention early. I was truly sorry to miss the final discussion regarding the financial package that was adopted. Although I had real hopes for a true investigation into the finances of the AFM by what became known as the Revenue Committee, I'm not sure it ever happened. In the end, it seems they just looked for new ways to find money, without seriously considering how funds were being spent or could be used more effectively. I also believe that the oversight committees, known as the steering committees for symphonic services and electronic media, should be pressed into service to see if they, the governing boards, and the conferences they represent, can offer some substantial ideas and suggestions to improve the services we receive.

I cannot end without expressing my admiration of ICSOM Chairperson Bruce Ridge. He has been the most eloquent advocate we could ever wish for. I think his honesty and real desire for a positive approach surprises some people. Some even seem to mistrust his very genuine opinions until they hear more and understand that he's the genuine article. He has made a great impression on so many people at the AFM and within the League. I had the opportunity to see him at work as he lobbied various AFM committees and delegates on the floor of the Convention, and to observe his participation on various panels at the League Convention and during meetings with musicians and representatives of Group 2 managers. I received many positive words about his work from local officers and managers throughout our week together. He was magnificent, and you all would have been very proud to have seen him represent you.

Impressions of an AFM Convention *by Paul Gunther, ICSOM Member-at-Large*

A question occurred to me as soon as I arrived at McCarran International Airport in Las Vegas. It was reinforced at the Riviera Hotel (not Las Vegas's finest, by a long shot). "Why Las Vegas?"

Surely one could offer fifty other cities that would better dispose delegates and attendees to the business at hand. But as the days sped by, I understood that the city's overall tackiness, its heightened sleaze factor, and its pervasive lie, "Everyone's a Winner," were all appropriate metaphors for the tone of the Convention.

Having served over the years on various orchestra committees, having been involved with multiple contract negotiations, and having observed the politics of orchestra life from within and without, I assumed I knew how these things would array themselves at the Convention. Boy, was I ever wrong!

My overall impression is astonishment that anything gets done, that people come back for more, and that the Federation continues. I saw sincere folks treated badly just because someone could sway a crowd with emotions and loaded words. I watched well-meaning people serving on various standing committees sweat for hours to get through some obtuse documents, only to figure out later that they weren't worth working on in the first place. I observed earnest, wise representatives of a threatened way of life working round the clock in order to present what seemed to be obvious benefits for everyone, only to have their ideas battered about for hours before some portions were grudgingly passed. And I witnessed a large group of allegedly creative, intelligent progressives oblivious to the potential problems of two serious measures they seemed pleased to push through.

I guess that's politics for you. And in a strange sort of way, I loved every minute of it.

In truth, I was exceptionally proud to be part of the ICSOM team. Although present only in the capacity of observer, I was pleased I could assist in minor ways, by verifying what was going on and alerting others while they were occupied elsewhere. ICSOM officers Laura Ross and Michael Moore both attended as local delegates, and they also served as Federation committee representatives. Laura spoke from the floor, most courageously (and correctly in my opinion) from the unpopular viewpoint against seating the Montreal delegation. President Brian Rood's nuanced calmness and Counsel Len Leibowitz's vast knowledge were invaluable for backing up Chairperson Bruce Ridge as he formulated his excellent talks, and as he worked with the other Player Conference representatives. After Bruce, Len, and Brian had strategized over Bruce's talking points, Bruce gave valuable testimony three times to committees, and later spoke movingly both from the floor and from the Convention dais.

Our ICSOM representatives, frustrated though they may have felt at times, worked tirelessly and consistently to represent their constituents. The other symphonic players consistently looked to them for leadership, and that leadership proved highly effective in several crucial areas. It seemed to me that the strength and clarity of ICSOM's messages, while they may have seemed to some to pose a threat, actually offer great hope for the Federation.

Here's hoping.

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2007 ICSOM Conference

by Laura Ross, ICSOM Secretary

The Millennium Hotel Minneapolis was the site of the recent ICSOM Conference. No one lacked for hospitality, with Twin Cities Local 30-73, the Saint Paul Chamber Orchestra, and the Minnesota Orchestra all serving as hosts.

Activities before the opening session of the Conference included a successful negotiating orchestras session on Tuesday evening. Though mainly for orchestras in or preparing for negotiations, it was open to all delegates. The decision to hold this session prior to the Conference appears to have been a good one, as there was a very good turnout by negotiating orchestras, and more time was available than when these sessions had been held during the Conference proper. The Governing Board also hosted a new-delegate breakfast before the first session. The new-delegate breakfast has now been in place for about four years and seems to be viewed as an important initiation for our first-time delegates that gives them insights and information about what they will be confronted with during the next four days.

The Conference officially started Wednesday morning, August 15. Chair Bruce Ridge began by introducing ICSOM's officers. Due to a recent resignation by Member at Large Steve Lester (Chicago Symphony) and the imminent birth of the second child of Member at Large James Nickel (Dallas), the Governing board was without two members. After the roll call and introductions of guests and local officers, Conference Coordinator Lynn Erickson (Saint Paul) gave welcoming remarks and then introduced Twin Cities Musicians Union President Brad Eggen, who, after his own welcoming remarks, handed out gifts of T-shirts and Ping-Pong balls.

Sadly, the Conference began with a vote by the delegates to remove the Florida Philharmonic from active status. Although the Florida Philharmonic filed for bankruptcy in May 2003, the Florida

Philharmonic musicians had retained active membership in ICSOM since then. Conference delegates agreed to the Membership Committee's recommendation that should some future incarnation of the Florida Philharmonic ever re-apply for ICSOM membership, it should be granted regardless of whether at that time they would fully qualify for membership according to ICSOM bylaws.

Chair Ridge's annual address to the delegates began with a reference to the success of our recent *Call to Action* campaign. He also spoke about countering negative rhetoric with positive messages about our industry and reminisced about his first year as ICSOM chairperson, his visits to member orchestras, and his admiration and pleasure working with the Governing Board.

Both Bruce Ridge and President Brian Rood acknowledged the contributions of the numerous former ICSOM officers who serve as delegates of their orchestras and/or local officers and who continue to be great advisors to the current Governing Board. Following additional officer reports, nominations, and a brief AFM Convention report by Paul Gunther, lunch came an unprecedented half-hour early!

AFM President Tom Lee was unable to attend the Conference for the first time since before his presidency started, so Bruce Ridge read a letter from President Lee to the delegates. The afternoon session then began with a panel of marketing and public relations representatives consisting of Julia Kirchausen from the League of American Orchestras (formerly known as ASOL), Gwen Pappas, Cindy Grzanowski, and David B. Sailer from the Minnesota Orchestra, and Jon Limbacher and Jessica Etten from the Saint Paul Chamber Orchestra. Bruce Ridge moderated the discussion that covered various aspects of message development and how to influence target audiences effectively. The discussion also included changes from the employment of permanent music critics to a series of less consistent "stringers," as well as a perceived move away from arts coverage in general. The panelists addressed negative national publicity but believed what most influences audiences is the local message, which can be quite different. Topics from questions included music critic influence on readers when they like or dislike a particular conductor, marketing costs, public relations during negotiations, and the focus of season brochures. Delegates had been requested to bring examples of their season brochures to the Conference, so attendees saw first-hand the different marketing approaches taken by our orchestras.

(continued on page 8—see ICSOM CONFERENCE)

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Chairperson's Report by Bruce Ridge



I've been thinking of this adage I once read in a book of quotations attributed to Buddha:

Thousands of candles can be lit from a single candle, and the life of the candle will not be shortened. Happiness never decreases by being shared.

My travels this summer to the AFM Convention and the conferences of ROPA, OCSM, and ICSOM have served to remind me of my earliest teachers and my union mentors. Though some are now absent, they all still hang around my consciousness. These were great people who lit thousands of candles, and in doing so became brilliant figures in my life.

My life would most certainly have been different without them. They opened my mind, not only to all kinds of music, but also to all kinds of people and ideas. They told me of the union, and they made it seem like an inviting and accepting place; a place where a move against one of us was a move against all of us. I wonder if my first encounters with the union had been negative, would I feel as strongly as I do about our network of friends and our brotherhood of musicians?

Among our students, what do we want their introduction to ICSOM and to the union to be? Twenty-five years from now, the person who leads the union and the symphonic field might be one of your current students. Are they getting all of the messages they will need? Are they hearing a positive view of what solidarity can mean, or are they getting a different message?

We must give them a positive introduction. Teach them to respect their colleagues. Teach them not to criticize each other. It is a lesson that will serve us all to remember. As musicians, it is in our nature to be highly critical, even to ourselves. We are trained to analyze, criticize, and agonize over every note. We know instinctively that our reputations are only as good as the last note we have played.

Still, we can be more supportive of our colleagues. We can commend them for great performances, and we can support them in hardships. In a time of trouble (be it institutional or personal), our united network of friends can rise to their need.

So, you might ask, what is this really about? Am I actually spending a column of ink advocating that we be nice to each other?

While there are worse things to advocate, that's not at all why I'm writing this. I've told you all that just so I could tell you this: At one moment during my travels this summer, I heard a presentation about the union that was loud, ugly, threatening, and uninviting. At that moment, I thought that if this had been my introduction to the union, I never would have joined.

(continued on page 7—see CHAIRPERSON'S REPORT)

International Conference of Symphony & Opera Musicians

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

www.icsom.org

Orchestras

Alabama Symphony Orchestra
Atlanta Symphony Orchestra
Baltimore Symphony Orchestra
Boston Symphony Orchestra
Buffalo Philharmonic Orchestra
Charlotte Symphony Orchestra
Chicago Lyric Opera Orchestra
Chicago Symphony Orchestra
Cincinnati Symphony Orchestra
The Cleveland Orchestra
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Indianapolis Symphony Orchestra
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Nashville Symphony Orchestra
National Symphony Orchestra
New Jersey Symphony Orchestra
New York City Ballet Orchestra
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Saint Paul Chamber Orchestra
San Antonio Symphony
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San Francisco Opera Orchestra
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Virginia Symphony

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Orchestra Newslets

The musicians of the **Utah Symphony** performed a free concert on September 24 at Emery High School in Castledale, Utah, to honor the memory of the miners and rescuers who perished in the collapse of the Crandall Mine. The program was conducted by Music Director Keith Lockhart and featured a moving performance by Gospel singer Renese King, who graciously traveled from Boston for the concert. Repertoire also included Copland's *Fanfare for the Common Man*, Barber's *Adagio for Strings*, and the Brahms *First Symphony*. The concert drew 1,300 people, and the response was warm and enthusiastic. Keith Lockhart mentioned that he was touched to hear calls of "more" and "thank you" from the audience during the ovation.

According to the orchestra committee, everyone involved donated their time for the project, which later in the process included many members of the Utah Symphony management. The intent, from the beginning, was to present the community with a concert at the highest level, and to offer a peaceful time with beautiful music. The concert was a success on many levels. One woman felt a Utah Symphony concert would help people return to normalcy. Another said that the effort was a reminder that there was such widespread support. While the musicians were driven to present this concert by the outpouring of support they felt towards their community, the concert was also a helpful reminder of the important role they play in their community.

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On August 25, the musicians of the **San Antonio Symphony** volunteered their time and talents for a concert to benefit the San Antonio Food Bank—the first of what is hoped will become an annual event. Music Director Larry Rachleff conducted the orchestra, which included guests from the Dallas Symphony and Baylor University as well as local freelancers. The program of Mozart and Dvorak raised \$4,100 in donations, which the Food Bank will leverage into over \$50,000 worth of food for San Antonio's neediest residents. The concert was presented with the assistance of several local unions and the United Way of San Antonio and Bexar County.

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The **Minnesota Orchestra** has appointed Michael Henson to serve as its president and CEO. Considered one of the U.K.'s top symphonic leaders, Henson has served as the Managing Director and CEO of Britain's Bournemouth Symphony for the past eight years. Prior to that, he ran the Ulster Orchestra from 1992 to 1999.

At Bournemouth, Henson led a large-scale reorganization that turned an annual deficit of \$1.8 million into an annual surplus of \$800,000. During his tenure there, the orchestra produced 45 recordings, won six Grammy nominations, and made international tours to Hong Kong, Germany, Austria, Spain, and the Czech Republic. Henson negotiated two long-term orchestra agreements, including a three-year contract in 2000 and a four-year contract in 2004, at a time when the norm had been yearly negotiations.

Henson's appointment concludes a six-month search that began in February. The search committee included representatives from the Minnesota Orchestra's board and staff, as well as two musicians, cellist Marcia Peck and flutist Wendy Williams. Williams, the musicians' committee chair, said, "The Search Committee was impressed by Michael's ideas on how to achieve the important balance between artistic programming and marketing, as well as his deep understanding of the important role orchestras can play in their communities." Henson is due to start in his new position by February 2008.

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The **Nashville Symphony Orchestra** is engaged in an inter-institutional musician exchange program with the Orquesta Sinfónica UNCuyo of Mendoza, Argentina. Four South American musicians and one administrator traveled to Nashville to participate in rehearsals, concerts, meetings, tours and social activities May 7–14. Violinist Jeremy Williams, violist Michelle Lackey-Collins, bassist Liz Stewart, flutist Ann Richards, Vice President and General Manager Mark Blakeman, and his assistant, Kim Bogle, all of the NSO, recently returned from their reciprocal experience in Mendoza September 17–25.

The exchange program was designed to foster a relationship with a professional orchestra in a different country, to allow details of each institution to be communicated to the other for the purposes of enlightenment, study, and self-analysis, and to build camaraderie. Former delegate Lee Levine reports that this unique cultural exchange program was made possible through the diligence of Mark Blakeman, who petitioned the State Department for the visas that allowed the visiting musicians to rehearse and perform with the orchestra, and through the generosity of American Airlines, which assisted with transportation.

At a pre-season celebration on September 5, Giancarlo Guerrero was announced as the eighth music director of the Nashville Symphony Orchestra. The announcement was met with prolonged applause, cheers, and a champagne toast for Guerrero, who always ranked at the top of the candidate list during the two-year search. Giancarlo Guerrero first conducted the orchestra during the week following the death of Music Director Kenneth Schermerhorn. Guerrero instantly established a rapport with the musicians and continued to build upon it during his next three visits.

The NSO opened its regular season one week after premiering the Martin Foundation Organ under the baton of Maestro Guerrero, who will return in May 2008. Leonard Slatkin will remain as the music advisor through the 2008–2009 season, with Maestro Guerrero becoming music director in the 2009–2010 season.

Newslets are compiled with the help of ICSOM delegates and ICSOM Members at Large from sources that include direct submissions, member orchestra websites, and topical news items. The editor encourages input and submissions.

Adopted Resolutions of the 2007 ICSOM Conference

Resolution #1—Employer Pension Trustees

WHEREAS, Employer Pension Trusteeships are commonly awarded to those representing organizations or fields which make the largest contributions; and

WHEREAS, Symphony, Opera and Ballet Orchestra Employers currently contribute over one-third of total contributions to the AFM-EPF; and

WHEREAS, Notwithstanding that level of contribution, there is no Symphony, Opera or Ballet Employer Trustee representation on the AFM-EPF; and

WHEREAS, Such representation is essential for input from the classical music field; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference urge the ICSOM Governing Board to send a letter to all orchestra executive directors for whose musicians the AFM-EPF is the primary pension, urging them to collectively and actively pursue the appointment of an AFM-EPF Trustee from the Symphony, Opera and Ballet Orchestra employers.

Matthew Comerford (Chicago Lyric) and Robert Levine (Milwaukee)

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Resolution #2—Union Pension Trustees

WHEREAS, Five of the employer trustees of the American Federation of Musicians and Employers Pension Fund (AFM-EPF) have served more than fifteen years as trustees of the Fund; and

WHEREAS, The longest serving union trustee has served for eight years and the average tenure of union trustees is less than four years; and

WHEREAS, Pension funds are complex institutions and the value to the participants of experienced and well-informed trustees is extremely high; and

WHEREAS, Frequent turnover of trustees on the union side would seem to make for a serious imbalance of experience and knowledge as compared to the employer trustees; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference, through the Governing Board, convey this concern to the union trustees of the AFM-EPF and ask that they consider this issue and that they inform us of their opinion.

Matthew Comerford (Chicago Lyric) and Robert Levine (Milwaukee)

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Resolution #3—Union Pension Trustees

WHEREAS, It is of vital importance to the participants and beneficiaries of the AFM-EPF that they have ready access to the operations, decisions and governance of The Fund; and

WHEREAS, Such respected institutions as the Stanford Institutional Investors Forum and the Organization for Economic Cooperation and Development (OECD) have long published and promoted guidelines for

governance; and

WHEREAS, The Pension Protection Act of 2006 provides certain such guidelines and regulations designed to increase the transparency of Pension Funds; and

WHEREAS, the June 4, 2007 issue of the *Wall Street Journal* detailed the kinds of problems caused by the lack of sufficient transparency; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference urge the Trustees of the AFM-EPF to examine and adopt those guidelines which will provide the necessary transparency of the C to avoid and prevent such problems.

Matthew Comerford (Chicago Lyric) and Robert Levine (Milwaukee)

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Resolution #4—Transactional Pension Website

WHEREAS, In these times of electronic communication, one of the best modes of communication of information is through the use of a transactional website; and

WHEREAS, The participants and beneficiaries of the AFM-EPF need and deserve the ability to get answers to their questions quickly and electronically; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference urge the AFM-EPF to provide access to a transactional website with all due deliberate speed.

Matthew Comerford (Chicago Lyric) and Robert Levine (Milwaukee)
As amended

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Resolution #5—Call for Unity

WHEREAS, The essence of good trade unionism is the solidarity of all sectors, all officers, and all the members; and

WHEREAS, No union can truly thrive and properly represent the membership when differences of thought, approach or philosophy become so vast and divisive; and

WHEREAS, The AFM has grown and become a major force in the arts and entertainment fields; and

WHEREAS, The current disputes between the AFM administration and the Recording Musicians Association threatens to tear apart this great union; therefore, be it

RESOLVED, That the delegates and Governing Board of the 2007 ICSOM Conference implore the Recording Musicians Association and the current administration of the AF of M to meet together in a spirit of unity, put aside their differences, and achieve the higher goal of reunification and solidarity for the greater good of all of the members of the AFM and their families.

ICSOM Governing Board

Resolution #6—Pasadena Pops

WHEREAS, The Boards and Managements of the Pasadena Symphony and the Pasadena Pops have announced their intention to “merge” the two orchestras; and

WHEREAS, That “merger” actually means that the musicians of the Pasadena Pops will be thrown out of their jobs; and

WHEREAS, One of the most important responsibilities of any union is to preserve jobs for its members; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference deplore the merger agreement insofar as it will result in the loss of precious jobs; and, be it further

RESOLVED, That the delegates to the 2007 ICSOM Conference urge the AFM and Local 47 take all appropriate legal and trade union steps to assure that the Pasadena Pops management engage in collective bargaining with the union regarding the decision to merge, and, if necessary, the effects on the musicians of the merger.

ICSOM Governing Board

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Resolution #7—Substitute and Extra Musicians

WHEREAS, Substitute and extra musicians are essential to the ongoing operation of any symphony, opera and ballet orchestra; and

WHEREAS, There exists no good reason for providing those musicians with any different wage than at least the scale wage on a *pro rata* basis; and

WHEREAS, Some managements of symphony, opera and ballet orchestras have periodically attempted to pay these substitute and extra musicians less than equal pay for equal work; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference express their unlimited support for all musicians who try to make their living by performing the invaluable task of filling temporary vacancies and/or adding their talent to certain performances that require a larger ensemble; and, be it further

RESOLVED, That the delegates to the 2007 ICSOM Conference join with their brothers and sisters in deploring the practice of exploiting these musicians with lower pay, little or no benefits and no job security; and, be it further

RESOLVED, That all AFM locals and orchestra negotiating committees be urged to refrain from agreeing to such exploitation of substitute and extra musicians.

ICSOM Governing Board

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Resolution #8—ICSOM Chairperson’s Honorarium

WHEREAS, The ICSOM Chair’s position is the most prominent and visible position as the chief representative for the International Conference of Symphony and Opera Musicians; and

WHEREAS, The position requires countless hours both at home and on the road, visiting member orchestras, meeting with AFM representatives and/or orchestra managers and representing ICSOM at various conferences each

year; and

WHEREAS, The ICSOM Chair is called upon from time to time to be released from his/her orchestra job to speak and educate others on behalf of ICSOM; and

WHEREAS, To acknowledge the extreme responsibilities of the position as well as the huge commitment of time, energy and resources on the ICSOM Chairperson, an increase of \$1,000 to the Chairperson’s honorarium would be a small token of this recognition; therefore, be it

RESOLVED, That Article VIII, Section 7 of ICSOM Bylaws be amended as follows:

Section 7. The Chairperson shall receive a yearly honorarium of \$3,000. The President, Secretary, Treasurer, and Editor of *Senza Sordino* shall each receive a yearly honorarium of \$2,000. The Secretary shall also receive an additional \$700 in recognition of his/her efforts in compiling, preparing, and distributing the minutes of the Annual Conference. The Editor of *Senza Sordino* shall also receive an additional honorarium of \$150 per edition of *Senza Sordino* in recognition of his/her efforts in the preparation and distribution of said publication.

ICSOM Governing Board

This resolution will require the approval of member orchestras

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Resolution #9—Bruce Christensen

WHEREAS, Bruce Christensen was contracted to redesign the ICSOM website, which went live in late December of 2006; and

WHEREAS, The newly updated website is “user friendly” and contains numerous features, including most sections of the ICSOM Delegate Handbook; and

WHEREAS, Bruce continues to update the website with additional information and links; and

WHEREAS, His work for ICSOM, musicians everywhere, and the general public has been invaluable; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference express their gratitude and admiration for Bruce Christensen’s work on ICSOM’s behalf.

ICSOM Governing Board

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Resolution #10—Julie Ayer

WHEREAS, *More Than Meets the Ear: How Symphony Musicians Made Labor History* by Julie Ayer is a wonderful history detailing the struggles of many of ICSOM’s orchestras including her own orchestra, the Minneapolis Symphony (which is currently known as the Minnesota Orchestra); and

WHEREAS, Julie Ayer’s work has also put a spotlight on many orchestra musicians who paved the way for the improvements we now enjoy; and

WHEREAS, Julie has generously donated a copy of her book to each ICSOM orchestra, so that many of our colleagues may understand orchestra labor history for themselves; therefore, be it

(continued on page 9—see CONFERENCE RESOLUTIONS)

Recent Settlement Stories

[Editor's Note: Watch for ICSOM settlement bulletins to learn the details of these settlements. Those bulletins are sent to each delegate and can also be found on the ICSOM website at www.icsom.org.]

In the spring of 2007, members of the **Saint Louis Symphony Orchestra** voted in a contract renewal team (Brad Buckley, Erik Harris, Susan Slaughter, Bjorn Ranheim, and David DeRiso) in preparation for the September 2008 end of its current contract. The orchestra then split up for a six-week opera season and afterward dispersed completely for 13 weeks of summer.

Imagine the orchestra's surprise, then, when it showed up in the third week of September for the season opener to find a memorandum of agreement for a new two-year contract ready to go. With a unanimous recommendation by the contract renewal team and the union, and after two days of meetings (sandwiched between Stravinsky and Rouse), the agreement was ratified.

There were strong arguments offered for the agreement. Several weeks previously, SLSO Chairman of the Board Cindy Brinkley had contacted the team with a proposal for a two-year contract to be in place by the end of the season's first week—almost a year before the end of the current contract. Her first reason for making this significant proposal was stability. With three major staff positions open (executive director, development director, and director of communications), the chairman felt the chances of attracting good candidates would be greatly enhanced with a stable environment in place. Her second reason was fund raising. With donor hostility left over from the recent work stoppage, having a new contract in place a year early would send a message to the Saint Louis community that all constituencies of the SLSO were working together, thus enhancing fund raising efforts.

The SLSO management has been following a spectacular if unbalanced business plan over the last several years. The goal of the organization has been to raise enough endowment to ensure the orchestra's financial future into the next major ice age. To these efforts it has raised over \$150 million. However, there has been little attention paid to virtually anything else, so earned income and annual giving have both fallen significantly. As a result, the orchestra's annual shortfall (over \$3,000,000) has increased to the point that the SLSO could be bankrupt in four years. When this was explained to the orchestra, along with the possibility of losing the \$150 million endowment to the Art Museum should the orchestra go belly up, heart rates went up dramatically. This may have been a factor in the easy passage of an agreement that will guarantee a 25% drop in inflation-adjusted income over the 12-year period since 1998.

Chris Woehr, Delegate, Saint Louis Symphony Orchestra

The musicians of the **North Carolina Symphony** ratified a new four-year contract on September 1. The settlement represented gains in many aspects of the contract, including wages, benefits, working

conditions, and compensation for extras and substitutes. Season length will increase to 44 weeks over the term of the contract. The size of the orchestra continues to grow, with the addition of three new string positions this season. Plans are in progress for several recording projects under the direction of Music Director Grant Llewellyn.

Beth Lunsford, Delegate, North Carolina Symphony

The **Utah Symphony** recently completed negotiations for a three-year contract that maintains the season at 52 weeks. For the last three years, base pay had been frozen at \$1,110 per week. Starting September 1, that amount will increase to \$1,143, with an additional bump to \$1,166 on March 1, 2008 (a 5% increase). The second and third years of the contract will both include 2% increases, bringing the weekly salary for 2008–2009 up to \$1,189 and for 2009–2010 up to \$1,213. Contract negotiations can be re-opened at the end of the first or second years, but for the salary issue *only*.

One of the most important issues resolved was that of health care. Fortunately, it will remain the same, with fully paid coverage for orchestra members and dependents. (That is the main reason why re-opening contract talks were limited to salary.)

There was also a bump in the orchestra's pension plan contributions. Previously, contributions were at 8%. Currently, for those musicians with 15 or more years of service, that amount will go up to 8.5% next season, and then 9% for 2009–2010. There were also modest increases in seniority pay and per diem.

The size of the orchestra compliment was another contentious issue. Management wanted to reduce the complement from 85 to 82 musicians by not filling three section string positions that have been open for several years. It was agreed that those positions will be filled in three years, after a new music director is in place. Until that time, the positions may be filled only with long-term substitutes.

Even though base pay will not rise to the level that was hoped for, overall, the Utah musicians' negotiating team feels very good about what they were able to accomplish—especially since they were facing a leadership vacuum created by the absence of a full-time CEO. It is hoped that the modest gains that were won can be increased in the second and third years of the new contract once a new CEO is in place.

George Brown, Delegate, Utah Symphony

On Labor Day, **San Antonio Symphony** musicians overwhelmingly ratified a four-year contract that will provide steady growth in season length each year, beginning with 27 weeks in 2007–2008 and reaching 30 weeks in 2010–2011. Previously, working weeks had been frozen at 26 per year. In order to achieve the twin gains of economic relief for the musicians and more performances for the

community, expanding the season length was one of the union's primary goals for the new agreement.

The agreement also includes annual increases in weekly salaries and in health coverage benefits. It is estimated that the new compensation package provides an average of 4.6% increase per year to the musicians. While this does not represent full recovery to pre-bankruptcy levels, it is a strong step in the right direction.

Significantly, the agreement rejects the concept of a two-tiered, A/B orchestra (where certain members of the orchestra would have been employed only during classical subscription performance weeks rather than full time). The Society had made such proposals last spring, but the union consistently and successfully rebuffed them at the bargaining table.

Emily Watkins Freudigman, Delegate, San Antonio Symphony

On September 25, the musicians of the **New York Philharmonic** ratified a new four-year contract, with the possibility of a fifth year pending further discussions regarding the pension plan. It was mostly a congenial negotiation, with the vast majority of time spent on pension issues.

Management wanted to freeze the defined benefit plan and to roll the musicians into the AFM-EPF. The musicians wanted to achieve a \$75,000 pension during the life of the four-year contract that was being discussed.

Although the fourth year wound up at \$70,000, it was agreed that there would be an actuarial study of alternatives to the current Philharmonic pension plan, with a view to increasing the pension benefit level to \$75,000 at no significant addition cost to management in a potential fifth year of the contract. Any musician retiring at any point during the life of the contract will receive the pension increases that occur during the contract, up to the maximum pension benefit at the end of this agreement. Base weekly salaries in the first through fourth years are: \$2,280, \$2,380, \$2,495, and \$2,595. If a fifth year is agreed to, the base salary will be \$2,700 per week, plus the usual \$20 overscale.

Both sides feel confident that they will be able to reach agreement on the pension issue, and that there will be a fifth year of the contract. There were no other major changes to the contract, with health benefits remaining intact.

Kenneth Mirkin, Delegate, New York Philharmonic

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

Chairperson's Report

(continued from page 1)

Instead, though, great mentors told me of ICSOM and the AFM. They regaled me with the legendary stories that we all share throughout the field. They spoke of solidarity, and were encouraging and supporting at every difficult moment I faced.

And that's why I'm writing all of this. What kind of mentoring will the next generation of orchestral musicians receive?

The 2007 ICSOM Conference in Minneapolis was an inspiring gathering for me and for your Governing Board. There was an exchange of ideas and enthusiasm among our delegates, all in an atmosphere of inclusion and solidarity.

After my return home, I was pleased to read a report on the Conference by Barbara Owens, President of Local 9-535 in Boston, who wrote that the "friendly tone of the conference was in sharp contrast to the tension of the recent AFM Convention" and that she was "grateful to be part of a process that was respectful and productive."

That "respectful and productive" tone and the enthusiasm of your delegates have invigorated us all for the tasks ahead. And there can be no doubt these tasks are many. This season, many of our colleagues will face negotiations, and we all will face the continuing negative rhetoric that inhibits the growth of our great institutions. But we left Minneapolis prepared to spread a positive message, prepared to stand united with every orchestra through whatever difficulty they may face, and prepared to work for unity throughout our union.

There is no denying that there has been tension within the AFM emanating from the disagreements between the AFM administration and the Recording Musicians Association (RMA). There are fears throughout the AFM that if this dispute continues to expand, great harm can be done to the Federation. One of the most uplifting moments of the ICSOM Conference was when the delegates unanimously passed the Governing Board's call for unity in a resolution that states:

[T]he delegates and Governing Board of the 2007 ICSOM Conference implore the Recording Musicians Association and the current administration of the AF of M to meet together in a spirit of unity, put aside their differences, and achieve the higher goal of reunification and solidarity for the greater good of all of the members of the AFM and their families.

We are at an important time in the history of ICSOM, and indeed the history of the AFM. While other segments of the union might be at odds, there is a great coming together within ICSOM, and we implore everyone to hear our calls for unity.

The work ahead is daunting, but we will succeed by reaching out to our colleagues, both within our own orchestras and throughout our community of friends across North America. We will communicate in richer ways, spreading stories of our successes and cautionary tales of our disappointments. There shall be many more of the former than

(continued on page 12—see CHAIRPERSON'S REPORT)

2007 ICSOM Conference

(continued from page 1)

The afternoon ended with reports from three orchestras facing particularly difficult negotiations: the Detroit Symphony, the Florida Orchestra, and the San Antonio Symphony. (San Antonio has since reached a four-year contract, and Detroit has concluded a three-year agreement.) There was also a presentation by members of the Phoenix Symphony and Phoenix local who have been working with Drew McManus this past season on internal organizing.

Delegates were pleased to welcome retired Minnesota Orchestra member and former member at large Jim Clute, who also attended the mixer that evening in the lobby of Minnesota Orchestra's Symphony Hall. Another former delegate from the Houston Symphony, Bernice Beckerman, also dropped by. The mixer received glowing reviews and was sponsored by the Minnesota Orchestra and the Saint Paul Chamber Orchestra, with Twin Cities Local 30-73 providing the band.

Thursday began with welcoming remarks from Bob McGrew, newly elected member of the AFM International Executive Board and current Secretary-Treasurer of Local 65-699 (Houston). Later in the week, Bob assisted Nancy Stutsman (Kennedy Center) in raising more than \$1,800 for TEMPO when he auctioned off a pound of coffee and a box of chocolate covered macadamia nuts.

Symphonic Services Division (SSD) staff joined Director Laura Brownell for a presentation followed by a question and answer session. Laura spoke about a local's duty to represent all local members during negotiations and of her work with Bruce Ridge and ROPA President Tom Fetherston this past season. Negotiator Chris Durham emphasized negotiation tactics, while Negotiator Nathan Kahn discussed internal organizing. Director of Electronic Media Debbie Newmark spoke about current electronic media issues.

Leonard Leibowitz, Distinguished ICSOM Legal Counsel as well as counsel to SSD, gave a brief history of labor in the United States and then answered delegate questions. An outline of that history can be found on the ICSOM website with other Conference materials.



Photo by Laura Ross

(Left to right) Emma Philips, Steve Dinion, Leonard Leibowitz, and Michael Largarticha in a presentation from Honolulu Symphony musicians to Distinguished ICSOM Legal Counsel.

Bruce Ridge publicly thanked Minnesota Orchestra violinist Julie Ayer for her generous donation of a copy of her book, *More Than Meets the Ear: How Symphony Musicians Made Labor History*, to each member orchestra of ICSOM. Unfortunately, Julie was unable to attend the Conference.

Thursday afternoon's session was dominated by a presentation on the American Federation of Musicians and Employers' Pension Fund (AFM-EPF). Pension Benefits Director Vinni LoPresti and Director of Finance Will Luebking discussed the health and oversight of the AFM-EPF, how pension benefits work, office accessibility after 9/11, a requirement that participant-information requests be in given in writing, reasons behind the reduction in the multiplier used to calculate benefits, and plans to make the new AFM-EPF website transactional within two years. Numerous delegates and local officers asked questions. Following a short break, attending AFM-EPF union trustees Bill Foster (rank-and-file trustee from National Symphony), Hal Espinosa (Local 47, Los Angeles), Gary Matts (Local 10-208, Chicago), and Lovie Smith-Schenk (Local 65-699, Houston) joined Vinni, Will, and moderator and former union trustee Bill Moriarity to address questions. Bill Foster answered the questions that were directed to the trustees. Topics addressed by the panel included statement problems, incorrectly reported information, fund manager evaluation, staff salaries, why investment policy statements have not been provided, whether to encourage employer trustees to appoint a symphony manager as an employer trustee, whether pension contributions can be part of severance settlements, the sale of the AFM-EPF building, and education of trustees. Bill Foster and other union trustees encouraged musicians to call them with any questions or concerns, stressing that they are there to serve the participants.

Following the pension discussion, ROPA Treasurer Dennis Danders, OCSM Vice President Dan Blackman, and RMA Vice President Bruce Bouton addressed the delegates. The afternoon session ended with various reports. That evening, breakout sessions included discussions about education, the role of the orchestra committee, the role of the ICSOM delegate, and internal organizing, all of which were moderated by ICSOM officers and members of SSD staff.

Friday morning was the annual town meeting, which is closed to everyone except ICSOM delegates and the Governing Board. The town meeting has been an important outlet for delegates and Governing Board members to speak about issues of mutual concern. A motion to continue Town Meetings in the future was adopted on Saturday. Laura Brownell and her staff met with local officers in attendance at the Conference during the town meeting.

Friday afternoon's session began with Electronic Media Chair Bill Foster's committee report. He thanked Steve Lester for his wisdom and service as both a committee member and member of the National Oversight Committee (NOC) and announced that Cathy Payne (San Francisco Symphony) was named as his replacement on the NOC. Bill then explained the status of the various Federation agreements and encouraged orchestras negotiating or discussing possible media activities to contact him and Debbie Newmark.

Mark Schubin gave an informative presentation about electronic media technology, focusing on hall access, recommendations about whether to install or rent equipment, use of cameras, and his

experiences with the new Metropolitan Opera broadcasts in movie theaters. He answered a few questions about copy protection and archiving.

A panel discussion followed addressing negotiating media language and how it applied to two orchestras within the same local but with very different needs. Participants included Norbert Nielubowski from the Minnesota Orchestra, Leslie Shank from the Saint Paul Chamber Orchestra, Debbie Newmark, Bill Foster and Local 30-73 Secretary-Treasurer Tom Baskerville. Saint Paul musicians and the local worked closely with the AFM to assure that their new media activity worked within existing Federation agreements, though some of their upcoming activity will chart new territory. The Minnesota Orchestra, on the other hand, has had a long history of free local broadcasts on Minnesota Public Radio (MPR), with payment coming from the syndication of those concerts. This arrangement has just come to an end. There was brief discussion regarding MPR's attitudes about paying for product and considering themselves as employers. There has been some concern over these issues since MPR recently acquired *Performance Today* and *SymphonyCast* from National Public Radio. Tom Baskerville reinforced that orchestras and locals should be in contact with each other and with the AFM regarding media work.

Bill Foster noted a growing trend among managers who desire the ability to pay a single fee for unlimited use of recorded product. While the AFM and ICSOM are willing to look at new innovative ideas that are not covered by current agreements, some existing agreements have provisions, such as oversight committees, that could already accommodate some projects.

Friday ended with two presentations on insurance topics. Minnesota Orchestra committee chair Wendy Williams and attorney (and former violinist with the Minnesota Orchestra) Sally Mermelstein gave an informative presentation about the features and pitfalls of long-term-disability plans, including problems musicians can face when they file for permanent disability. (A handout is available on the ICSOM website.) Florence Nelson, who has been engaged by ICSOM to assist in assembling an ICSOM healthcare database, presented some of her initial observations from the data collected so far.

Saturday included brief reports on Polyphonic.org, by Robert Levine (Milwaukee), and on the activities of the AFM Diversity Committee, by Lovie Schenk-Smith. When it came time for elections, Brian Rood and Laura Ross, running unopposed, were re-elected to their respective positions of president and secretary. There were brief campaign speeches for the two open member at large positions by candidates Paul Frankenfeld (Cincinnati) and Cathy Payne, as well as a statement from James Nickel that was read to the delegates. Cathy Payne and James Nickel were elected to the member at large posts.

Honolulu Symphony musicians Steve Dinion and Emma Philips, and Local 677 President Michael Largarticha presented a signed picture of the Honolulu Symphony to ICSOM Counsel Len Leibowitz, thanking him on behalf of their colleagues for all his assistance and friendship over the years. Later in the day, delegate Rachel Goldstein (Chicago), who is married to Steve Lester, accepted a plaque from ICSOM thanking Steve for his years of service to the field.

(continued on page 12—see ICSOM CONFERENCE)

Conference Resolutions

(continued from page 5)

RESOLVED, That the delegates to the 2007 ICSOM Conference thank Julie Ayer, not only for her generosity to her ICSOM colleagues, but also for her hard work and dedication in writing this important book.

ICSOM Governing Board

» » » » »

Resolution #11—Stephen Lester

WHEREAS, Stephen Lester has served in multiple leadership roles as chair of both the negotiation and membership committees of the Chicago Symphony for many years; and

WHEREAS, Steve also served as Alternate ICSOM Delegate for a number of years; and

WHEREAS, In 2004, he stepped into an important leadership role in ICSOM, that of Member-at-Large; and

WHEREAS, Steve has also served ICSOM in a valued role on the ICSOM Electronic Media Committee and as a member of the National Oversight Committee; and

WHEREAS, His insights, ideas and participation on the Electronic Media Committee and the Governing Board have been invaluable these past years; and

WHEREAS, Steve has chosen to step down from his leadership roles in ICSOM for personal reasons; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference express their respect, admiration and gratitude to Stephen Lester for his remarkable body of work on behalf of the members of his own orchestra as well as the members of ICSOM; and, be it further

RESOLVED, That the delegates make him promise to stay in touch should he desire to become re-involved in a leadership role in ICSOM in the future.

ICSOM Governing Board

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Resolution #12—Public Awareness and Interest in Classical Music

WHEREAS, The image of live classical music in our country is an essential component to the public's awareness and interest in the quest to increase revenue by way of ticket sales and contributions; and

WHEREAS, One way of creating such awareness and interest is to have a national "corporate image" type of television campaign similar to those of the dairy industry, i.e., "Got Milk?", and the meat industries, "Pork, the other white meat", and

WHEREAS, Such a campaign can be funded through the joint efforts of the AFM, the League of American Orchestras, ICSOM, and ROPA; therefore, be it

RESOLVED, That the delegates to the 2007 ICSOM Conference urge the leadership of the AFM, the League of American Orchestras, ICSOM and ROPA to meet to discuss the feasibility of creating a national television campaign, the purpose of which is to increase the public awareness and interest in classical music.

ICSOM Governing Board

Musicians' Perspectives The 2007 ICSOM Conference

Hi folks. Richard Waugh here; violist with The Cleveland Orchestra. During my 13 seasons in Cleveland, the ICSOM delegate position has never seemed very important. Historically, the sitting delegate has been re-elected if he chose to serve, since no one ran against him. There has always been a joke about where the ICSOM Conference would be held; the humor being that if it were held in some exotic location, more people might run for the delegate position. I was begged to attend this year at the last moment, as no one actually ran during this year's election.

During my flight to Minneapolis, I was wondering if ICSOM had some sort of Mellon association. That might sound incredible, but it just goes to show how little ICSOM has been discussed around Severance Hall during my time in Cleveland. The Conference was an education for me to say the least. I am somewhat proud to have learned that ICSOM, to a large degree was begun with the vision of a couple of distinguished retired members of my own orchestra. Further, I learned to my relief from President Rood that ICSOM in fact has no ties to the Mellon Foundation. He explained that ICSOM was formed as something of a checks and balances organization for the AFM.

Several presentations were made at this year's conference. I am only writing today about those subjects that made the biggest impression on me. As my own orchestra recently negotiated its way into the AFM pension fund, I was relieved to learn why the retirement benefit multiplier had recently been lowered. Without going into great detail, it seems the reduction resulted from the Fund's decision not to pursue relief from complicated IRS funding rules because of the onerous conditions attached to that relief, not from continued poor investment returns. In fact, the Fund has exceeded its estimated annual investment return of 7-1/2% in recent years and is projected to stay financially healthy through 2041, which is the farthest out that the actuaries have projected.

A very fine presentation was made concerning disability insurance. I learned that a lot of orchestras have quite different coverage. The importance of the types of coverage was made especially clear as the presenter, at one time a musician with the Minnesota Orchestra, was once in a battle for benefits herself and is now a legal expert on the subject. My advice as a result of this presentation would be for orchestra/negotiating committees to do a thorough review of your orchestra's disability coverage. Consult with an expert to be sure it is adequate for your colleagues.

I have to say that I was somewhat in awe at the Conference by the number of sharp minds in the room. Further, ICSOM is in the hands of respected and highly competent leaders. One of the most important uses I see of ICSOM for any orchestra is the vast amount of available trade agreement information that ICSOM gathers. Just as one example, our last negotiating committee spent hours and hours digging through the contracts of other

orchestras to learn more about their health coverage. That very information is now easily accessible on the ICSOM website. While not the policy of the Cleveland Orchestra, many orchestras include the ICSOM delegate on the negotiating committee. Because of the information available through ICSOM, I see this as an important and necessary change to consider in Cleveland.

ICSOM is doing important work. While initially feeling suckered into going to the Conference, due to everything I learned in a few short days about the people and the mission, I am most pleased that I did agree to attend. I look forward to continuing to work with the fine delegates and board of ICSOM and am certainly planning to run for ICSOM delegate this season, whether or not the location for the next Conference happens to be exotic.

Richard Waugh, Delegate, The Cleveland Orchestra

Stepping into my first ICSOM Conference this year was much like walking into a high-level chess match in progress. There is an underlying tension within the AFM in the wake of the Federation's 2007 Convention that is undeniable. As a newcomer, I enjoyed a unique view from the sidelines as I tried to discern the position and predict the next move.

What I saw was an institution (ICSOM) on the rise, governed by highly capable and dynamic leaders, flush with pride on the heels of the very successful campaign to protect the interest of its members (and underscore its importance) in Las Vegas. I cannot stress enough how impressed I was with two things: how much can be accomplished by the concerted efforts of insightful leaders, and how much work it takes to achieve such goals. I flew back to Chautauqua (my summer gig) overwhelmingly daunted and inspired, in equal measure.



Photo by Laura Ross

President Brian Rood (*standing*) addresses first-time delegates in the roof-top Dome Room of the Millenium Hotel Minneapolis.

While I will issue reports to my colleagues in Virginia on all the particulars concerning pension, strike fund, health care, etc., I feel it is most important to convey the overall atmosphere of the Conference. Not being privy to the political particulars, I can only take back a general impression, and I feel very secure letting our Governing Board take care of the details. This is the message I will pass on: Stay alert, stay informed, and play an active role—change is coming, and we are the custodians of that change.

Amanda Armstrong, Delegate, Virginia Symphony

One of the great things about being the ICSOM delegate is picking up all the different perceptions orchestra members from all over the country have about what we do at these conferences. This last summer, a delegate told me that some in her orchestra thought we conducted our business while wearing funny party hats. For those who have served as delegates or attended as observers, participants, or board members, it is pretty intense but fulfilling knowing that the information that you are collecting will serve your orchestra back home. Conferences are a lot of work in a short period of time, however there is a lot of levity brought about by a sense of purpose and camaraderie from all those who attend.

This was my second ICSOM Conference, and going to Minneapolis this summer was like going to a summer music festival—I felt as though I was with musicians outside my own orchestra that shared a common purpose. One of the things I noticed about the other delegates and the board is how passionately they care for ICSOM and their orchestras. Another observation is that they care a lot about each other and the health of not just their own orchestras but each other's. Before leaving the Conference, a lot of us were hoping we'd see each other next summer when the Conference will be held in San Francisco.

Even though I felt comfortable with my colleagues from around the country, it was reassuring to have Brian Rood, the ICSOM President and fellow Kansas City Symphony member, attend the Conference. When questions arose that I couldn't answer about my own orchestra (quite frequently really), Brian was there to save me from drowning (quite often). I write this because it serves you and your orchestra well to have a colleague come as an observer and/or a participant to ICSOM. Schedules are tight and people never have enough time for everything, but going to these Conferences really give you the tools during negotiations and other dilemmas that every orchestra faces. I urge you all to come and be a part of the ICSOM experience.

Just don't forget your funny hat.

Ho Anthony Ahn, Delegate, Kansas City Symphony

I've been serving on orchestra committees for over 25 years. I certainly knew what ICSOM was and eagerly read each edition of *Senza Sordino* (usually during tacet movements in rehearsal). In all that time, though, I had never attended an ICSOM Conference. It wasn't for lack of interest, but more out of circumstance. I've been in orchestras with strong ICSOM delegates who reported back with the latest information from the orchestral world. Now, even though I wasn't the Minnesota Orchestra's delegate (a position held by my colleague Paul Gunther who is also a member of the Governing Board) I wanted to see what an ICSOM Conference was all about.

It was a particularly appropriate time—we were in the middle of our triennial exercise in justifying our existence, otherwise known as contract negotiations. I was interested in hearing what other orchestras were going through and in finding the similarities and the differences in our situations. I had also been getting questions from my colleagues about the AFM-EPF. We went into the fund in 1997. At the time it looked like one of the best moves we ever made. It freed us from the pressure of dealing with what was one of the “Big Three” of negotiations—salary, health insurance, and pension. While musicians who had retired under our combined plans over the last ten years seemed to be quite pleased, the two recent reductions in the benefit multiplier had given us cause for concern. I was very interested to see an afternoon devoted to discussion of the AFM-EPF with representatives of the fund in attendance.

In the first evening's discussion among negotiating orchestras, it was heartening to hear the stories of recent successes but also sobering to note others' difficulties. It was particularly troubling to hear of so many orchestras having to fight management proposals to reduce the pay for subs and extras while at the same time taking longer to fill vacancies through auditions.

Through each session—orchestra marketing, health care, pension, media, Len Leibowitz's Thumbnail Labor History—I was struck by the amount of collective knowledge in the room. I also realized that the best ideas in the orchestra world seem to be generated by musicians. We can wait for our managements to come up with solutions, and yes, it is their job, but ultimately it is *our* livelihood that is at stake. I found the energy of being around people who care passionately about what they do to be very inspiring. I was also impressed with the dedication and sheer hours put in by the officers and members of the Governing Board; I'm not sure that any of them got any sleep.

I believe that all orchestra members should serve on an orchestra committee once in their careers. After this experience, I believe that all committee members should attend an ICSOM Conference once in their careers.

Norbert Nielubowski, Minnesota Orchestra

2007 ICSOM Conference

(continued from page 9)

Delegates met for lunch with members at large who were there, with President Rood standing in for James Nickel. This was an opportunity for delegates not only to meet with their members at large, but also to discuss issues of concern and to get to know their fellow delegates a little better.

Delegates adopted twelve resolutions, which can be found starting on page 4 of this issue. One of these will require ratification by member orchestras by November 16. Next year, San Francisco | Local 6, the San Francisco Ballet Orchestra, the San Francisco Opera Orchestra the San Francisco Symphony will host the ICSOM Conference in San Francisco, August 20–23. The 2008 Conference will be held at the Hotel Kabuki.

The Minnesota Orchestra, the Saint Paul Chamber Orchestra, Local 30-73, Lynn Erickson, and all who attended this Conference deserve credit for a job well done. Thanks also go to Chair Bruce Ridge for his leadership this past season and for a successful Conference.

A website honoring Irving J. Segall (1921–2004) is now online at www.irvingsegall.com. Irving, a 31-season violist with the Philadelphia Orchestra, was the chairman of ICSOM from 1974 through 1980.

Chairperson's Report

(continued from page 7)

the latter if we all truly work together. Invest in your orchestra, invest in your community, invest in ICSOM, and invest in the future by introducing your students to our positive message.

As our music reaches thousands in our community, our musicians reach an even greater number. We teach young people about music, and we lighten the burden of life for so many through the elevation of the human spirit.

The message our students and our audiences receive is up to us. It is up to each one of us to become a little more brilliant and light a few candles. We will only grow stronger through sharing that light.

The full text of Chairperson Bruce Ridge's opening address, an outline of Leonard Leibowitz's *Thumbnail Labor History*, Sally Mermelstein's disability insurance handout, and other Conference-related material can be found in the "Governance" section of ICSOM's website, at www.icsom.org.

Officer reports from the Conference can be found in the "Manual" section of the website.

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Long-Term Disability Basics for Symphony Musicians

by Sally Mermelstein, Attorney at Law

At the 2007 ICSOM Conference in Minneapolis, delegates were treated to a wonderful presentation on long-term disability insurance by Sally Mermelstein, an attorney and former violinist with the Minnesota Orchestra. Ms. Mermelstein's presentation proved to be one of the most popular sessions of the Conference, and there were many requests from delegates for an article in Senza Sordino so that all ICSOM musicians could benefit from her knowledge. Ms. Mermelstein graciously agreed to provide this very informative article.

—Bruce Ridge, ICSOM Chair

Below is an introduction to long-term disability (LTD) insurance provisions as they pertain to the symphony musician. This is by no means an exhaustive discussion of the topic—there are many important provisions that are not covered here—but it should provide musicians with basic knowledge about this much-neglected employee benefit.

What is LTD?

Long-term disability insurance replaces a portion of your income if you are unable to work due to a medical condition for an extended period of time. Just how extended that time must be varies between plans. Usually in order to collect LTD benefits you have to satisfy a benefit-free period known as an *elimination period*, *waiting period*, or *qualifying period*. It can be as short as 30 days but is often as long as 180 days.

Unlike workers' compensation benefits, LTD plans will provide benefits whether or not your medical condition was caused by work. LTD is not just for permanent medical conditions. It can be income replacement that serves as a bridge to recovery and resumption of work, or it can be the income you live on until retirement or for the rest of your life.

Why We Should Care

LTD is important to employees because it insures against the loss of ability to work. For a professional musician, LTD insures against the loss of a set of highly developed skills. Most employees must simply accept whatever level of LTD benefit the employer chooses to provide—as well as any changes, including negative changes, the employer makes. Since symphony contracts guarantee certain benefits, however, symphony musicians have the advantage of being able to bargain over, and perhaps customize, the LTD plan as part of their contract negotiations. Musicians should also care about LTD because, while musicians generally have long careers, musicians can get illnesses that are targeted for claim denial by the insurers. These include repetitive stress injuries, soft tissue problems and chronic pain syndromes. These illnesses can interrupt or devastate a musical career, but they are not popular with insurance companies. Your LTD plan can be shaped to help avoid unreasonable claim denials.

But the biggest reason to care about LTD plans is that they are usually governed by the Employee Retirement Income Security Act (ERISA). ERISA and the judge-made law interpreting ERISA create many obstacles for employees trying to collect benefits and create an un-level playing field if the employee has to challenge a denial of benefits. Musicians can minimize the impact of ERISA with some careful planning.

How ERISA Affects LTD

Many of the ways ERISA affects LTD are encapsulated in *Loucks v. Liberty Life Assurance*, 337 F.Supp. 3d 990, 991 (W.D. Mich. 2004):

Caveat emptor! This case attests to a promise bought and a promise broken. The vendor of disability insurance now tells us, with some legal support furnished by the United States Supreme Court, that a woman determined disabled by the Social Security Administration because of multiple disabilities which prevent any kind of work cannot be paid on the disability insurance she purchased through her employment. The plan and insurance language did not say, but the world should take notice, that when you buy insurance like this you are purchasing an invitation to a legal ritual to which you will be perfunctorily examined by expert physicians whose objective it is to find you not disabled, you will be determined not
(continued on page 7—see LTD INSURANCE BASICS)

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Chairperson's Report by Bruce Ridge



As I sit at my desk to write these thoughts for the next edition of *Senza Sordino*, it is just after midnight on November 16, 2007. The issue that is foremost on my mind this night, and which has, in fact, dominated my thinking all week, is the egregious lockout of the musicians of the Jacksonville Symphony. I'm sure that all of our readers realize that *Senza Sordino* is delivered some weeks after the articles are prepared, and

therefore it is my sincere hope that by the time you read this article the dispute in north Florida will have been resolved and the citizens of Jacksonville will no longer be deprived of their world-class orchestra. But, even if that best case scenario has occurred, the questions that have led to this situation will no doubt remain for many of our orchestras.

The issues in this dispute have been clear throughout the protracted negotiations. Salary, season length, pension—all of the usual subjects of negotiation that are crucial for our musicians to maintain their craft, care for their families, and serve their communities as selflessly as the most dedicated public servant. But I fear that something more nefarious is really at the heart of the dispute. It seems that the very people who are the stewards of the orchestra are the ones responsible for this terrible situation, and they seem content to publicly express contempt for an institution they are charged with protecting.

An article in the November 13 edition of the *Florida Times-Union* contained a most dreadful quote from the Jacksonville Symphony board chair, Mr. Jim Van Vleck. Now, I don't know Mr. Van Vleck. He might be a fine person, and I certainly hope to meet him. Perhaps he found himself befuddled in the middle of an interview and said something hateful and harmful. Certainly that has happened to others when giving interviews, and even experienced politicians and radio shock jocks have uttered ill-informed things.

But, in speaking of the musicians that he is charged with serving, Mr. Van Vleck said, "...there's something about a 37-week year and 20 hours a week that doesn't seem too onerous."

Why would someone who speaks with such contempt for a symphony orchestra ever desire to become chairman of the board of such a great cultural institution?

Let us look at the situation in Jacksonville for a moment. When I first arrived there it was 1987. I had just won an audition for a section bass position, and I was thrilled to be joining the orchestra. I left soon after though, as I won an audition with the North Carolina Symphony, which of course is in the state that I have always considered home.

In my brief time in Jacksonville I found an orchestra ready for growth in a city of seemingly endless opportunity. For the city, my view has been confirmed. In these 20 years, the downtown has grown to become one of the most beautiful cities of the South, with

(continued on page 11—see JACKSONVILLE)

International Conference of Symphony & Opera Musicians

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of the United States and Canada, AFL-CIO

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Orchestras

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Secretary's Report

by Laura Ross



Welcome Locals!

I recently spent an interesting day and a half entering AFM local addresses. Thankfully, there are already 41 locals representing ICSOM orchestras, which made my job a bit shorter.

Still, 207 addresses later, I have some new impressions about our representation across two countries.

Your first question, I suspect, would be: "Laura, why were you entering all those addresses?"

At the AFM Convention last June, the Governing Board decided to reach out to locals who might not know or understand what ICSOM's role is within the AFM by distributing the then-current issue of *Senza Sordino*. We hoped to show people what we were advocating as representatives of one of the highest dues-paying constituencies in the AFM. We received many nice compliments about our newsletter during and after the AFM Convention.

So, after such enormously positive feedback from locals at the AFM Convention, the Governing Board decided to continue reaching out by putting all AFM locals on our *Senza Sordino* distribution list. This way, when issues of concern to our orchestras need widespread support, everyone involved might have a better understanding of the particulars—with better education and communication before decisions are made.

The Governing Board also wants to expand the list of universities and conservatories that receive *Senza Sordino*. While a number of music schools and libraries are already subscribers to *Senza Sordino*, we thought reaching even more students who might one day be members of our orchestras would be beneficial to everyone.

Our understanding is that most schools retain a copy in their libraries, but our hope is that students might find more accessible copies—in their lounges, in periodical displays, and even from their teachers (as members of ICSOM orchestras). Our goal is to help more people truly understand our issues and, in the case of students, be a bit more prepared for "real life" in an orchestra.

If you are a teacher, we hope you are already sharing information from *Senza Sordino* with your students. We also hope you will promote the importance and relevance of ICSOM and your local. Please let us hear your ideas about how best to reach your students who will be pursuing orchestra careers. Additionally, I would ask that you check with the music library at your schools to see if they are subscribing to *Senza Sordino*. If they are not, send us the appropriate contact name and address, and we will send them a complimentary copy with the hope that they would choose to subscribe.

But, back to those addresses again, it was really interesting to notice how many locals are *protective unions* by name, while others are

associations or musical societies. As I was typing I discovered there were locals with the same name in different states (for example, Pontiac, Michigan and Pontiac, Illinois). I have been aware since my early days in ROPA that many musicians must belong to multiple locals because their orchestras are in different jurisdictions, but I was still surprised to find a number of locals in states I hadn't expected. I also have to admit, as someone who spent hours playing Monopoly as a kid, I got a kick out of typing "Ventnor Avenue" when I got to Atlantic City's address (although the local is actually in Ventnor, not Atlantic City).

I also found that there were many locals with two officers listed at different addresses. In these cases we will send the copy to the local's president. Any local may contact the editor to request additional copies or to change where or to whom *Senza Sordino* is sent.

So, on behalf of the ICSOM Governing Board, I extend a warm welcome to our brother and sister locals as our readership expands, and we encourage you all to share this copy of *Senza Sordino* with your officers and members.

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

Minnesota Orchestra Composer Institute by Paul Gunther

[Editor's Note: This is the first of what is hoped will be a series of articles highlighting unique, noteworthy, original, creative, and/or successful educational programs of ICSOM orchestras. Readers are invited and encouraged to make submissions.]

"Wonderful new stuff, all of it."

—David Hawley

(Review of *Future Classics!* concert in Saint Paul Pioneer Press)

"Hot damn, there's some good music going on here."

—Jacob Cooper

(On his NewMusicBox.org blog)

At the end of October the Minnesota Orchestra hosted its weeklong Composer Institute, beginning early Saturday and lasting through to the following Saturday. Seven emerging composers were treated to an intensive series of workshops, presentations, mentoring sessions, interviews, seminars, meetings, and rehearsals, all designed to help pave their way along their compositional path. For the second time, the week culminated with a concert dubbed *Future Classics!*

A full year earlier, composers began submitting scores to the Composer Institute judges. This year's panelists were composers Lisa Bielawa, David Dzubay, Aaron Jay Kernis and Roberto Sierra, and Minnesota Orchestra Associate Conductor Mischa Santora. From the 166 eligible submissions, the judges selected seven finalists to be participants based on their works: Daniel Bradshaw, *Chaconne*; Jacob Cooper, *Odradek*; Trevor Gureckis, *Very Large Array*; Wes Matthews, *Terraces*; Elliott Miles McKinley, *Four Moments for Grand Orchestra: A "Pocket" Symphony*; Stephen Wilcox, *Cho-Han*; and Xi Wang, *Above Light: A Conversation with Toru Takemitsu*.

There are a few rules everyone must adhere to:

- Applicants must be U.S. resident composers at early stages of their professional careers, and previous Composer Institute participants may not reapply.
- Only one work per composer may be submitted, and works may be not be resubmitted unless they were awarded Alternate or Honorable Mention status when previously entered.
- Submitted works may not have received a performance or a reading by a major orchestra (over \$3 million annual budget), with preference given to unperformed works.
- Works may be up to 15 minutes in length (sections of longer works will be considered). Concertos, choral works, and works for strings, winds, or brass only are not eligible.

- Instrumentation must not exceed 4 flute (1 doubling piccolo), 4 oboe (1 doubling English horn), 4 clarinet (1 doubling bass clarinet), 4 bassoon (1 doubling contrabassoon), 4 horn, 4 trumpet, 3 trombone, 1 tuba, 1 timpani, 3 percussion, harp, piano/celesta (no organ), strings. [Editor's Note: Apologies to Paul for my expansion of this instrumentation list, which he gave in the standard format any good librarian would. This was done with great trepidation, solely to help readers not familiar with the standard notation.]

Although the Minnesota Orchestra has presented new music reading sessions for over a decade, the structured and in-depth program that has become the Composer Institute is going into its eighth year of continuing evolution. Last year's Institute was the first to present the compositions in a concert performance, rather than in the informal daytime reading sessions they had been previously. This year's performance was the first to be broadcast live on public radio.

Co-directing the Institute are the Minnesota Orchestra's new Music Advisor Aaron Jay Kernis and Artistic Planning Associate Beth Cowart. In the program notes for this year's *Future Classics!* concert, Cowart and Kernis have this to say about the Composer Institute:

This combination of public performance and the breadth of the training program is utterly unique, the only program of its kind. Our seven visiting composers will expand their understanding of orchestral writing as their works come alive through the artistry of the Orchestra's musicians. Intensive workshops with musicians, one-on-one mentoring sessions, meetings with [Minnesota Orchestra Music Director] Osmo Vänskä and seminars with leaders in the music business will advance the composers' awareness of their own music.

Many composers who have taken part in the program in previous years have gone on to receive major commissions, composition prizes and grants, and they tell us repeatedly that the Institute has played a crucial role in their professional education. It also makes a difference for the Minnesota Orchestra. Two works from the premiere *Future Classics!* concert last year were included on Sommerfest and subscription programs. And for the last five years, a composer participating in the Institute has written a new work annually for the Orchestra's Young People's concerts.

Music Director Vänskä is firmly committed to the importance and success of the program. As he did also for last year's Institute, this year in addition to scheduling and conducting the rehearsals and concert, he met individually with each composer to discuss their work before the first rehearsal, and again after the final rehearsal.

The program is supported in many other ways. The Institute is "Presented by the Minnesota Orchestra and American Composers Forum, in cooperation with the American Music Center and

University of Minnesota School of Music.” These organizations assist further by providing seminar faculty for the Institute. Funding derives from several sources, including the Aaron Copland Fund, Amphion Foundation, Mellon Foundation, and the ASCAP and BMI Foundations, as well as many individual donors. This year’s concert performance was hosted and broadcast by Minnesota Public Radio.

The composers take part in a full schedule of seminars offering subject matter they are unlikely to encounter in any music school classroom. Minnesota Orchestra musicians offer specific instrumental seminars focusing on compositional techniques for strings, horn, percussion and harp. After one of the instrumental seminars, Jacob Cooper, a composer-participant this year, posted this on his *NewMusicBox.org* blog:

The seminar lasted an hour longer than scheduled. Every event today ran long, actually. But for the first time in my life, it was reassuring to be behind. It meant that these musicians care dearly about our work, so much so that they’d give up their own free time to ensure the performance is as successful as possible. You know your music is in good hands when you’re ready to call a session quits, but the performers, who in the end have much less reason to care about the piece than you do, force every drop of energy out of you.

Other practical seminars cover grant writing, self-publishing, computer engraving, and multiple aspects of the business of composing, including licensing, copyright, commissioning contracts, publishing contracts, negotiating, marketing and promotion, and legal issues.

At the same time all this is happening—over the space of a week for ten to twelve hours daily—as the composers become exposed to these practical aspects of composing, they find themselves inspired with further refinements for their scores and parts. (Librarian’s aside: although by this point in time the parts have been “ready” for weeks, such last-minute changes would be precisely the sort to drive an orchestra librarian wild—except that it is just so darn gratifying and downright fun to witness the composers’ eagerness and excitement over all that is happening here. But I digress.)

Finally, if that weren’t enough, there is the daunting actuality of rehearsals with the music director, culminating in a concert before a real, live audience, and a broadcast to an untold number of listeners, with each composer interviewed briefly onstage before his or her work is performed.

Unsurprisingly, the audience for this concert is noticeably different from that for the usual pops or subscription presentation. For what it’s worth, and from my purely subjective viewpoint, they are perhaps overall a bit younger and perhaps a bit hipper—but that’s hard to tell, because Minneapolis is already fairly high on the hip

meter. I certainly witnessed an audience that was extraordinarily receptive to this experience as well as quite vociferous in expressing their acceptance of the music and their pleasure to be part of this event.

The day before this year’s concert, *Minneapolis Star Tribune* writer Larry Fuchsberg, in his article entitled “Their Professional Pairing Is Priceless,” related an anecdote from Aaron Kernis:

Asked about the institute’s impact on previous participants, Kernis cited Missy Mazzoli, an alumna of last year’s program. “She’d had no experience with a professional orchestra, and thought the medium was outdated,” he said. “It was moving to watch her transformation. Meeting the musicians, working with a conductor who has a real commitment to communication and a rich emotional connection to the music—it turned her around.”

Kernis was recalling what Mazzoli wrote in her blog after last year’s Institute: “Participating in this Institute was the single most important thing I have ever done as a composer, not only for the performance but also for the long love affair with the orchestra this week has inspired. Now the real work begins.”

The overall success of the Composer Institute as a program can be measured in many ways: by the continuing fruitful mentoring offered to former participants; by the continuing success of numerous individual participants through the years, in terms of commissions, performances and awards; by the passionate audience and critical reception for the concert performance; by the high-profile seminar presenters from all over the country; by recognition in national media, including articles in *The New York Times* and *American Record Guide*; and by the unprecedented three consecutive annual ASCAP Bernstein Awards for Education. Mostly, the success can be witnessed in the eyes and demeanors of the participating composers. Despite their exhaustion at the weeks’ end, every one seemed elated by this experience, brimming with enthusiasm for the future and for their futures in composing.

Paul Gunther is a current member of the ICSOM Governing Board and the Principal Librarian of the Minnesota Orchestra. He was a founding member in 1983 of MOLA (Major Orchestra Librarians Association) and served two terms as president of that organization. In the Minnesota Orchestra, he has served several terms on the members committee, including as co-chair, and twice on the musicians’ contract negotiation committee.

Electronic Media Summit

by Laura Ross

Approximately 40 or 50 orchestra musicians and local officers met with AFM officers, staff, and counsel for an electronic media summit in Alexandria, Virginia on Monday, November 12, 2007. The discussion centered on radio broadcasting.

ICSOM Chair Bruce Ridge made a few opening remarks and expressed his interest in the opinions of those in attendance. AFM President Tom Lee began with a brief overview of the AFM's recording bargaining history, the use of electronic media guarantees in symphony collective bargaining agreements, and the previous media summits held in 2003 and 2005 in Chicago (both of which, it should be noted, had better participation from ICSOM orchestras). He noted that, over the years, the musician salary costs of both radio broadcast and sound recording have shifted from record labels and radio stations to orchestral institutions.

President Lee spoke about the AFM bylaw that requires Federation approval of any media language negotiated by locals on behalf of their orchestras. In the past few years, a number of new agreements were negotiated that included scales, benefits, and other terms and conditions that were lower than those required in existing AFM national electronic media agreements or agreements promulgated by the AFM. (Promulgated rates are established by the International Executive Board (IEB), generally with the input of the Player Conferences and/or rank and file musicians.) Unfortunately, there have been many times when newly negotiated language has been submitted for approval with little or no time to try to address any problems, leaving the President, and now the entire IEB, with a dilemma: Should they reject the language and force the musicians to return to the bargaining table (assuming that is an option), and, further, should they file charges against the musicians and local officers if the language is ratified without AFM approval?

AFM General Counsel Jeff Freund expounded upon AFM bylaw enforcement and pointed out that the nature of our industry has changed, thanks largely to changes in technology and economic structure. The AFM has had to take a different path.

AFM SSD Electronic Media Director Debbie Newmark explained that the AFM currently has three very successful multi-employer negotiated national agreements. The Symphony, Opera, Ballet Audio-Visual (AV) Agreement has been in existence since 1982 and has 72 signatory orchestras. The Symphony, Opera, Ballet Internet Agreement, which was first negotiated in 2000 to cover audio product on the Internet, has 77 signatory orchestras. The newest of the three, the Symphony, Opera, Ballet Live Recording Agreement, was negotiated in 2005–2006 and was based upon the Radio-to-Non-Commercial promulgated agreement. That agreement, which includes budget review, project approval, and potential revenue sharing once costs are met, already has 66 signatory orchestras. In regard to Counsel Freund's comments about taking a different path, the Internet Agreement and Live Recording Agreement are signifi-

cantly different in nature from past agreements, and both the AV and Internet agreements include local oversight committees.

All three of these agreements are successful and enforceable because they have been directly negotiated with the managers and/or representatives of our managers. These agreements also include joint oversight committees that can help deal with ideas that don't fall within the strict parameters of these agreements.

AFM Associate Counsel Trish Polach spoke about recent discussions with Minnesota Public Radio and American Public Media (APM), which recently acquired *SymphonyCast* and *Performance Today*. Both programs are currently covered by the National Public Radio Agreement, which expires in early 2008. The AFM is committed to negotiating a successor agreement with APM, but that may not be as easy as one would hope. APM does not generally pay for the content they broadcast, so they have concerns about their role in a successor agreement, most importantly regarding the negotiation of wages. As mentioned earlier, broadcasters, like record labels, have abrogated their responsibility for funding recording and have placed the burden squarely on our institutions who must then find the funding to be on the radio or to make recordings. Discussions are ongoing, and APM has invited a couple of orchestra managers to attend the next session in late November.

Ms. Polach also mentioned the wide ranging scales for syndicated radio, which are negotiated locally. Years ago, in response to an ICSOM Conference resolution, the IEB established a floor of 5% of weekly scale for a syndicated radio broadcast. Because that is a promulgated rate, not a negotiated agreement, it has been much harder to enforce these past few years as orchestras have negotiated lower scales.

A number of issues were raised that afternoon. Before discussion from the floor began, ICSOM Electronic Media Chair Bill Foster said he believed a comprehensive radio agreement was necessary. Some raised concerns that a national agreement not undercut local agreements that could potentially be better than what might be negotiated nationally. Others opined that the mindset has changed and that media should be thought of and used primarily as marketing and publicity to enhance our core mission—providing live classical performances to our communities. Many spoke in favor of a national agreement, though what it would encompass was only lightly touched upon. Some orchestras worried about how a national agreement would impact their orchestras if wages were significantly lower, similar to the significant scale differences between the Live Recording Agreement and the Sound Recording Labor Agreement.

By the end of the afternoon, it appeared that there was some consensus from those in attendance that it would be a good idea to seek a national radio agreement. ICSOM President Brian Rood pointed out that each of these media summits over the years has

included shifts in attitudes. He said we all had to be mindful of what is occurring within our orchestras and that we need to leave our orchestras in better shape for future generations.

President Lee wrapped up the session with his observations that he heard that the groups was in favor of a national radio agreement that did not include a loss in salary, that would not harm local agreements, and that would require local/orchestra approval. He assured everyone that he and SSD would work with the ICSOM and ROPA electronic media committees in discussion and negotiation of a national agreement.

LTD Insurance Basics

(continued from page 1)

disabled by the insurance company principally because of the opinions of the unfriendly experts, and you will be denied benefits.

In this case the disabled plaintiff won, but many plaintiffs are not so lucky. Below is a list of some of the reasons that ERISA has a negative impact on your LTD plan:

1. If you have to resort to federal court after an unfair denial of benefits, your remedies are generally limited to the benefits owed, interest, and your attorney fees. Even if you've lost your home or your health insurance because of the unfair denial, the insurer will not have to make you whole. Insurers are not liable for punitive damages or mental anguish. Therefore, they don't have much to lose in denying your claim.
2. You are not entitled to a jury trial as you might be in other insurance disputes.
3. If your LTD plan contains "discretionary language," a federal court will review the insurer's decision with deference and will only reverse it if the decision was arbitrary and capricious (read "preposterous"). Therefore, an insurer has little incentive to approve a claim if it can come up with even a weak reason to deny it.
4. In general, once the claimant is in federal court, the court will base its decision exclusively on the record that was before the insurer when it denied the claim. No new evidence is allowed (even where it might be helpful, and even where new, illuminating medical information has developed).
5. ERISA plan participants (musicians) can't rely on oral representations—even from HR or the insurer—about their benefit plans. Courts adhere strictly to the written language in plan documents.
6. The insurer doesn't have to defer to your doctor's opinion or even to the Social Security Administration's determination on inability to work.
7. The insurer *is* permitted to hire a conflicted doctor to review a claim and decide you are not disabled based on your medical records.
8. When you appeal a denial of your benefits, the insurer, the same entity that denied your claim and who has a stake in the outcome, will review it.
9. Although you should always hire an attorney to do your appeal to the insurer, it is expensive to do so, and you cannot recover the attorney fees for this pre-litigation legal work.

Below are some important LTD provisions that affect the amount of benefits, LTD eligibility, or duration of benefits:

Provisions Affecting the Amount of Benefits

Percentage of Income. Disability plans usually provide for income replacement up to a certain percentage of your pre-disability income. 60% of your monthly income is quite typical. But it is possible to get higher percentages for a higher premium. No one will provide 100% of your income because to do so would make it too attractive to be disabled.

Definition of Income. Insurance policies deal with income in different ways. Sometimes they use their own terms, such as *monthly earnings*, to describe the concept of income. Definitions vary by how much of your income they capture. It is important to know, for instance, whether EMG or overtime is included. Some policies are tricky and will calculate your income after pre-tax deductions for such things as 403(b) or cafeteria account money. This can drastically reduce your benefits, so beware.

Maximum Benefit. LTD benefits are usually expressed in a percentage up to a certain maximum. If the cap or maximum benefit amount is too low, overscale wages may not be captured at all. Because there is a great disparity in income among players in a given orchestra, it is important to think about how overscale players are being covered by LTD. 60% of base pay is not a good benefit for a player whose pre-disability income is double scale. The bargaining unit can certainly make the decision to advocate only for insurance for base pay, but it should only do so consciously.

Offsets and Deductible Sources. Although your policy promises to provide a certain percentage of your income as a benefit, this is somewhat misleading. The insurer will subtract from the benefit amount various other payments that you may receive

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LTD Insurance Basics

(continued from page 7)

during your disability. But you may be able to negotiate over the offsets allowed by your policy. Workers' compensation and Social Security Disability Insurance ("SSDI") benefits are typically deducted. Many claimants who have children are shocked to discover that the SSDI benefits that their children receive by virtue of the parent's disability are taken as an offset by the LTD insurer. This may be of dubious legality, and certainly is of dubious morality, but it is written into many policies. The policy may or may not contain offsets for tort recoveries (think income replacement from a car accident), severance pay, other income you earn while disabled (such as teaching income), retirement benefits and other group disability benefits.

Taxability. The taxability of your benefits depends on who pays the premiums and in what manner. There are two ways to avoid the tax on benefits. If the management pays the premium and treats the payments as income to you (you are taxed on the premium), the benefits are tax-free. If you pay the entire premium with post-tax dollars, the benefit will also be tax-free. Taxability has great impact, particularly for musicians who will be in a high tax bracket even when they are on LTD.

Cost of Living Adjustments. Benefits do not always come with a cost of living adjustment (COLA). However, COLA is huge advantage to the disabled person. Without it the disabled person is on a fixed income, and his standard of living is likely to go down with time. COLA is an expensive add-on but it may be worth the expense.

Provisions Affecting Eligibility or Duration of Benefits

Definitions of Disability. It is important to remember that LTD insurers do not pay benefits just because you have a serious diagnosis or because your doctor says you are disabled. Disability benefits will only be paid if you satisfy the plan's definition of disability. And different definitions have different legal meanings under ERISA case law. Some states have state-approved definitions of disability, and if the policy definition appears to slip below the state standard, the policy may not be approved for sale in that state.

For the most part, disability policies pay benefits based on a two-tiered definition of disability. You must be disabled from your *own occupation* for a period of time. After that, benefits will usually depend on satisfying a more stringent definition of disability—disability from *any occupation*.

There are a variety of definitions of own occupation disability, and some are more onerous than others. For instance, a definition that requires the musician to be disabled from *all the material duties* of his occupation can be harder to satisfy than one that requires the musician to be unable to perform *one or more material duties* of his occupation.

The federal courts have told insurers that they need to take the claimant's actual job into consideration when deciding own

occupation claims, but insurers don't always abide by this rule. It is best to enforce this rule through plan language rather than a trip to federal court. The Minnesota Orchestra's CBA wisely states that "[t]he insurance policy's definition of 'disability' shall relate to an inability to perform the Musician's regular job...." This clarifies that the *job* is the point of reference and not the *occupation* which is obviously a much broader concept. It is also wise to make sure that the employer portion of an application for LTD benefits correctly states your job and its duties.

The duration of the own occupation period is a crucial decision. It is more costly to have a longer "own occ" period, but it may be worth a great deal. Many claimants are denied benefits once a 24-month own occupation period has expired. Often, a medical condition has not been properly diagnosed within this two-year period. It is certainly difficult to find a new career within this period. Extending the own occupation period may be a wise use of available dollars.

Any occupation benefits are harder to get because they will not only depend on a medical determination but will also depend on a vocational determination. You can only collect any occupation benefits if you cannot perform any job for which you have transferable skills that would provide you with a gainful wage. Transferable skills will vary from musician to musician. Some have had other careers or jobs whereas others have never done anything other than play an instrument.

Where any occupation definitions are concerned, the gainfulness standard can be decisive. This standard commonly is expressed in terms of a percentage of your pre-disability income. If you can do jobs that will pay you this percentage, you are not disabled from any occupation. But too the definition of "gainfulness" is a secret kept by the insurer. I feel it is better to codify a gainfulness standard in the plan. A higher percentage will mean there are fewer jobs the insurer can invoke to deny benefits. In no case should the percentage be lower than 60% of your pre-disability wage. 85% is obviously better.

Limitations. By far the most dangerous terms in disability policies are the *self-reported symptoms* limitation, the *mental illness* limitation, the *objective medical evidence* standard, and limitations for musculoskeletal problems. All of these are used by insurers to limit the duration of or to deny claims that are valid but for which there is not specific diagnoses or no specific test to measure your discomfort. Where pain or fatigue is disabling, you are vulnerable if the LTD plan includes any of these features. This includes disabilities from very serious illnesses that can be chronic or even fatal. Try to eliminate these provisions. Often they are put into the LTD policy without the purchaser's knowledge. Your management may be appalled to discover them and may want to help eliminate the provisions.

Discretionary Language. There are many provisions in LTD plans that can affect your chances of receiving LTD benefits.

However, from the perspective of an ERISA attorney, the discretionary language referred to above is critical. It gives the insurer the discretion to decide your benefit claim—so much discretion that a federal court will rarely reverse the decision. It allows the court to affirm the insurer’s decision, even if it is wrong. For this reason, if you can, you should get rid of this language. If your plan doesn’t include it, keep it that way.

Discretionary language can take many forms, and many billable hours are expended arguing over whether given language actually gives the insurer discretion. However, typical discretionary language will read something like this:

The Insurer has full discretionary authority to determine eligibility and interpret the plan.

But beware that, depending on your jurisdiction, other language can pass as discretionary language even when it doesn’t mention discretion. Some state departments of insurance have tried to make discretionary language illegal. Theoretically, if the language is illegal to begin with, the insurer should not be able to charge more for removing or omitting it.

Special Advisory

You may be tempted to change carriers as part of the collective bargaining process if a new carrier is offering more favorable plan terms. However, it will be necessary to avoid the imposition of a new pre-existing-condition exclusion through plan language that guarantees “continuity of coverage.” In some states continuity of coverage is required by the insurance code, but make sure you know whether this is so in your state. Continuity of coverage could also be incorporated into the CBA.

CBA Provisions That Affect Disabled Musicians

Even where the disabled musician is receiving disability benefits, there are other provisions of a typical CBA that may affect the fate of the disabled musician. I often feel that these provisions are as critical as the LTD plan itself. At a minimum, the CBA should answer the following questions regarding the disabled musician:

1. For how long is the musician entitled to participate in the health plan at the employee rate when he becomes disabled?
2. For how long will the musician be retained as an employee if he becomes disabled?
3. Does “just cause” provide the management with a way to fire the disabled musician?
4. How will disability affect pension service credits?

5. Is the disabled musician covered by sick pay or STD for the period during which he has to wait to collect LTD?

What To Do If Denied Disability Benefits

First, if your claim is denied you should immediately request your claim file from the insurer before you appeal. It should contain lots of information about the insurer’s thought process in denying your claim. It is a serious mistake to appeal the denial without the benefit of the file.

Next, request all the applicable plan documents *in writing* from both your employer and the insurer. This includes the applicable summary plan description, the underlying formal plan including any amendments and modifications, other guidelines used to administer your claim, and any administrative services agreement. The plan administrator (whoever that is under your plan) should provide these, because it can incur ERISA penalties for not doing so within 30 days. Also, obtain your CBA, as it is an ERISA plan document.

Once you have set the above requests in motion (or even before your do), *hire an attorney specializing in ERISA!* Appealing your denial is a requirement before you bring a federal court action. Insurers are more skilled at denying than you are at appealing denials. To level the playing field somewhat, you will need an ERISA attorney who handles employee claims.

Remember that if the insurer has discretion, the appeal is your last, best chance to get benefits. Since no new evidence will be considered in court, the ERISA attorney will be able to advise you of how to build a record that will: a) be likely to convince the insurer to reverse the decision; and b) provide you with the best possible record if the decision is upheld and you have to go to court. ERISA attorneys turn away many truly disabled clients because the client has appealed himself, ruining the possibility of a successful lawsuit.

Not only should you get an ERISA attorney, but you should do so quickly. There are strict deadlines in ERISA plans that enforced very rigorously by the courts, especially against claimants.

Lastly, do not sign a separation agreement with your management without seeking legal advice from an attorney with knowledge of ERISA. Many employees inadvertently waive ERISA employee benefit rights in signing employment releases, and the courts can be very hard on employees who try to recover benefits that were arguably waived in a separation agreement.

Sally Mermelstein was a violinist in the Minnesota Orchestra for about 15 years. She resigned due to disability and is now an attorney in Minneapolis. Much of her practice is devoted to ERISA employee benefits.

Orchestra Newslets

Newslets are compiled with the help of ICSOM delegates and ICSOM Members at Large from sources that include direct submissions, member orchestra websites, and topical news items. The editor encourages input and submissions.

Oregon Symphony delegate Dolores Daigle reports that Elaine Calder has been appointed President of the Oregon Symphony Association. Calder actually arrived last season from Canada, where she was managing director of the Edmonton Symphony Orchestra. At that time, however, she was only able to work as a consultant because of immigration issues. OSO musicians are generally pleased with Calder's dynamic leadership and the changes she has made, and audiences already seem to be returning.

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The **North Carolina Symphony** was presented the City of Raleigh Medal of Arts, the city's highest arts award, in a ceremony on November 14 held at Fletcher Opera Theater. North Carolina Symphony harpist and past Medal winner Anita Burroughs-Price performed at the ceremony. The Medal of Arts program was established by the City of Raleigh Arts Commission in 1984 to honor extraordinary achievement of both individual artists and arts organizations.

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The Florida Orchestra recently faced an extended period of play and talk negotiations while they operated under the terms of an agreement that expired on August 31. Before the season opened, there were very contentious negotiations in which the board proposed severe cuts in weeks, wages, and orchestra size.

Orchestra committee chair Harold Van Schaik relates that, as the deadline loomed, TFO was visited by ICSOM's Dynamic Duo, Bruce Ridge and Brian Rood. Bruce and Brian met with TFO orchestra, board, and management leadership, were keynote speakers at a crucial orchestra meeting where the musicians of TFO unanimously passed a strike authorization motion, and later visited with musician leadership of the newly organized Orlando Philharmonic. Their visit to TFO was instrumental in solidifying committee resolve, raising orchestra awareness, and serving notice to the board that others outside west central Florida were aware of events.

A few weeks after the visit, TFO musicians were given a highly objectionable "last, best, and final" offer which, when presented to

the orchestra, received a nearly unanimous rejection. When the results of the vote were conveyed to board leadership, the result was an offer to play and talk—an offer *they* had rejected the prior week. After the musicians' rejection of the board's final offer, there was a notable change in the tenor of the dialog.

After continuing to play and talk while new (as of October 1) CEO Michael Pastreich settled in and began to acquaint himself with Tampa's resources and the orchestra's finances, both sides reached agreement on a three-year contract that is retroactive to September 1, 2007. TFO musicians ratified the contract on December 9.

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While widespread wild fires devastated much of San Diego County in late October, **San Diego Symphony** musicians were called together to rehearse for a scheduled Halloween-themed subscription series that included *Night on Bald Mountain* and *Symphonie Fantastique*. No one knew how many or which musicians would be able to perform when the decision to try to proceed with the concerts as scheduled and as programmed was made. The skies, dark from soot, were colored by an eerie, orange sun, and it was difficult if not dangerous to breathe the outside air. Mandatory evacuations were being announced constantly, many roads were closed, and countless homes, including those of musicians, were threatened.

A phone tree message asking musicians to come to the rehearsal if they were able also let them know that management had made the hall available to musicians and their families who were displaced. It was heartwarming when, at the first rehearsal, nearly everyone somehow appeared, including some who had already been evacuated from their homes. Television and radio news announced that all schools would remain closed, but that the symphony concerts would go on as scheduled. Although San Diego remained in a state of emergency, the orchestra performed the series of concerts without incident to large and appreciative audiences—a reminder to those in attendance and to musicians alike just how important an orchestra is to a community in times of crisis.

In the end, San Diego Symphony musicians and staff were all lucky to have escaped losing any of their own homes, though family and friends were not so fortunate. A few weeks later, the San Diego Symphony, joined by many community groups and civic leaders, presented a free concert event for the residents of Rancho Bernardo, one of the communities hardest hit by the firestorm. The concert, conducted by Music Director Jahja Ling, along with speeches and a tribute video accompanied by the orchestra, honored the many fire fighters, police officers, utility workers, and other neighbors and volunteers who helped in the time of need. The event was broadcast locally on television and radio.

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its riverwalk, shopping districts, and, yes, the beautiful home of the Jacksonville Symphony, the Times-Union Performing Arts Center. I have read reports that speak of a 36% growth in the economy there in just the past five years.

And yet, seemingly in defiance of the growth around them, the Jacksonville Symphony has not found leadership that could harvest the opportunities surrounding the streets of their concert hall.

No, instead, those charged to lead the orchestra have embraced the negative rhetoric that has been promulgated throughout the field, and now at this time of crisis they have uttered the absurd assertions that so many of us have heard across the table. It is impossible to believe that so many boards and so many managers stumble across the exact same words by accident.

Those who fail to lead their orchestras always recite the same lines of structural deficit and greedy musicians, as if they fall back on negativity as a last refuge. They must justify their failures in light of all the positive news that is being reported across the country. They must justify their inability to raise funds for an orchestra even though the nonprofit culture industry in America accounts for \$166 billion in economic activity every year.

Across America, cities are recognizing the positive financial impact the arts and their orchestras can have in their communities. Inspirational leaders are finding new donors and innovative ways for orchestras to serve their communities.



Photo by Patrice Evans

Jacksonville Symphony musicians have been out of work since they were locked out at midnight on November 12. An unfair labor practice charge has been filed with the National Labor Relations Board against the Jacksonville Symphony Association, which allegedly did not give the mandatory 60-day notice.

But, not in Jacksonville. No, in Jacksonville, the musicians are told they should just be happy with partial employment and a nearly 60% cut in their pension. In Jacksonville, they should allow their part-time musicians to suffer losses of as much as \$21,000. In Jacksonville, they should just accept the words of a board chair who declares this “not too onerous.” Is there any doubt that this statement will have a negative impact on fundraising for the orchestra in the years to come?

My mood is hard to describe as I write this. I have a sense of dejection, prompted by a little bit of “Googling” as I sought out new information on the situation. I stumbled across a page on the *Times-Union* website where readers can post anonymous comments to recent news events. Many of you have seen these pages, and as you know, the tone of debate can sink to a level that would make the even most ardent mudslinger cringe.

On this night, November 16, there are 22 postings already, some of them hate-filled attacks on musicians who don’t work “real jobs.” There are references to the “ethereal arts and croissants world of concert musicians.” There are ignorant statements that the symphony is a “second job” for all of the musicians.

It is the world we live in, I suppose, where discord seems more valued than debate. It would be easy to ignore the unrefined rhetoric of an anonymous blogger, but it is disheartening that it seems to have been inspired by the words of a respected member of the community, indeed a person who supposedly cares so much about having a professional orchestra in Jacksonville that he sought to become chairman of the board.

It is even more disheartening to hear the reports from our delegates stating that they have heard the very same words from their board leaders and their managers.

Our orchestras should inspire visionary leaders to speak words of aspiration for the citizens of their community, and not false words of contempt from anonymous bloggers.

George Orwell wrote: “In a time of universal deceit, telling the truth is a revolutionary act.”

Here is some truth: there are some excellent managers in our field, as well as some wonderful boards and board chairs who are dedicated servants of the community. Even with those leaders who are the very best, it is natural that we have some disagreements. The musicians of ICSOM embrace that, and we welcome positive debate.

But when we hear a board chair mock the work week of a symphonic musician, we are not talking about well-meaning disagreements. We are talking about an attempt to justify a failure of leadership.

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I am always fascinated by board members. Most of them are extraordinary citizens and successful business people who would not tolerate failure of leadership in any division of the companies they run. But when it comes to symphonies, they seem all too ready to accept excuses for underperformance. This simply defies all logic to me.

As the crisis has unfolded this week, it has been uplifting to watch our musicians and friends respond with positive messages of support. Our communities will hear the positive message of ICSOM, and our colleagues in Jacksonville will prevail.

But on this sleepless night, Mr. Van Vleck's words echo in my head—a literal echo, as we have heard them before. Let us resolve to challenge them until we never have to hear them again.

“I respect our musicians, but there's something about a 37-week year and 20 hours a week that doesn't seem too onerous to me.”

Surely, Mr. Van Vleck was misquoted. Nobody who respects musicians would utter such mindless palaver. I hope to have the opportunity to meet with him so he can tell me what he really meant to say.