

Senza Sordino

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ICSOM AND THE UTAH SYMPHONY

The Utah Symphony joined ICSOM in 1979, the last major orchestra to do so. Our fellow ICSOM orchestras might be interested in knowing how ICSOM membership has changed the Utah Symphony during these last four years.

Maurice Abravanel was director of the Utah Symphony for 32 years. Abravanel had dreamed of building a community orchestra into a major symphony orchestra with a 52-week season. He not only conducted the orchestra, he almost single-handedly ran the entire operation. Before his retirement in 1979, there were virtually no negotiations for a collective bargaining agreement.

Abravanel's retirement left a large void in the organization. Board, management, and musicians jockeyed for power. The musicians were at a disadvantage: Many believed, as they always been told, that the geographically isolated orchestra was unique, that they were lucky to have a major symphony in Utah. In 1979, however, a few courageous musicians brought up the idea of joining ICSOM, hoping this would make the orchestra aware of what was happening in the professional world. Most musicians in the orchestra knew nothing about ICSOM. Some were afraid that management would be angry if the orchestra joined.

Nonetheless, the musicians voted to join, and they suddenly had a source of vast information at their disposal. The orchestra committee collected master agreements of other orchestras, ICSOM bulletins, issues of *Senza Sordino*, and AFM wage charts. Many hours were spent on the phone with ICSOM legal counsel and representatives of other ICSOM orchestras.

Two years ago, the orchestra committee, supported by the local union, hired a lawyer to help negotiate contracts. This was done at the advice of other ICSOM orchestras which had found it beneficial to supplement ICSOM legal advice with local counsel. This move enabled us to set up conference calls between Salt Lake and New York law offices and the orchestra committee.

The orchestra gained pride and confidence through its accomplishments. This really became apparent halfway through last season, when negotiations weren't going well. Instead of panicking and backing down from their position, the musicians stood firm and prepared financially and emotionally for a work stoppage. Negotiations ended the last week of August, when the orchestra's executive vice-president and chief negotiator left town. The musicians met on August 31 and overwhelmingly rejected management's final proposal. The negotiating committee called the president of the board of directors to see if he would meet with the committee for a last-ditch bargaining session. He could not come and would not send anyone else, leaving the musicians with no choice but to strike. The strike, the first in the orchestra's history, lasted less than a week and was followed by the agreement on a three-year contract. In addition to the material gains achieved in the new contract, the orchestra found a new dignity and self-respect which was evident musically in the opening subscription concert.

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TRIPARTITE ENDS IN SEATTLE

With the recent signing of separate contracts with the Seattle Symphony, Seattle Opera, and Pacific Northwest Ballet, Seattle Symphony musicians have once again shown their resolve not only to survive but to continue to progress artistically and to work toward a 52-week season. Negotiations for these contracts centered around the complexities of breaking up Seattle's unique tripartite agreement which began in 1973.

The tripartite agreement, the beginning of full-time employment for Seattle Symphony musicians, was heralded by Symphony, Opera, and Ballet as an opportunity to grow and prosper. Growth did occur, particularly for the ballet, and the guaranteed number of weeks provided by the three employers grew from 40 to 44. The opposite of prosperity happened for the symphony. Years of deficits culminated in crisis in 1982. The symphony board appointed a task force to find a solution to the problems of a \$1 million deficit and an immediate need for \$.5 million for payroll and ongoing expenses.

Thanks to Phil Sipser's and Len Liebowitz's timely lessons on renegotiation of contracts at the 1982 ICSOM conference, the musicians knew how to proceed when the task force asked them for contract waivers of \$289,000. Fortunately, the new union lawyer, Herman Wacker, who later served as our chief negotiator, was willing to handle this situation. After two months of anxiety during which we worked on a plan for reciprocal bargaining, the crisis ended when Symphony lawyers found they could use interest from endowment bonds. Some of our proposals during these talks later became part of the 1983-84 Symphony contract: the revised audition procedure, the conductor selection clause, and more limited use of Thursday, our day off.

The 1982-83 season was further marked by a change in general managers and the tragic death of Music Director Rainer Miedel. The new symphony manager, Mark Walker, solicited the players' ideas on the selection of an acting music director. Gerard Schwarz, the choice of both musicians and management, has accepted the position of music advisor through the 1984-85 season.

In April, 1983, efforts were directed to starting negotiations for the 1983-84 season. The three managements' initial proposals as separate employers were depressing. From a 44-week guarantee with a minimum weekly salary of \$440, the Symphony offered a per service contract with a reduction of 6 weeks of previously guaranteed services; Opera and Ballet offered no guarantees.

The Symphony and Opera managements were finally convinced on August 31, the night before the new season, that a system based upon each employer's *pro rata* share of the previous season could be guaranteed in the separate contracts, and, through coordination of the contracts, scheduling, vacation, and other shared aspects could be worked out. The musicians went to work on September 1, 1983, for Symphony and Opera under guarantees quite similar to the previous tripartite agreement; contract language was finally worked out 3½ months later.

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UTAH SYMPHONY (Continued from Page 1)

The strength and support of ICSOM during the last four years helped the Utah Symphony musicians stand up and unite for the contract they rightly deserve. For an orchestra that until a few years ago had never negotiated a contract, we certainly have come a long way.

There were other positive results of the strike:

- The board of directors finally became aware of the lack of communication between them and the musicians; two musicians are now voting members of the board.
- Regular meetings are now held between the executive vice-president and the orchestra committee to encourage communication and solve problems jointly.
- The executive vice-president meets periodically with the entire orchestra to keep musicians abreast of the financial status and future plans of the organization.

The Utah Symphony still has a long way to go, but through increased communication the board, management, and musicians will be better able to understand each other's needs and to work together to achieve common goals.

In many ways, ICSOM has played an important part in helping the Utah Symphony reach new professional heights.

Lisa Allyn
Utah Symphony Orchestra
ICSOM Representative

TEMPEST IN A PURSE?

Whether they be merely fashionable accessories to hold a bottle of perfume and a lace hankie, or functional receptacles to house extra strings or reed knives, purses are a necessity for most women musicians. They usually contain essentials with which we conduct our daily lives: money (real and plastic), identification, glasses, car keys, and other important items.

How would you react if told only minutes before an out-of-town concert that the sponsor wanted all purses and cases removed from the stage before the concert could begin? Suppose there was no time to determine whether security for valuables would be adequate, no way to arrange to have on stage the items needed for performance?

Florida Symphony Orchestra musicians were recently faced with such a mandate from its own management: No purses on stage. For one person suffering from a cold, it meant having no place except the floor to keep a pile of tissues. For her and two others who did not hear or could not comply with the request in time, it resulted in suspension from a rehearsal without pay.

Following a strongly worded letter of protest from the players' committee and a meeting with management, it was agreed that in future concerts small woodwind cases would be permitted on stage as would purses that were "small, discreet, and black." Musicians were to submit for management approval their specifications defining "small."

In a surreal orchestra meeting, the issue of purse size was debated. Such questions as to whether purses should be placed on the floor next to or beneath the chair were discussed in exhaustive detail by both men and women. Satisfactory agreements were finally reached.

Secure storage of valuables has often been a problem for orchestras at home and on the road. The alternative, a cluttered stage, can detract from a performance. In our case, a little reason from both sides kept a purse-sized issue from becoming one which even a foot locker wouldn't hold.

Rosalind Beck
Florida Symphony Orchestra

OAKLAND MODIFIES CORE ORCHESTRA CONCEPT

To provide additional work for musicians making most of their income from the Oakland Symphony during the 1980-83 master agreement, musicians and management agreed to the concept of a core orchestra. The core group, comprising forty musicians selected by the musicians themselves, would play extra services provided by the management.

The main problem was that many more than forty musicians needed and wanted work from the Association. Who was to constitute the core group? Many people felt that holding auditions would be detrimental to those who did not pass; those selected would be an elitist group to those rejected. The only way to make the core orchestra concept work was to have the extra jobs rotated fairly among the musicians.

When the players' committee introduced the idea of rotating core orchestra work among the full orchestra, the general manager and the music director rejected it outright. It took a while for the idea to sink in, and as the issue evolved so did a formula for equalizing the amount of work for the non-principal players in each section. We asserted that every musician in the orchestra could perform capably in any reduced orchestra service; if management didn't agree, why were these unqualified musicians allowed to play in the full orchestra? Management finally agreed. As the rotation of core orchestra work developed, we observed benefits for both sides.

The concept was carried into our master contract ratified in December, 1983. Core orchestra services are now called individual player services. The provision allows the Association to produce ballet orchestra work, educational concerts with chamber orchestra, festival performances, and other events using from no fewer than 13 musicians up to 80 players. Point values are assigned for each event. If a musician is offered a reduced orchestra job and cannot accept it, the next person with the lowest number of points is offered the job. The Association gets credit for providing work, and an orchestra member who is unable to accept the extra work doesn't have to fear being expelled from the orchestra. All records and rosters are kept by the personnel manager, and tabulations are posted periodically on the orchestra bulletin board.

Management was initially concerned about producing an event for which many members would not be able to accept work. The situation never occurred because only a few of our players now hold regular outside jobs. The rest make most of their income from the symphony and are glad to get the extra work.

The player-services concept has helped us enormously through our new growth period. During our new two-year agreement, the orchestra will move to daytime rehearsals. With this new concept the orchestra will be getting out into the community more and enhancing the arts in Oakland.

Oakland Symphony Players' Committee

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Tom Hall, *Editor*—Mailing Address: 2800 Lake Shore Dr. #4001
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NEGOTIATION UPDATE

Musicians of the **New Jersey Symphony Orchestra** have recently ratified a new three-year contract beginning October 1, 1983. Wages increase from \$500 per week to \$517-550-590, payable as \$73.86-78.58-84.29 per service with a minimum of 125 services guaranteed per year. Pension increases from 5% of minimum wage to 7% in the second year; musicians will donate three services per year for pension fund-raising.

Oakland Symphony Orchestra musicians ratified final wording of their two-year contract by a vote of 62-2 on December 14, 1983. In the first year, 107 full orchestra services are guaranteed and 1,908 additional player-services are to be divided equitably among 86 musicians; at \$60 per service, average minimum salary will be \$7,752. In the second year, 148 full orchestra services and 1,136 additional player-services paying \$62.50 per service will bring average minimum salary to \$10,075. [An article about Oakland's player-services concept appears elsewhere in this issue.]

In the second year, management payment for medical coverage will increase from 50% to 100%. Improvements were made regarding lighting, temperature and weather standards, retirement benefits, and audition procedures. Artistic advisory and joint orchestra-board-management committees are new. The OSO is celebrating its 50th anniversary season.

With ratification of a contract with the Seattle Opera on January 20, 1984, the musicians of the **Seattle Symphony Orchestra** completed negotiations with their three employers. Three separate but coordinated two-year contracts replace the former tripartite agreement. Season length remains at 44 weeks. Wages increase in half-year increments from \$435 plus \$5 EMG to \$435-455-485-515, all plus \$5 EMG. The Seattle Symphony provides 77% of wages, Seattle Opera 13%, Seattle Ballet 10%.

New in the contract is a screening committee of musicians who will participate in interviewing candidates for the music director post.

[A report on the Seattle negotiations appears elsewhere in this issue.]

ICSOM LEGAL COUNSEL REVIEWS 1983 SETTLEMENTS, NOTES SIGNIFICANT TRENDS

We asked attorneys I. Philip Sipser and Leonard Leibowitz for their perspectives on the many contract negotiations and settlements achieved by ICSOM orchestras during 1983. Here is their response.

In reviewing the detailed bulletins prepared by ICSOM Secretary Nancy Griffin and distributed to member orchestras immediately after settlements, and in reading the summaries contained in the last two issues of *Senza Sordino*, we note some positive directions and one we think is not so positive.

Following an early settlement by the Denver Symphony Orchestra, the Metropolitan Opera Orchestra reached agreement on its 1984-1987 contract nine months before the expiration of the current one. Both these settlements followed long and bitter lockouts in previous negotiations. Obviously, both sides in these two orchestras were anxious to avoid another confrontation and were willing to give up the leverage of eleventh-hour crisis bargaining to do so. If meaningful early settlement is to be achieved, both sides must be willing to take some risks.

Included in the Met's early agreement were extraordinary improvements in the pension plan. Musicians retiring at age 60 with 30 years of service will receive a pension of not less than

50% of salary, a figure that may grow to 60% with increased service. Senior musicians retiring during the new agreement could receive up to 70% of salary, or as much as \$36,000. By 1986-87, normal retirement pension will be \$23,000 to \$25,000. These figures virtually double the previous figures, a dramatic leap forward.

Increases in pension benefits for the Cleveland Orchestra from \$10,000 to \$16,000, for the Boston Symphony from \$14,000 to \$17,750, for the Cincinnati Symphony from \$9,000 to \$14,000, and for the Dallas Symphony from \$9,600 to \$13,200 are less dramatic but still indicate significant progress toward retirement with dignity. Of special note is Cincinnati's negotiation of a pension increase for musicians already retired.

Two more orchestras joined the growing list of those whose musicians receive direct payment for non-commercial radio taping. The Boston Symphony and Cleveland Orchestra will now be receiving weekly payments for work which used to be compensated by small contributions to their pension plans. When musicians had to contribute to their own pension plans, radio taping provided a convenient way to make such payments without having money deducted from salary. Now that virtually all major orchestra plans are fully funded by the employers, tape payments to pension plans have become musician contributions to management.

As part of their strike settlement, Atlanta Symphony musicians agreed to help increase their third-year wages by engaging in fund-raising activities over and above the normal services required by contract. The amount raised will be paid directly to the players as additional salary. This scheme goes beyond an earlier and similar Baltimore Symphony settlement which does not require musicians to perform extra services or engage in fund-raising activities.

The problems with such a contingency arrangement are many:

- There is no way to ensure that all orchestra members will participate in the outside activity.
- The portion of salary paid from this separately funded source is an artificial figure; management is not truly paying fair wages for the services of the musicians.
- At the next negotiations management will surely use the wage scale which *they* agreed upon as a starting point for wage increases rather than use the higher figure funded by the players.
- Management will cite the precedent and ask the orchestra to do it again.
- Other orchestras will be faced with such proposals, with the Atlanta and Baltimore settlements cited as precedents.

In our judgment, this "quick fix" plan is not the way to resolve long-term bargaining problems.

*I. Philip Sipser
Leonard Leibowitz
ICSOM Legal Counsel*

ERRATA

The wage chart in the February issue should read as follows:
Honolulu Symphony weekly minimum wage is \$370.80; annual guaranteed salary is \$14,090.

New Orleans Philharmonic weekly minimum wage is \$512; annual guaranteed salary is \$19,456.

The summary of the New Orleans settlement should have stated that salaries for unfilled positions were divided among remaining players for the first 13 weeks of the season. Management need only contract 79 full-time players this season; 82 must be engaged next season.

SEATTLE SYMPHONY (Continued from Page 1)

Ballet, however, wanted to be completely independent. After 7 months of surface bargaining they filed a charge with the NLRB asserting that we were not their employees and that any economic action that we might take would be illegal. The musicians did strike the one week of Ballet performances in October, and when the NLRB did not substantiate Ballet's charge, a contract was negotiated and ratified in time for 26 Nutcracker performances.

Symphony and Opera contracts were finally ratified in January, 1984. The particulars appear in the January 24th ICSOM Bulletin. [Notable provisions are summarized elsewhere in this issue of *Senza Sordino*.] Sights are now on the 1985-86 season with renewed determination to gain a 52-week season.

Marilyn Garner
Seattle Symphony Orchestra
ICSOM Representative

THE WORLD'S GREATEST LOCKER?

It all began as a joke.

Richard Ferrin, a violist with the Chicago Symphony Orchestra, decided to line his Orchestra Hall locker with oak paneling. What ensued went beyond his wildest dreams. His colleagues, with their vivid imaginations, began making suggestions for further aesthetic improvements, and in each case Richard tried to accede to their requests. With lots of help, he built book shelves made of cedar wood, then a teakwood parquet floor. After a long search, he located a miniature brass lighting fixture with two candle bulbs, each supported by a small replica of a French horn complete with a tiny mouthpiece. The drilling and wiring necessary to install the fixture was accomplished with the compliments of the CSO stage crew. A fellow violist contributed a miniature oriental rug purchased during the orchestra's 1981 European tour, and Richard started moving in his memorabilia.

First came the books! Over the years Richard has collected a number of old medical books. Upon entering college, he intended to become a physician, but "the violin won out." His most prized medical volume was printed in London in the early eighteenth century and is in verse. Another book, *Diseases of the Nervous System*, draws the most chuckles from his colleagues. Richard has started collecting first editions which he hopes will ultimately include works by George Bernard Shaw, Rudyard Kipling, Sir Arthur Conan Doyle, Evelyn Waugh, James Joyce, and Charles Dickens. An avowed Anglophile who often jokingly speaks with a trace of an Oxford accent, Richard has become known by some typically British nicknames: Reggie, Max, Winston, even Sir Reginald. Reggie hopes to live in London someday with his wife—if he ever retires.

Encouraged to start an art collection for the locker, Richard has responded by exhibiting at various times a small work by Dali, a Miro which he brought back from Spain in 1974, and a Tobiasse, a memento of a trip to Israel in 1981. He has commissioned his wife, Lieselotte, for a small oil painting to accompany a watercolor which his mother painted in 1920 and a pencil portrait drawing by well-known Chicago artist Judith Roth.

His locker photograph album contains, besides pictures of his wife and children, photos of Richard with David Oistrakh at the Edinburgh Festival, with Nathan Milstein in Seattle, with Jascha Heifetz at his home in Beverly Hills, and with Maestro Seiji Ozawa at a sushi restaurant in Tokyo in 1977. In one photo he poses as Santa Claus with CSO Music Director Sir Georg Solti at an orchestra Christmas party! Richard has an autographed picture of Dmitri Shostakovich given him by the composer during a tour of the Soviet Union in 1962. The album

also contains an invitation from the Finnish government to attend the state funeral of Jean Sibelius in Helsinki in 1957. Among his most treasured possessions are photos taken with CSO colleagues at after-concert parties on tour. A very special item is a five-pound note he won from a colleague who bet him he couldn't find a girl at a London discotheque who would join him for one dance.

Stereo? Of course! A high-quality cassette deck fits perfectly in the locker, its sound immeasurably improved by the oak paneling. As a public service to the orchestra, Richard plays taped performances by Heifetz, Primrose, Milstein, Oistrakh, Szigeti, Kreisler, and Richard Ferrin.

The *piece de resistance* in his fabulous locker is a beautiful French crystal decanter with six glasses, presented to Richard anonymously by "friends of the arts." An avid tennis player, Richard promptly filled it with Gatorade.

[Editor's note: Thanks to Richard Ferrin for his help in preparing this article for *Senza Sordino*. Are there any competitors? We doubt anyone can top this, but we welcome news of other efforts and articles of similar import.]



Richard Ferrin displays a rare volume from his locker library.

NEW CONDUCTOR EVALUATION FORMS

New conductor evaluation forms with fewer questions and improved readability will soon be available to ICSOM orchestras. Orchestra members are urged to review the forms carefully and to use them regularly. An article on conductor evaluation will appear in a future issue of *Senza Sordino*.