



settlement Bulletin

INTERNATIONAL CONFERENCE OF SYMPHONY AND OPERA MUSICIANS

TO: ALL ICSOM ORCHESTRAS
FROM: DAVID ANGUS, PRESIDENT
RE: **PHILADELPHIA ORCHESTRA SETTLEMENT**
DATE: October 29, 1997

On November 19, 1996, the musicians of The Philadelphia Orchestra ratified a three-year contract.

WAGES: 1996-97 \$1500/wk [was \$1430/1460]
1997-98 \$1550
1998-99 \$1610 (53 week season)

SENIORITY BONUS: [Was: 5-9, \$30; 10-14, \$55; 15-19, \$75; 20-25, \$90; 25+, \$110]
No increase 1st year, \$5 in all categories each of 2nd and 3rd years.
2nd year: 5-9 years of service, \$35; 10-14, \$60; 15-19, \$80; 20-24, \$95;
25+,\$115.
3rd year: 5-9, \$40; 10-14, \$65; 15-19, \$85; 20-24, \$100; 25+,\$120.

MEDIA: [NEW] Business entity for media with 50% board, 50% musician governance to guide media activity, to promote the orchestra in media outlets, and to generate and distribute profits from media activities. Association provides unspecified startup funds for the entity. Entity empowered with negotiating payments, consistent with AFM and other applicable agreements. "Preferred distribution" of profits: \$2000 1st year, \$4000 2nd year, \$6000 3rd year, but not guaranteed (only if profit exists). All additional profits split 50/50 (Musician/Association). All payments applied against preferred distribution. Distribution can carry over into next year of contract if not met. Distribution may apply against previous year's distribution, but not carried forward to the following year.
NEW: Audiovisual in Philadelphia public schools for free. \$10 for any local broadcast [was: only for fund-raisers].

HEALTH INSURANCE: Co-pay for indemnity plan. 1st year: individual \$5/week, family \$10/week [was: 0/0]. 2nd year: \$10/20. 3rd year: \$20/40. If 50% of currently enrolled members [currently approximately 75 members] leave plan by the 3rd year, co-pay shall remain at \$10/20 that year. Outpatient psychiatric care added to Personal Choice plan [was: Indemnity only]. **NEW:** Personal Choice vision care plan added 1/1/97. **NEW:** Domestic Partners added to health plan. Retirees subject to co-pays established in this contract or Personal Choice type options within Medicare guidelines without additional contributions being made [was: co-pays based on age to keep indemnity premiums under certain amounts] Disability pay: 60% of salary, up to limit of \$4500 [was \$4000].

Philadelphia Orchestra

PENSION:

[Was: \$1250/year, max. \$37,500; \$5,000 annuity for 31 years, total max \$42,500.] \$1450 per year up to 30 years for annual maximum of \$43,500. \$2500 annuity for 30 years of service for total maximum annual pension of \$46,000. Retirees in third year will retroactively receive pension negotiated for 1999. 3 free pension rehearsals and concerts starting 2nd year [was 2]. **NEW:** Catastrophic inflation protection for retirees after September 16, 1996, for up to 2% increase in pension if inflation in one year is over 6%.

OFF TIME AND SABBATICALS:

3 of the 4 personal days may be during symphony season, 2 could be during summer. [was: 2 symphony season, 2 Mann Music Center, 2 Saratoga String Relief Days]. Saratoga relief days added for second winds and brass, reduced to one day in '98 and '99 summer seasons. Sabbatical pay raised to 60% [was: 50%] for 6 month sabbaticals. No other sabbatical options.

TRAVEL:

Run-outs: 3 run-out concerts/summer, not more than 1/week.. Day after a run-out, only one service at least four times a year. Only 3 run-out rehearsals/year may exceed 1 hr. in length. Travel and two services (run-outs) 10 times/year (was 12). On tours, no more than 3 consecutive 'one-night stands' in 2nd year. Side letter about 1st year (May 1997 tour) linking them to 'pre-concert rehearsals'. **NEW:** Voting on tours 12 months in advance. In case of disagreement, 3 orchestra, 3 board shall decide by majority if withholding of approval was "unreasonable". If unable to reach conclusion, arbitrator to decide if vote against tour is "unreasonable". Per Diem: Saratoga, frozen 1st year [was: \$130], \$135 2nd and 3rd years. Tokyo per diem linked to Osaka, or \$10 above 107% of State Department figures, whichever is lower.

MISCELLANEOUS:

[**NEW:**] Starting in 1997-98 season, 8 weeks will be 7-service weeks, at least 3 in summer season (more services possible at extra rate). No more than eleven services per week, extra or otherwise [was: 12/week]. Good Friday/Passover limitations. No service ending after 4:00 before Thanksgiving, no service before 3:00 p.m. on the day after Thanksgiving. Language restricting public appearances as a performer during weeks off deleted. **NEW:** 76 degree clause for summer concerts with jackets [was: Members' Committee]. Opening nights and Audiovisual services outdoors Personnel Manager decides dress code with approval of committee. All 5 members of Artistic Advisory Committee now elected [was: Concertmaster + 4 elected]. **NEW:** 1 extra free rehearsal and concert in 2nd year for operations. 2 free in 3rd year unless ticket sales above 255,000 for that season. This is in addition to the 3 free pension rehearsals and concerts. 96-97: 2 free (pension only); 97-98: 4 free (3 pension, 1 operations); 98-99: 4 or 5 free (3 pension, 1 or 2 operations). **NEW:** Rehearsals: Option to change 2-1/2 hr. rehearsal to 90 minutes without intermission, 2 hr. rehearsal to 75 minutes without intermission. No possibility of overtime in this case. One 3-hr. rehearsal, intermission of 25 minutes, beginning not more than 90 minutes into the rehearsal, may replace 2 regular rehearsals on a single day, ending not later than 4:00 p.m. Grievance procedure may commence up to 6

Philadelphia Orchestra

months after occurrence of problem [was: 4 months]. Instrument insurance: \$550,000 [was: \$500,000], one string instrument and two bows or \$100,000 for any instruments used regularly in the orchestra. **NEW:** Fines: Personnel Manager administers for lateness - 1st, verbal warning; 2nd, written warning; 3rd, \$10; thereafter, \$25 each. [Was: up to half of that service pay with approval of committee] Auditions: **NEW:** Procedure added to keep the impartiality, as well as the appearance of impartiality, on audition committees in relation to personal, professional, or other relationships. "Move-up" auditions for principal positions (2nd chair playing in the 1st chair in lieu of an audition) deleted. **NEW:** 1st violin vacancies filled by national audition if no one selected from second violin section. **NEW:** 2 musicians on board (not on executive committee) with 3 year terms. Orchestra nominates 3 musicians, board selects 2 of the 3. This has no effect on musicians currently consulting on board committees (Communications, Artistic, Education committees of the Board, etc.) **NEW:** "Millennium Task Force" formed, consisting of 3 board, 3 orchestra, 3 "independent stakeholders" appointed by the mayor. Task force will evaluate all aspects of the management, business functions, and operations of the Association. Will appoint a media committee, with representatives from orchestra, board, and management as well as other individuals to create the new media company. The Task Force will submit a comprehensive report with recommendations for improvements to the Executive Committee of the Board. The report shall be completed in 6 months. Outside consultants for management, media, and a consultant to develop a greater level of trust and cooperation between Board, management, staff, and musicians. N.B. The Board and Management contend the charter establishing the Task Force is not a part of the contract, but the task force is currently proceeding as outlined.

The members of the Philadelphia Orchestra negotiating committee were, Jonathan Beiler and Larry Grika [co-chairs], Ohad Bar-David, Albert Filosa, and Herbert Light; the Members' Committee which ran the strike: David Fay [Chair], Neil Courtney, Philip Kates, Don Liuzzi, and Kathryn Picht Read. The members of the orchestra wish to thank their negotiating attorney, Stuart Davidson. Thanks also to President Joseph Parente of the Philadelphia Musical Society, Local 77, AFM. The members of The Philadelphia Orchestra wish to extend a special thanks to the following ICSOM orchestras for their generous contributions, both of the financial and of the playing type during the strike: Atlanta Symphony Orchestra, Baltimore Symphony Orchestra, Boston Symphony Orchestra, Chicago Symphony Orchestra, Detroit Symphony Orchestra, Los Angeles Philharmonic Orchestra, Minnesota Orchestra, New York Philharmonic Orchestra, Pittsburgh Symphony Orchestra, San Francisco Symphony Orchestra, and Saint Louis Symphony Orchestra. In addition, we were encouraged by many kind letters of support from ICSOM orchestras.

--

This bulletin was prepared by Philadelphia Orchestra ICSOM Delegate John Koen.

Philadelphia Orchestra