

**2007 ICSOM Midwinter
Chicago Marriott**

AGENDA

Health Care Database and Florence Nelson's participation (Sunday evening)

Player Conferences' Council (PCC) Report

Pension Fund issues

ASOL (including the Collaborative Data Project)

Major Managers' Joint Committee

ICSOM Electronic Media Committee

Laura Brownell (topics discussed with Ms. Brownell included – wage charts, New World Symphony, Local officers education, FIM, ASOL and the NPR agreement)

2007 ICSOM Conference Planning – Theme “Breaking the 4th Wall” and suggested topics

Committee discussion – Legislative, Nominating, Electronic Media

Convention Resolutions – ICSOM submissions and those resolutions we will sign onto from ROPA, OCSM and RMA

Sunday, January 29, 2007

Bruce Ridge, Brian Rood, Laura Ross, Michael Moore, Richard Levine, Paul Gunter, Steve Lester, James Nickel, Meredith Snow, Len Leibowitz; Florence Nelson, guest

Topics touched on during the evening session included the National Public Radio Agreement, publishing of the Wage Charts by the AFM, outstanding recording issues with the Boston Symphony, a proposal to make Bruce the Secretary of the PCC, and RMA issues that have not been resolved. There was discussion about speaking to our musicians and teaching them to be their own advocates; about the negative rhetoric that still permeates our industry; that many orchestras seem to be depending upon others to put out positive messages, and that everyone can't be saved. Bruce spoke about his observations about the leadership of ASOL. Bruce reported that the Comparative Data Process (CDP) was shut down for a few months due to financial issues but it is now on track again.

Florence Nelson joined the meeting to talk about assisting ICSOM in designing and assembling a more comprehensive healthcare database. She spoke about her past experience working with healthcare issues, suggested possible funding options, and other people she might look to for assistance. She also suggested a possible timeline from notification to information submission, proofing and presentation. She suggested a letter to delegates from their MALs be sent mid-February telling the membership that they asked for this information so we're going to collect it for their use. The information will be communicated a bit at a time with Florence collecting the information. April 1 would be the beginning of information gathering with proofing to begin in early May. By August, at the conference, we'd like to have something to show the delegates, perhaps with a PowerPoint presentation. We have already spoken about the possibility of having a healthcare speaker at the conference. It was suggested that Minnesota and St. Paul could recommend one of their insurance brokers to talk about issues this summer. When discussing expenses, Florence has asked for \$15 per hour up to a cap of \$2,000, about 133 hours.

Monday, January 30, 2007

Bruce Ridge, Brian Rood, Laura Ross, Michael Moore, Richard Levine, Paul Gunter, Steve Lester, James Nickel, Meredith Snow, Len Leibowitz; Laura Brownell, guest

Florence Nelson – MSC [Brian/Richard] to approve Florence’s payment of \$15 per hour for up to \$2000 in assembling the health care database.

PCC meeting report - Bruce began with discussions about PCC meeting comments regarding ICSOM’s 2 convention resolutions. Concerns regarded changing the “whereas” sections in both resolutions. (See final version on page 5.) Laura suggested we consider approaching the IEB to make Resolution #1 an IEB Recommendation.

Bruce discussed a PCC proposal to appoint a PCC Secretary and Bruce was asked to serve. The Board discussed the possible reasons for this and believes that, if the problem was some conferences receiving information that others were not, this was not the solution. The better solution was to keep the lines of communication open regarding correspondence and if an issue arose, the rest of the PCC could take up the issue on behalf of that member. Bruce will communicate our views to the PCC, stating that the PCC should function as it was set up and each conference should take care of its own correspondence.

Pension fund issues – There is a Local 802 watchdog proposal because members believe they have been stonewalled by the AFM-EPF. There was discussion about how much we need to be involved in this issue and there was also a suggestion that we invite someone to the conference to discuss The Fund. Len suggested Bill Moriarity as someone who could give a concise explanation of how things work. Maureen Kilkelly is The Fund administrator and she should be there to answer questions. Laura suggested a panel discussion since many trustees attend the ICSOM conference.

ASOL: collaborative data project (CDP) – Bruce explained that a review of latest CDP document was requested. Henry Peyrebrune, ICSOM’s other committee member, suggested the former ICSOM Finance Committee review the document. Concerns were raised about how information on the chart or definitions might be used. There were questions about the secrecy imposed on this project, union verification and Ron Bauers role in the process. There should be a union CPA to evaluate the document. The Finance Committee will evaluate the data and will report to the governing board.

Managers Liaison Committee – Bruce will be speaking with Anne Parsons (Detroit Symphony) next week about a meeting. The **Touring Code of Ethics** would most likely be the first project to discuss. This is something we will need to continue dealing with as orchestras try to survive. Brian spoke about a timeline he had devised that would bring in more orchestra participation and a possible breakout session at the conference.

Michael asked what orchestras traveling to South Florida should do? Newspaper interviews and issuance of statements that, while the traveling orchestra is pleased to be in the area, the community needs to support and reinvestment in a full-time local orchestra. Henry Peyrebrune told Brian the Cleveland orchestra committee was planning to meet with some Local 655 officers during their January residency. Brian, Paul, Laura and Len will serve on the sub-committee along with other appointed members.

MSC [Meredith/Paul] to adopt Brian’s timeline.

ICSOM Electronic Media Committee – Steve briefly reviewed the history of previous committee activities. The current committee does not have unanimity on certain issues and they are concerned that they are not always getting input from the field. Additionally, orchestras have gone off on their own to craft their own deals. It is difficult to deal with some of these issues because of all the side deals and the AFM’s ability and/or desire to insist on compliance. If they can’t or don’t enforce agreements, it makes it appear there is a double standard. Is the attitude of our industry to have local rates instead of national rates? How do we proceed in the future? This bears further discussion.

Laura Brownell joined the discussion. She spoke of her vision about what SSD should be – negotiation services is the most central service provided (for about 30 or more orchestras a year); wage chart compilation;

contract administration both in negotiating and to support locals; and mediating disputes and advising the IEB were a few items she touched on.

Wage charts – Steve Gelfand, the newest SSD employee, has taken over the charts. 11 ICSOM orchestras have still not provided financial information. It was pointed out that since we now require audited information there may be a delay since some is not available until February. There was a discussion about the merits of retaining the printed wage charts. Arguments in favor included that AFM bylaws and the *International Musician* continue to be printed and the AFM offers few tangible services to some of our members aside from the Wage Charts. Laura B. assured the Board that the charts would be printed.

New World Symphony – Laura B. had a conference call with the local, and a one-hour meeting with the musicians last Monday. She said the Monday meeting went well especially since a member of The Cleveland Orchestra was there to relate personal stories. A meeting is scheduled on March 1 in NYC to meet and talk about the fence agreement when the orchestra is playing in Carnegie Hall. She has been told that the orchestra does not want to be the only resident orchestra at the new Carnival PAC. They perform about 3 concerts a month and are performing 1 children's concert. Marketing is supposed to delineate that New World is a training orchestra but they are not always compliant. She understands that ICSOM believes it's important to be involved, especially during negotiations. Laura B. said she would talk to Tom Lee. ROPA is involved as well. Bruce asked for better scheduling notification in the future.

Local Officer Education – Many committee chairs have not been made aware these meetings have been occurring. Laura asked if committee chairs could receive a copy of the letter that is currently only sent to Local officers, even though they encourage the attendance of orchestra committee members? Laura B. spoke about the meeting held a few weeks about in Southern California. She said they've put much time into Barbara Haig's presentation but there seem to be few takers. Bruce asked what the AFM is doing to get the word out about Barbara Haig's presentations? Laura B. wrote a piece about her in the *International Musician* and it is only now appearing in the *Officer's Edge*. We will try to send a list of orchestra committee chairs to the AFM and Laura suggested the AFM send copies of her articles so she can include them in the next delegate mailing.

Richard asked what progress had been made on a national PR campaign? There have been some discussions about working with the ASOL, and the ASOL has received some bids from national companies, but the AFM has not investigated further.

Laura B. mentioned the lack of the "pie chart" in the financial reports. The AFM receives 40% of their monies from symphonic work. Bruce asked what the logic was to try and cut services (i.e., printing the Wage Charts) from the group paying the most? Laura B. passed around a suggested proposal for a new PR person and pressed for better communication with her and Tom Lee.

She spoke about the ICSOM website, complimenting the redesign. She stated her belief was that SSD was formed mostly to assist the smaller orchestras.

Brian mentioned the negotiating orchestra calls and asked if Laura B. would be interested in participating in the calls? She expressed interest.

Bruce agreed that weekly calls were very important. There was discussion about Laura B. accepting a US cell phone. Laura B. said she has resolved to be better about answering phone calls. She said she'd be sending an e-mail every Monday to identify mutual times of availability. We agreed to try it her way for now but the topic may need to be revisited.

Laura B. expressed her belief that ICSOM representatives should go to conservatories and music schools to speak positively about their work and union experience.

She presented a draft letter regarding shrinking orchestras and bargaining for subs and extras for comment. Laura B. also spoke about the BSO negotiations regarding the Esplanade Orchestra salaries and working conditions that were ratified last fall.

There have been changes at Mellon; she says they seem to have gone silent. In Detroit, Mellon was willing to fund education programs. There was mention of a new project funding Philadelphia, RED and the Nashville Chamber Orchestra.

FIM – An international orchestra conference has been scheduled April 7-9, 2008 in Berlin. Laura B. will be speaking to Tom Lee about funding and believes we should send a delegation.

ICSOM conference topic – Laura B. suggested ICSOM get someone from a labor studies program, to explain that, in negotiations, local member subs and extras have a vested interest as well as the bargaining unit. She hopes the AFM might help find and fund this person's attendance.

ASOL – there was a discussion about Laura B.'s perceptions of the organization. Regarding the CDP, we must review the draft and be diligent in catching their changes. She mentioned a www.polyphonic.com course that Ron Bauers has on the website and said after she reviews the chart, Ron will look it over. While discussing the CDP process and the size of the committee, she shared that the AFM does not accept any money from the ASOL. When asked if she would consider adding another AFM representative (an ICSOM person) she thought if we talked to Tom Lee, it might be possible. She said she is encouraged that there appears to be some progress.

National Public Radio agreement – MPR is not interested in producing, they want only unencumbered product to broadcast.

Laura B. is aware that pension is becoming a topic of interest.

Following a break, the board reconvened without Laura Brownell.

Conference Planning: Lynn Erickson, from the St. Paul Chamber Orchestra will be the conference coordinator.

How do we make the conference different? One suggestion was to add more breakout sessions, possibly after each presentation. Different set-ups were discussed including whether a "head table" was necessary except for panel discussions.

Possible Topics:

- **Media/technology/rights protection** – packets of information about existing local agreements – industry people (magazine writers or a professor at Columbia Len knows); Peter Gelb?
- Len's "thumb note" **labor history**
- **Pension** – Maureen Kilkelly, Bill Moriarity (moderator), other trustees attending the conference - PANEL
- **Health care** – options, broker, education, self-insurance – PANEL (long-term disability)
- **Marketing/PR** – Julia Kirchhausen (from the ASOL) balanced with someone else, perhaps members of MN Orchestra staff – delegates bring examples of the "good, bad and the ugly"
- **Education** – breakout session
- **Negotiation session** (perhaps Tuesday night before the conference begins)
- **Role of the delegate/internal organizing/role of orchestra committee** – breakout session

Theme – "Breaking the 4th Wall" - fiction and reality, the orchestra and the audience

Senza Sordino – Paul will help with editing to expedite getting the Dec./Feb. issue out. March issue deadline is Feb. 20. Newlets and perhaps a "bloopers" column with all 4 MALs submitting material.

Legislative Committee – Due to lack of willingness to serve along with a definition of the committee's mission means we don't have a committee at this time. We will revisit membership at the conference.

Nominating Committee – Offices open are President, Secretary, and 2 MALS (Steve and James) David Angus, chair; Mary Plaine, and Lynn Rosen will be asked to serve.

MAL hosted topic-specific conference calls – Once topics have been chosen there must be at least 5 and no more than 9 or 10 participants. MALs will put out a call & solicitation of topics to delegates.

Site visits – Oregon, Fort Worth

Electronic Media Committee – The committee needs to continue.

Resolutions to be submitted by ICSOM in their final form:

ICSOM Resolution #1 - Regarding OSP language (Article 5, Section 38(b)):

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 (Article 5, Section 43):

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.

Regarding resolutions submitted by other Player Conferences:

- modifications were recommended to the RMA resolution #1, but ICSOM will not sign their other submission
- ICSOM will sign onto ROPA's resolution #1 regarding per capita rebates, but not the other two
- OCSM submitted many of the resolutions that were defeated or withdrawn at the last AFM Convention. ICSOM will sign onto 8 of them [these were later withdrawn or modified to 6] (information reporting on the AFM website, changing resolution submission dates, request for membership category reporting, strike fund/lockout changes, voting allowances and designation of local which will vote for multiple membership members]
- Local 802's action committee has asked for support of their AFM-EPF resolutions. One concerning the establishment of a website is of interest.

Sleep study – U of M has asked for 2 follow up e-mails to encourage participation with the option to opt out of additional e-mails. This was approved by the Board.

Next call – Sunday, Feb. 25 8PM EST/7PM CST/5PM PST [Now being rescheduled due to conflict]