

*Symphonic Services Division***SYMPHONY-OPERA STRIKE FUND MANUAL**

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STRIKE FUND TRUSTEES

Sam Folio, Secretary-Treasurer

Christopher Durham, SSD Director

Joseph Parente, Executive Officer, AFM

David Angus, Rochester Philharmonic

Brian Rood, Kansas City Symphony

Gaylon Patterson, Memphis Symphony (*Alternates with OCSM*)

Robert McCosh, Calgary Philharmonic (*Alternates with ROPA*)

SYMPHONY-OPERA STRIKE FUND

Participation in the Fund shall be on a voluntary basis by those groups eligible.

I. ELIGIBILITY

- a) A Collective Bargaining Agreement providing for a minimum weekly section player salary of at least \$300 and a season of at least 15 weeks of employment.

The Trustees are authorized to waive the requirements set forth in (I) and/or increase the minimum salary requirements if, in their judgement, conditions warrant the change.

II. APPLICATION

- a) Prior to December 1 of any given year, the orchestra committee and the local shall communicate in writing with the AFM indicating interest in joining the Strike Fund. Such communication shall include:
1. A copy of the current Collective Bargaining Agreement.
 2. The number of musicians in the orchestra.
 3. Proposed number of beneficiary musicians and basis therefore.
- b) The letter of interest shall be circulated to the Trustees, together with a recommendation from SSD, who shall determine the orchestra's eligibility and the number or definition of beneficiary musicians for that orchestra.
- c) Upon determination that an orchestra is eligible to join and the determination of the beneficiary musicians, the Trustees may give conditional approval to the application, subject to a vote of the orchestra.
- d) Upon a secret ballot 2/3rd majority vote of the beneficiary musicians in an orchestra, the Trustees shall automatically approve admission without further discussion unless a Trustee requests that the application be held for further discussion. In such case, a subsequent majority vote of the trustees shall be required to approve the application.
- e) Once a group has in this manner become a participant in the Fund, it must remain in the Fund.

III. PAYMENT OF STRIKE FUND DUES

- a) On or about February 1, the AFM will send a bill to the Local union and player conference delegate, including the number of participants for which premiums are due.
- b) Each beneficiary musician in a participating orchestra shall contribute annually to the Fund according to the contribution and benefit schedule set forth in Section V, covering a span between September 1 and August 31, and such dues shall be paid no later than April 1 within such span. If the assets of the fund drop below \$1,000,000, each beneficiary musician shall pay an additional 50 percent of his or her contribution as set forth in the schedule for that time span. The annual contribution amount shall thereafter be fixed at 150 percent of the contribution rate set forth in the schedule.
- c) Once an orchestra has elected to be a participant in the Strike Fund a single check, representing a contribution of the appropriate contribution rate times the total number of beneficiary musicians in the orchestra, must be forwarded to the SSD on or before April 1. The check shall be made payable to the "AFM Symphony-Opera Strike Fund."
- d) Accompanying the check shall be a personnel list which shall provide the full name and address, including zip code, of each musician as well his/her social security number, union card number and the instrument he/she plays.
- e) If there is a vacancy and the orchestra wishes to maintain the same number of beneficiary musicians, the orchestra committee and Local union will determine how the responsibility for payment of these premiums will be shared among the musicians.
- f) If a beneficiary musician is on a leave of absence, the musician playing in the position pays the premium. If various musicians share the position, the premium is divided on a pro rata basis between them
- g) When a beneficiary musician in one participating orchestra pays his/her Strike Fund premium and then moves to another participating orchestra, he/she shall be responsible for payment of the Strike Fund premium for the new position if the sum has not yet been paid.
- h) The Local is responsible for collection of the Strike Fund premium for each member orchestra. If the Local is unable to collect from particular individuals, the AFM will be notified. If the money cannot be collected by the AFM, the member shall be subject to disciplinary action under the AFM Bylaws.

IV. BENEFITS

a) Strike Fund benefits are payable to AFM members in good standing for a strike or lockout provided that:

- 1) A strike has been ordered or approved by the players of a participating orchestra
- 2) AND the strike has been ordered or approved by the Local Executive Board
- 3) AND a strike has been ordered or approved by the International President or Vice President from Canada, as is appropriate.

b) Benefits are receivable on or after September 1 following two premium payments to the Strike Fund.

c) Benefits shall be paid to the beneficiary musicians on strike or lockout according to the contribution and benefit table set forth in Section V provided, however, that the Trustees may determine that lesser payments, lesser duration or increased payments or duration are necessary or appropriate in order to preserve the fiscal soundness of the Fund or to respond to the individual situation. Benefits shall be paid:

- 1) Continuously upon commencement, notwithstanding dark weeks which may occur during the benefit period unless the orchestra votes by 2/3rds secret ballot majority to suspend payments during dark weeks.
- 2) For a maximum period of 15 weeks per season when on a strike or locked out.
- 3) Up to a maximum of 8 weeks during a stoppage due to bankruptcy or permanent cancellation of a season. If substantive negotiations resume at a later date, benefits shall resume to a total of 15 aggregate weeks.
- 4) To commence with the second week of a strike or lockout. For Strike Fund purposes, a week is defined as the following:
 - (a) A six-day workweek, with one day (i.e., Monday) as a non-performing day.
 - (b) Any full week, as defined by the Master Agreement, for which a strike or lockout continued, would call for benefit entitlement.

(c) Pro-rating of the weekly benefit amount would take place only for the last week in which the strike ends. The number of days from the day of the week in which the strike begins, through the end of the work stoppage, determines the amount of the benefit payment to be made. The benefit is to be calculated as 1/6 of the weekly amount reached for each day of the final week of the strike or lock out.

5) Processing of benefit payments begin one week following the commencement of the work stoppage.

a) Payments shall be made to the musician holding the chair at the time of the strike.

b) No payment to musician(s) who, prior to the work stoppage resign from the orchestra or are on a leave of absence.

c) Part-time players (e.g., orchestras with A/B contracts) who have made contributions to the Fund shall receive the same benefit payment as full time musicians.

d) If benefits are due and a beneficiary musician is on a leave, the person covering the position collects the benefits. If various musicians cover the chair, the musician(s) losing the work during the work stoppage, on a week by week basis, receives the benefit.

e) If an orchestra makes payments for the full orchestra and then is playing short during the strike, the orchestra is entitled to receive payments as though it had not been playing short. For example, if the full complement of an orchestra is 76 and contributions are paid on 76 musicians, the Strike fund shall make payments to 76 musicians, regardless if, during a strike, the actual number of musicians is less than a full complement. The Local officer, in consultation with the orchestra committee determines which additional musician(s) should receive that benefit.

V. SCHEDULE OF CONTRIBUTIONS AND BENEFITS

Weekly Salary	Annual Premium	Wkly Benefit 2 nd – 4 th week	Wkly Benefit 5 th – 10 th week	Wkly Benefit 11 th – 16 th week
\$300 to \$599	\$37.50	\$75	\$150	\$225
\$600 to \$749	\$50.00	\$100	\$200	\$300
\$750 to \$899	\$62.50	\$125	\$250	\$375
\$900 and higher	\$75.00	\$150	\$300	\$450

The Trustees, at their sole discretion, may grant certain exceptions to the schedule of contributions and benefits, as set forth below. Any request to the Trustees in this connection must come with a two-thirds majority secret ballot vote of the Orchestra members in support of such request.

- a) An orchestra, upon application to join the Fund, may seek permission to participate at a higher benefit and contribution level than that for which it would normally qualify. Once its participation level has been established, however, it may not reduce its level of participation.
- b) An orchestra already participating in the Fund at a lower contribution and benefit level may seek permission to upgrade its level. Benefits at the higher level would become available on September 1 of the second calendar year following the year in which the high level of contribution is effected.
- c) An orchestra participating in the Fund prior to September 15, 1999, shall be "grandfathered" and continue its participation at the highest contribution and benefit level. However, if it qualifies, such an orchestra may seek permission - on a one-time-only basis – to downgrade its level of participation.

VI. ELECTION OF STRIKE FUND TRUSTEES

In accordance with AFM Bylaws Article 6, Section 4(h), the Trustees of the American Federation of Musicians Symphony-Opera Orchestra Strike Fund hereby establish the following procedures for the selection of trustees:

- a) Three Trustees shall be named by the International Executive Board.
- b) The delegates shall elect three Trustees to the appropriate player conferences. Two of said Trustees shall be selected by ICSOM in accordance with the procedures

established by ICSOM. The third player Trustee shall alternate between ROPA and OCSM, and shall be selected by ROPA and OCSM in accordance with procedures established by them. The alternate Trustee, shall be selected from the remaining Symphonic Players' Conference, and shall be a participant in all of the Trustees' deliberations.

- c) To elect a Trustee, each participating orchestra shall have one vote, which shall be cast by its Symphonic Player Conference Delegate unless otherwise determined by the orchestra. Nominations from the floor shall take place immediately prior to the election. Election shall be by secret ballot unless the number of candidates nominated does not exceed the number to be elected, in which case the nominees shall be declared elected by acclamation.
- d) The International President shall decide any tie votes of the Trustees.

REGULAR INFORMATION TO THE TRUSTEES AND ALL PARTICIPATING ORCHESTRAS DELEGATES' MANUAL

1. Number of orchestras in the Fund as participants.
2. Amount in the Fund as of June 30.
3. Number of orchestras paid benefits since 1994.
4. Total amount paid out of the Strike Fund in the previous year.
5. List of non-compliant orchestras.