OFFICIAL MINUTES

of

INTERNATIONAL CONFERENCE OF SYMPHONY AND OPERA MUSICIANS

September 2-5, 1967

Hotel Rice
Houston, Texas

September 2, 10:30 A.M. Registration of delegates
1:00 P.M. Conference officially opened

Member orchestras present:

Baltimore
Boston
Buffalo
Chicago
Cincinnati
Cleveland
Detroit
Houston
Indiana
Kansas City
Los Angeles
Minnesota
National
Philadelphia
Pittsburgh
St. Louis
San Francisco
Seattle

Member orchestras absent:

Metropolitan Opera, New York, Rochester

Non-member orchestras represented by an observer:

Dallas
Honolulu
New Orleans
San Antonio

ICSOM Executive Board:

George Zazofsky
Carlton Herrett
Robert Maisel
Gino Raffaeelli
David Smiley
Chairman
Vice-chairman
Secretary
Treasurer
Editor, Senza Sordino

IEB members: J. Alan Wood, Vice-president
J. Martin Emerson, Executive Officer

REPORTS

Chairman's report:

The chairman read a telegram from Mr. Herman D. Kenip, President of the AFM "...regret my inability to personally at-
your conference but I have assigned Vice-president Alan Wood of Canada and executive officer Marty Emerson of Washington, D.C. to represent the Federation. All good wishes for a constructive conference."

Mr. J. Alan Wood was introduced to the delegates and congratulated on his new position as Vice-president of the AFM.

Mr. Ralph Liese, president of Local 65, Houston, Texas, was introduced. Mr. Liese welcomed ICSOM delegates to Houston.

Chairman Zazofsky reported the ICSOM Board meetings with Mr. Kenin and the ISB as outlined in Senza Sardina April 1967; he also reported on his meeting with Mr. Kenin and members of the ISB on March 6 concerning the proposed national strike fund for symphony musicians. Mr. Kenin proposed recommending to the AFM convention that the fund be started with a loan of $200,000 from the AFM general fund with payments into the fund of one percent yearly from symphony musicians.

Mr. Zazofsky told Mr. Kenin that he was gratified by his consideration of forming such a fund but could not recommend any specifics regarding the machinery until discussion with the other members of the ICSOM Executive Board and all the member orchestras.

Later, in a telephone conversation, the chairman told Mr. Kenin that he had discussed the strike fund with the ICSOM Executive Board and was prepared to make specific recommendations. Mr. Kenin, however, disturbed by the article in the April Senza, did not want to discuss the matter and also rescinded an earlier invitation to the ICSOM Executive Board to meet with ISB at the AFM convention, stating that such a meeting would serve no useful purpose.

The chairman concluded his remarks on this subject of ICSOM- Mr. Kenin/ISB meetings by saying that communication at this point was somewhat impaired but that he was confident that the situation would improve and that discussions would shortly be resumed.

The chairman reported that he attended, by invitation, a special studies panel of the Rockefeller Brothers Fund, the subject being labor-management relations in symphony orchestras. He was the only performing musician on the panel. The panel prepared a preliminary draft, which will be the basis of a book due to come out in December. The invitation was especially gratifying because it marked the first official recognition of ICSOM by a fund, in happy contrast to the Ford Foundation's apparent unawareness of ICSOM in 1965.
The book will cover matters such as the financial structure of symphony orchestras, organization, conductors, personnel managers, etc.; ICSOM is expected to receive considerable mention.

The chairman reported on the special meeting on pension and sustaining taping called by the ICSOM Executive Board in Cleveland, Ohio on July 24, 1967. The resolution arrived at was read:

RESOLVED:
1. That this meeting supports the principle of the AFM setting a floor on the price of radio taping. (This shall not conflict with existing agreements.)
2. That the delegates of this meeting recommend the above to their orchestras for deliberation and opinion.
3. That the delegates communicate the decision of their orchestras to the ICSOM Executive Committee as soon as possible.
4. That, if the majority of orchestras approve this matter, the ICSOM Executive Committee will, as quickly as possible, schedule a meeting with the IEB of the AFM in order to deliver this information and, further, to seek effective and immediate action by the IEB.

In answer to a question as to why this meeting was called, the chairman explained that both Chicago and New York were very concerned about the tape situation. The AFM was not to blame, because players have the right to make tape agreements, but the players now felt that it would be necessary for the AFM to take action in this area to correct the abuses.

Secretary's report:

The secretary reported that ICSOM represents twenty-two of the thirty major orchestras (counting the Metropolitan Opera Orchestra) in the United States and Canada. Those orchestras who are not yet members are Atlanta, Dallas, Denver, Milwaukee, Montreal, New Orleans, Oklahoma City, and San Antonio. We always extend invitations to these orchestras to attend ICSOM conferences as observers and hope that they will become members in the near future.

Last year, the Nashville and Honolulu orchestras sent observers, and Honolulu and Dallas are interested in becoming members of ICSOM.

The Oklahoma City Orchestra, the N.Y. City Ballet Orchestra and the Vancouver Orchestra told me that they regretted not being
able to send representatives from their orchestras.

The Rochester Orchestra chairman, William Osseck, told me that his orchestra would not be able to send a delegate because of the dates of the conference being too inconvenient for that orchestra. Mr. Osseck asked the ICSOM consider changing conferences to some time in June, so we can discuss that proposal.

Believing that foreign orchestras could profit from associating with ICSOM, I sent letters of invitation to this conference as well as some issues of Senza to the following orchestras: Bournemouth Symphony Orchestra, Halle Orchestra, London Philharmonic, London Symphony, Royal Liverpool Philharmonic, Hungarian Philharmonic, Israel Philharmonic, National Symphony Orchestra of Mexico, National Symphony Orchestra of the Dominican Republic, and Scottish National Orchestra.

I received no replies; since I didn't know anyone in these orchestras, except the Israel Philharmonic, I addressed the letters to the principal bass of each orchestra. This may say something about mass players. In any event, if you gentlemen have friends in these orchestras, I would appreciate having their addresses.

On the matter of financial assistance from locals to delegates of ICSOM, I am happy to report that Local 2 in St. Louis is paying the expenses of the St. Louis Symphony delegate, Mr. Don Martin, and also sent the president of Local 2, Mr. Ken Farmer, as observer to this conference. This is a good example of the cooperation that exists, for the most part, between our local and our orchestra committee.

I want to thank all the ICSOM correspondents for their cooperation in helping me prepare the ICSOM Orchestra Comparison Chart, and I will try to incorporate the suggestions I received on inclusion of more information in the next chart.

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Treasurer's report:

(22 member orchestras)

<table>
<thead>
<tr>
<th>Orchestra</th>
<th>RECEIPTS</th>
<th>Dues, 1966</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleveland</td>
<td>$525.00</td>
<td></td>
</tr>
<tr>
<td>Seattle</td>
<td>249.00</td>
<td></td>
</tr>
<tr>
<td>Chicago</td>
<td>535.00</td>
<td></td>
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<tr>
<td>Kansas City</td>
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<tr>
<td>Rochester</td>
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</tr>
<tr>
<td>Toronto</td>
<td>460.00 (less 36.80 Adjustment)</td>
<td></td>
</tr>
<tr>
<td>San Francisco</td>
<td>480.00</td>
<td></td>
</tr>
<tr>
<td>Detroit</td>
<td>510.00</td>
<td></td>
</tr>
<tr>
<td>Buffalo</td>
<td>170.00</td>
<td></td>
</tr>
<tr>
<td>Minneapolis</td>
<td>446.00</td>
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<tr>
<td>Pittsburgh</td>
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<td></td>
</tr>
<tr>
<td>National</td>
<td>455.00</td>
<td></td>
</tr>
<tr>
<td>City</td>
<td>Contributions</td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td>Houston</td>
<td>$435.00</td>
<td></td>
</tr>
<tr>
<td>Cincinnati</td>
<td>176.00</td>
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</tr>
<tr>
<td>Boston</td>
<td>525.00</td>
<td></td>
</tr>
<tr>
<td>St. Louis</td>
<td>263.00</td>
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<tr>
<td>Indianapolis</td>
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<tr>
<td>Philadelphia</td>
<td>204.00</td>
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<tr>
<td>Baltimore</td>
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<tr>
<td>Los Angeles</td>
<td>500.00</td>
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(6 have not paid dues;)
New York Philharmonic Metropolitan Opera Orchestra

<table>
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<tr>
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<th>Amount</th>
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<tr>
<td>General Fund</td>
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<tr>
<td>Orchestra Dues '66</td>
<td>7697.00</td>
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<tr>
<td>Federation Reimbursement ICSOM/TEB in New York</td>
<td>237.19</td>
</tr>
<tr>
<td>Total</td>
<td>10,347.02</td>
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Disbursements as of Sept. 2, 1967 4304.41

General Fund Balance $6042.61

<table>
<thead>
<tr>
<th>City</th>
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<tbody>
<tr>
<td>Cleveland</td>
<td>$315.00</td>
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<tr>
<td>Seattle</td>
<td>228.00</td>
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<tr>
<td>Chicago</td>
<td>321.00</td>
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<tr>
<td>Rochester</td>
<td>141.00</td>
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<tr>
<td>Kansas City</td>
<td>243.00</td>
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<tr>
<td>San Francisco</td>
<td>288.00</td>
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<tr>
<td>Cincinnati</td>
<td>115.50</td>
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<tr>
<td>Houston</td>
<td>207.00</td>
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<tr>
<td>St. Louis</td>
<td>93.00</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>306.00</td>
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<tr>
<td>Los Angeles</td>
<td>288.00</td>
</tr>
<tr>
<td>Total</td>
<td>$2545.50</td>
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</table>

Emergency Relief Fund Contributions

Transferred from Washington and St. Louis: Funds contributed by member orchestras to support strike efforts of these two orchestras. Notice was placed in Senza December issue of this impending transfer, allowing opportunity for anyone to have his donation returned to him if he so desired. No notification was
received by treasurer, so sum of $2260.93 was transferred to ICSOM ERF on November 29 from Washington (National) and on March 11, $60.00 was transferred from St. Louis orchestra.

On February 2, a savings account was opened by the treasurer in which $5500.00 of ERF funds were placed. Of 7/1/67 interest of $55.00 was accumulated.

Balance of checking account----$1542.65  
Balance of savings account------ 5555.00  
Total $7097.65

Disbursements:
  to B. Berkman,  
  legal services $212.50  
  Balance $6885.15

The treasurer was asked about the status of orchestras paying only $2.00 ICSOM dues instead of $8.00. The answer given was that the orchestras were only obligated to pay $2.00, the misunderstanding being due to an incorrect quote in the October Senza. It was recommended that the orchestras hold a meeting soon after the ICSOM conference so that the delegate could give his report, thus helping to get ICSOM dues from the members.

In response to another question about the status of delinquent orchestras, the treasurer said that such orchestras could technically be subject to a resolution on the matter.

On the question of Internal Revenue policy on interest earned on ICSOM funds, the treasurer said that he would check into the matter.

On another question concerning the "obligatory" $5.00 dues, the treasurer said that the resolution passed at the '66 ICSOM conference could not be binding since it was not made part of the ICSOM by-laws.
(The chairman interjected, noting that the confusion on this issue demonstrated the weakness of the ICSOM by-laws and suggested two remedies:

1. Change in dues structure
2. New amendments to change the cumbersome methods

The treasurer was asked on what authority money was drawn from the ICSOM general fund to pay Mr. Beckerman's legal fees. The treasurer replied that he felt it proper to seek legal advice for ICSOM and also that Mr. Beckerman had helped in the legal transfer of the ERP funds.

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Editor's report:

There were four issues of Senza Sordino. They were published by Graphic Arts of Marin (a Union shop), Gate 5, Sausalito, Calif. A 6-page newsletter format was used. Instituted subscriptions at $2.00 yearly for AFM members, $5.00 for others, $1.00 per member of orchestra for non-ICSOM orchestras if entire orchestra subscribes, allowing bulk mailing. Subscriptions handled through mailing list (addressograph type) which also included free mailings to other publications with exchange privileges, "friends of the players" like authors and people like Stokowski, U.S. Department of Labor Library, etc. Subscriptions included some overseas musicians. Advertising rates of 50¢ per word for classified and $1.00 per column inch were announced (will be raised to $1.50 per column inch 1967-68 season). This year the ASOL took a bulk subscription (30 copies) at $60.00.

Receipts:

<table>
<thead>
<tr>
<th>From ICSOM treasury</th>
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<tr>
<td>10/14</td>
<td>$500.00</td>
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<tr>
<td>11/7</td>
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</tr>
<tr>
<td>2/1</td>
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<tr>
<td>4/1</td>
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<td>subtotal</td>
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<table>
<thead>
<tr>
<th>From orch. subs.</th>
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<tr>
<td>Portland</td>
<td>80.00</td>
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<tr>
<td>Dallas</td>
<td>89.00</td>
<td></td>
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<tr>
<td>Vancouver (Canadian)</td>
<td>59.80</td>
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<tr>
<td>subtotal</td>
<td>228.80</td>
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| From ASOL           | 60.00            |
| From subs. and ads  | 103.68           |

Total receipts       | $2491.68         |
Expenses:

  (Electric Typewriter rental-10 months) $154.18
- Printed Checks Tibron Nat'l. 2.03
- Graphic Arts 1622.92
- Ideal Stationery 57.68
- U.S. Post Office
  (more postage under expenses to D. Smiley 163.30
- M. Nadel (L.A., Cal Phone expense) 9.10
- D. Smiley (includes telephone bills, supplies not covered by check, postage paid out of pocket, etc. Receipts for all items turned over to G. Raffaelli, ICSOM treasurer 181.55

Total expenses $2195.76

Balance in Senza Sordino Check Book as of 8/30/1967 $295.92

The editor said that while there had been some good ICSOM correspondents, especially Heinhardt Aister of the Metropolitan Opera Orchestra and Sam Denov of the Chicago Symphony, most of the response from orchestras was poor. He said that Senza could use more pictures, articles, and letters to the editor and thought that a mimeographed sheet from the editor might elicit more response.

There was enough material for a fifth issue of Senza, but finances were a problem. The next issue will contain the rest of the report on the '66 ICSOM conference.

The general run of Senza is 3500 copies; however, 4500 copies of the ICSOM chart issue were run so there are extra copies if needed.

(Cincinnati plans to give back issues of Senza to new orchestra members coming in this season.)
The editor also recommended sending Sanza to local music critics.

Motion: To accept Honolulu as the newest orchestra in ICSOM. Motion passed unanimously.

It was announced that Local 65, Houston, invites the ICSOM delegates to a barbeque Sunday, September 3.

COMMITTEE REPORTS:

Music Performance Trust Fund Committee

Dave Smiley reported that he had gotten a great deal of information from Mr. Rosenbaum, trustee of the fund, and had sent this information to Fred Batchelder, chairman of the committee, but, as yet, has received no report from this committee.

Ford Foundation Committee

There was discussion concerning the Foundation's meeting in 1965; the meeting called to examine the needs and frustrations of symphony musicians was attended by orchestra members who, in turn, had been selected by orchestra managements at Ford's request; this method of selection will probably not be repeated; Ford will in the future go to ICSOM.

The chair reported that the ICSOM Executive Board, while in New York after a meeting with Mr. Nemir, tried to arrange a meeting with the Ford Foundation to discuss the details and conditions of the recent grants but were unable to do so.

A letter of thanks to the Ford Foundation for its help to symphony musicians will be sent from ICSOM.

Resignation Committee

It was explained that the Chairman, "Tiny" Martin of Boston, had been quite ill, so no report came from that committee; the Cleveland meeting, however, accomplished the same purpose.

Minimum Standards Committee

No report was given, and the whole question of the feasibility of this method, i.e., appointing committees, was questioned.
Banding of ICSOM officers report:

Gino Raffaelli said that he investigated the price, $200,000 per year per officer (the treasurer and the chairman had been contemplated) was too high for ICSOM.

The chairman agreed and said that a less expensive way would be explored—perhaps just the treasurer should be bonded.

Foreign orchestra residency report:

The chairman reported that he investigated the legality of the London Symphony residency at Daytona and could find nothing illegal and assumes also that the AFM would not have permitted such a residency if illegal. He further explained that the London Symphony could offer its services at a much lower figure than a comparable American orchestra because it was a completely cooperative orchestra (ran its own tours, made its own bookings, etc.) so that it operates on a much lower budget (lower per diem, for example); the orchestra might lose money in some instances, but will take a booking, considering that it is a self-investment project.

Poll of orchestras on by-law amendments:

1st
On the first amendment (Senza Sordino, April 1967): nine approved the amendment (Boston, Chicago, Cleveland, Detroit, Kansas City, Minneapolis, National, Pittsburgh, San Francisco); one rejected (Baltimore); one abstained (Cincinnati). The rest of the orchestras had not been polled (Buffalo, Houston, Indianapolis, Los Angeles, St. Louis, Seattle, Toronto).

Adoption of an amendment needs two-thirds of the ICSOM orchestras for approval; the amendment was not adopted.

The fact that seven orchestras had not been polled gave rise to a discussion about continuity of ICSOM delegates, varying degrees of efficiency in orchestras, the necessity of conforming more closely to ICSOM by-laws, and the suggestion that all ICSOM correspondence and responsibility for polling orchestras should be assumed by the present ICSOM delegates.

A motion was made and seconded to have the ICSOM delegate be the ICSOM correspondent. The motion was postoned.

2nd
On the second amendment, eight orchestras approved, one rejected; the rest had not been polled.
Motion: to look into the legality of allowing a 60-day grace period or "extension" of the conference to allow polling of those orchestras not yet polled so that the business of the amendments could be consummated at this conference. Motion passed unanimously.

The delegates were polled (Note: delegates, not orchestras) on the first amendment: approved 16, against 1, abstained 2. Motion passed.

On the second amendment: approved 17, abstained 2. Motion passed.

On the third amendment: approved 18, abstained 1. Motion passed.

(Note: The passage of the amendments by the delegates simply meant that the conference approved; a two-thirds majority of ICSOM orchestras is still necessary before these amendments become part of the by-laws.

The chair ruled that under Articles 6 and 10 of the ICSOM by-laws the 60-day extension of the conference is legal.

New business

1. Short term and long term goals of ICSOM:

   A. National strike fund for symphony musicians

   The following points were discussed: a limit to the amount a musician would have to pay into the fund; the examination of practices of payment in other industries. Mr. Wood said that the usual procedure in labor unions is to have each member assessed a number of dollars until the strike is over; the IEB sub-committee thought that the above format would be impractical for symphony musicians. This committee suggested to the IEB that $150,000 from the theatre defense fund be allocated to start the symphony strike fund; but obviously any proposal would have to go to the APM convention. Mr. Wood was certain that a certain amount would be paid by each symphony musician—either on a percentage basis or perhaps on a monthly payment basis. He said that it was difficult to determine how much money was needed; the IEB was asked to study this matter. Mr. Wood said that the payments of musicians would go through the local in the same way that work dues are paid: the local would forward the amount to the federa-
tion in the form of por capita tax.

Mr. Wood had no knowledge concerning the legality of strike funds used across state lines.

The ICSOM Executive Board's position on a strike fund is that it welcomes the idea and would like to discuss the matter with President Kenin and the IEB: suggestions have already been prepared, for example the joint administering of funds (the chairman said that Mr. Kenin was amenable to this idea); many technicalities would have to be worked out and the AFM by-laws would have to be revised.

Motion: that the ICSOM Executive Board be empowered, working within the framework of the AFM, to try to implement the following (subject to ratification by ICSOM orchestras):

A. an AFM strike fund for symphony musicians
   Motion passed unanimously

B. ICSOM representation on the IEB

Mr. Wood explained the make-up of the IEB and said that the structure of the AFM convention would preclude the possibility of attaining this objective. He suggested that ICSOM devote its energies to goals which are practical and ones which can be implemented.

Mr. Wood was asked how an assistant to President Kenin is appointed. He answered that the IEB has nothing to do with the appointment of an assistant: the IEB can make suggestions, but the appointment is the sole perogative of the President. Moreover, President Kenin would probably reply that ICSOM does not represent the majority of symphony orchestras in the country.

Mr. Wood's comments started a discussion concerning the definition of a symphony orchestra and the problem of part-time and non-working members of the Federation. There were suggestions that the appointment of the assistant on symphony affairs be ratified by the major orchestras or that the strike fund taxed orchestras select the assistant, thus reinforcing good faith between the AFM and the symphony musicians.

Motion: to negotiate with the officers of the AFM for representation of symphony musicians at the highest levels of the AFM. Motion passed unanimously.

C. Motion: to negotiate for the removal of restrictions imposed on ICSOM conferences by Article 32, Section 8 of the AFM By-laws "...but cannot take up any matter affecting legislation of the Federation."
   Motion passed: approved 17, opposed 1, abstained 1.
D. Motion: the right of ratification incorporated into the AFM By-Laws. 
Motion passed unanimously.

E. Motion: the review of the Bob Danielson case by the IEB and/or any other cases of unfair labor practices by management against orchestra members, especially when those members are involved in orchestra committee work. 
Motion passed unanimously.

F. Motion: the right of orchestras to have elected committees - a clause similar to Article 18, Section 14 to be incorporated into Article 22, Section 1 of the AFM By-Laws. 
Motion passed unanimously.

G. Motion: the right of an orchestra to be represented at negotiations by legal counsel of its choice to be incorporated into the AFM By-Laws (Article 22, Section 4): "Representatives of symphony players, i.e., orchestra committees, shall have the right to be represented at negotiations with management by legal counsel of their choice."

In discussion on this motion, it was pointed out that management does not have to negotiate with a lawyer unless he represents the local - this being the essence of conflict between a local and an orchestra.

Amendment: the right of legal counsel acceptable to the orchestra members shall be incorporated into the By-Laws of the AFM.

Motion: to postpone amendment. 
Motion defeated.

Vote on amendment: approved 3, opposed 13, abstained 2-defeated.

Vote on main motion: approved 16, abstained 2 - motion passed.

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Morning Session, September 3

Motion: the adoption of union stewards for symphony orchestras.

Of the twenty orchestras polled, seven now have union stewards:

<table>
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<th>Orchestra</th>
<th>How selected</th>
<th>Paid by</th>
<th>Amount</th>
</tr>
</thead>
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<tr>
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<td>union</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Chicago</td>
<td>orchestra committee and union board</td>
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<td>$2.00</td>
</tr>
<tr>
<td>Kansas City</td>
<td>union</td>
<td>local</td>
<td>$2.00 per service</td>
</tr>
<tr>
<td>Pittsburgh</td>
<td>list submitted by committee, approved by union</td>
<td>local</td>
<td>$2.00</td>
</tr>
<tr>
<td>San Francisco</td>
<td>union</td>
<td>local</td>
<td>$2.00</td>
</tr>
</tbody>
</table>

Specific
Mr. Emerson of the 123 was questioned as to whether a union steward had to be negotiated with management.

Mr. Emerson answered that it was not necessary, that a union steward was the perogative of the union. However, the right of a steward to leave the orchestra to report to the union should be written into the contract.

There was general agreement that union steward should be part of the policy of the AFM rather than be in the by-laws so as not to conflict with local autonomy.

Motion passed unanimously.

I. Motion: the right of a committee elected by an orchestra to participate on the negotiation team.

Motion passed unanimously.

2. Code of ethics for symphony conductors and players.

This code was submitted by the National Symphony.

Motion: to accept the code as submitted, to be ICSOM policy, with later incorporation into the policy of the Federation with the recommendation that such code be adopted by the locals.

Minneapolis cited By-Law Amendment #4, M.M.A. Local 76, AFM: "There will be no singling out of individual musicians before the entire ensemble by a leader or conductor for the purpose of embarrassment, spite, retaliation or other reason contrary to good rehearsal techniques. Violation shall subject the leader or conductor to a fine of not more than $2,000.00."

The chairman appointed a sub-committee (Minneapolis, Cincinnati, National, Chicago, Philadelphia) to examine and refine the code and bring back a report to the delegates.

Motion tabled.

3. Motion: The AFM be requested to call for a seminar on contracts and negotiations.

Motion passed unanimously.

4. Max Arons, president of Local 802--actions at AFM convention at Miami.

Mr. Arons was criticized for his actions concerning a resolution on taping: ICSOM orchestras had been led to believe that Mr. Arons intended introducing proposed legislation on this matter, when, in fact (according to Mr. Wood), Mr. Arons had no intention
of introducing such legislation. Arons' action was strictly a political maneuver to get his name before the AFM delegates because he was running for the IEB.

After further discussion, it was decided that no useful purpose could be served in indicting Mr. Arons, that the more positive approach--trying to implement legislation on taping--would be more constructive.

5. Pension and sustaining tapes

The nine orchestras (Boston, Chicago, Cleveland, Detroit, National, Minneapolis, Philadelphia, St. Louis, New York) represented at a special ICSUW meeting on tapes on July 24, 1967 in Cleveland, Ohio, were polled on the resolution from that meeting. (See chairman's report on the special meeting on pension and sustaining tapes.)

Results: Approved, 6 (Boston, Chicago, Cleveland, Minneapolis, National, Philadelphia; abstained, 1 (Detroit); not polled (St. Louis; absent, New York).

Detroit asked that the following Detroit plan be included in the minutes:

(Detroit Plan attached)

In the discussion following, these points were stressed:

1) Orchestras should retain ownership of tapes--leased as in Boston agreement.
2) Federation floor should be established.
3) ICSUW Executive board should try to implement these principles.

The chairman urged support for Senator Williams' (N.J.) amendment on copyright laws wherein performers' rights would be resurrected.

Motion: The ICSUW Executive board was authorized to work within the AFM to establish price minimums and other limitations on transcription trust tapes and all other audio and visual tapes and both delayed and live broadcasts and to make surveys and gather and disseminate other information pertinent to the subject. The ICSUW chairman was authorized to call such special meetings as he deems necessary to expedite this project.

Motion passed unanimously.

Motion: That the AFM be asked to restrict all future tape agreements and/or extensions to one year's duration until such time as the AFM has resolved the problem of taping and has set fees and standards for the making and use of such tapes. (It was recommended that such future agreements and/or extensions be in the form
of a side letter, rather than in the master contract.

Motion passed unanimously.

The orchestras were polled on how many allowed one or more live or delayed broadcasts: result--19 orchestras.

On the number of orchestras allowing one or more live or delayed broadcasts, the result was 11 orchestras.

Motion: That any price structure governing transcription trust tapes and all other audio and visual tapes and both delayed and live broadcasts (other than local broadcasts under local jurisdiction) be ratified by all major orchestras in North America as defined by the AFM.

Motion passed unanimously.

6. Commercial recordings

Cincinnati and Dallas reported that they have agreements permitting trading of services in lieu of payment for commercial recordings; Seattle said that Mr. Gil Rogers, assistant to President Amin, had said that this practice was stopped.

Cincinnati said that a new agreement had been signed with management in an attempt to refer all services to the orchestra. The orchestra had succeeded in getting a guaranteed payment equivalent to one week's salary for 7 2/3 recording hours, the society being allowed up to 12 hours of recording. Three services are eliminated for every hour of recording over the 7 2/3 hours.

Boston cited its arrangement whereby the orchestra receives its regular salary plus recording scale. (This orchestra is the only one enjoying such an arrangement.)

Mr. Wood said that the practice of swapping services for recording is illegal under the AFM.

The chairman said that he had talked to Mr. Rogers about this practice; Mr. Rogers told him that the Federation was only concerned about receiving the legal monies due it.

Mr. Wood was asked about the validity of the Cincinnati agreement. He answered that as long as the contract is properly filled out, that is the end of the matter as far as the Federation is concerned.

There was a discussion on who pays the orchestra members for recording. It was determined that all the orchestras excepting Toronto are paid by management.

Mr. Wood said that the practice is illegal and, when asked what steps could be taken to remedy this practice, said that no
longer should locals and symphony societies include recording agreements in contracts; moreover IBO could direct all locals to cease this practice.

It was also suggested that Mr. Rogers be informed of the illegality of the present agreements.

Mr. Wood said that management, by paying musicians rather than having the payment come from the recording company, is probable evading payment into unemployment, pension funds, and the AFM fund.

Motion: That the ICSOM Executive Board be empowered to strongly urge the AFM to take immediate action to stop the trading of services for recording and further urged to insist that all recordings should be contracted for and paid for by the signator to the AFM agreement.

Motion postponed.

Mr. Wood urged passage of the motion, saying that the subterfuges discussed above hold for the entire industry, not just in the symphonic field.

Adjourned

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September 4--10:00 A.M.

Motion on commercial recording practices made previous day.

Motion passed unanimously.

7. Motion: That ICSOM recommend to all member orchestras that they elect a delegate to ICSOM to serve a two-year term.

Motion passed: for, 16; against, 2; abstaining, 1.

It was recommended that the ICSOM delegate also be the ICSOM correspondent.

8. Motion: That the Conductor Evaluation be adopted as an official policy of ICSOM, to be implemented as follows:

1) The Conductor Evaluation Sheet will be printed by the editor of Senza Sordino, and sufficient copies be mailed to each ICSOM orchestra.

2) Each orchestra will be requested to distribute the questionnaires at the first rehearsal following the appearance of a guest conductor, and to collect and tabulate them promptly.

3) Each orchestra will be requested to evaluate all its regular, permanent conductors at least once each year.

4) Within 2 weeks the tabulated results as shown and certified by orchestra committee signatures on official
ICSM Tabulation Sheet, will be mailed to the Contract and Rapid Communications Center in Baltimore, where they will be kept on file.

5) Each orchestra may, if it prefers, mail the questionnaires directly to the CICC where they will be tabulated at a small expense to ICSOM.

6) Upon request by the Chairman of the orchestra committee of any ICSOM orchestra, copies of the collected data on any conductor will be mailed to that orchestra.

7) It is recommended that the tabulated results of its own questionnaire be communicated privately to the members of the orchestra in any manner which the individual orchestra committee may deem advisable.

8) In all other respects, the results of the questionnaire shall be confidential.

The motion was passed pending the examination of the legality of disseminating such a questionnaire: the vote on point number 6 was 16-4.

9. Symphony musicians on symphony boards

Motion: That ICSOM orchestras seek ways of having representation on their symphony boards by an elected musician of their choice.

Motion passed: for, 19; opposed 1.

Bob Daniels, former member of the San Antonio Symphony Orchestra, at ICSOM's invitation gave an account of his case; Mr. Daniels had been a member of that orchestra for seventeen years and was assistant principal second violin in 1963 when elected to the orchestra committee. As committee spokesman, he protested an unauthorized taping of a concert and was subsequently notified of non-renewal of contract. Mr. Daniels described his unsuccessful efforts to seek remedy through his local. (The symphony society had followed the provisions of the contract, which simply stated that a non-renewal notice had to be given four weeks before the end of the season; the local said that since there had been no violation of contract by the society, it could not help Mr. Daniels in this matter. Three other former committee members were given non-renewals, but only Mr. Daniels sought remedy.)

Mr. Daniels has since offered to play an audition, but has not been given an answer by the local. (Mr. Emerson of the IEB thought that the IEB could rule that an impartial audition be held.)
Mr. Danielson described the repressive atmosphere in the San Antonio orchestra and was questioned closely by the delegates. (Note: If delegates would like further details from Mr. Danielson, his address is: Robert Danielson; 302 west Pyron Avenue; San Antonio, Texas 78214.)

Mr. Danielson was thanked for appearing before the delegates. In accordance with the pertinent resolution passed earlier, ICSOM will seek remedy for Mr. Danielson.

10. Motion; that the ICSOM Executive Board be empowered to retain legal counsel of its choice. Motion passed unanimously.

Sub-committee report on ethical code for conductors: after discussion, it was decided that the committee should continue work on the report.

11. Solicitation of players by fund-raisers

Various delegates described their experiences; generally, the orchestra members were asked to contribute to a fund-raising program, so that the fund-raisers could report that the symphony organization had contributed 100%, thus (according to the fund-raisers) making it easier to solicit the community.

One orchestra was even given pledge cards and asked to solicit funds. In another case, an orchestra was told that its contributions from members had to be filled out on cards and signed, but that the cards would be kept secret - yet the acknowledgment of receipt of the contribution of each member came from the symphony office!

The consensus was that 1) if orchestras agree to contribute, such contributions should be reflected in a tangible benefit to the members, for example, a borrowing fund for players (as is in the Philadelphia Orchestra); otherwise, the players would have no say in disposition of contributions; contributors are entitled, however, to get an accounting of how the money was spent; 2) the contributions should be completely anonymous; 3) if no direct benefit is realized by the players, the contribution should be minimal, since fund-raisers are more interested in 100% participation than in the actual amount given; 4) the kick-back aspect (if a contribution is a condition of employment) should be checked with the local and any orchestras having such a situation should also report the matter to the ICSOM secretary.

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12. Sabbatical leave

Motion: that this conference go on record as strongly supporting the idea of sabbatical leaves for symphony orchestras. The practice of such leave from work is well established in industry, education, and the professions. Orchestra members are urged to include the sabbatical leave as a subject of contractual negotiations at the earliest opportunity.

In the discussion, the player-exchange idea came up. The Buffalo delegate was very interested in a newsletter quoted by the chairman, in which a player-exchange program for Buffalo was discussed, but which neither the delegate nor the orchestra had heard about. The chairman also gave details on the Boston Symphony exchange program with the Japan Philharmonic in Toyko. He said that many other foreign orchestras are extremely interested in the idea and urged the delegates to write to:

Dr. Charles Frankel
Assistant Secretary of State
Bureau of Educational and Cultural Affairs
Department of State, Washington, D.C.

The delegates should mention to Dr. Frankel that the subject was discussed at the ICSOM conference and that the chairman explained the Boston-Toyko exchange program and urged the delegates to write to Dr. Frankel.

The chairman also said that this program is one of the best of this nature in terms of expenditures, that the response from foreign orchestras has been overwhelming that Dr. Frankel wants to expand the program and the budget. If the delegates would write to Dr. Frankel, expressing their appreciation of his efforts and ask that their orchestras be included in his program, these letters would, in turn, help Dr. Frankel to gain the support he needs in Congress to expand the program.

There was further discussion on the merits of using the sabbatical idea in negotiations: New York and Philadelphia have this demand in their negotiations, citing the increased work-load as justification.

Motion passed unanimously.

13. Docking of players for absenteeism

Various delegates recounted their experiences: one orchestra management is docking players for everything, including funerals - the matter is now in arbitration. The delegates were asked how many orchestras had clauses which permitted firing of a player for two unexcused absences: four orchestras had such clauses.

The new clause on hiring, firing and demotion in the Houston contract (to be distributed to the orchestras by the Rapid Communications Center) was cited as a good approach to this problem.
14. *Motion*: that a clearing-house of information on vacancies in orchestras and musicians seeking jobs be established by the AFM.

Pittsburgh explained its new hiring and audition procedures as set forth in its new contract (Section 13) and thought that such a clearing-house as proposed would be valuable to orchestras and musicians.

The new AFM law on vacancies, i.e., mandatory publication in *International Musician*, was commended by the delegates, but they also felt that a file on musicians would help orchestras in filling these vacancies.

*Motion passed - approved 11, opposed 5, abstained 1.*

15. Orchestra - splitting

A poll of delegates showed that nine orchestras now allow splitting and four of the nine are very unhappy, the objection being not so much to the concept, but to the abuses committed. The *National Symphony* read a lengthy report citing in detail the abuses (this report will be distributed to the orchestras by the *Rapid Communications Ventrury*); on the other hand, Chicago reported no abuses or contract violations by management. Some orchestras were opposed to the idea per se.

16. *Motion*: that the committee report on personnel managers at the 1966 TOSCA conference be reintroduced.

*Motion passed - approved 18, opposed 2.*

Mr. wood was asked if it was legal for a man to be part of the management team and still be a member of the AFM.

Mr. wood answered that anyone who plays a musical instrument can join the AFM; he agreed that, in the case of a personnel manager, a conflict of interest could result, but said that there was nothing the AFM could do about it.

The chairman was asked if this conflict of interest was in violation of federal labor laws. The chairman replied that he had gotten legal opinion which said that as long as the personnel manager was not an official of the local at the same time, there was no violation.

Outside job contracting by personnel managers was discussed. The chairman recommended that the Boston Symphony rotation plan be implemented in other orchestras. The contractor idea in the AFM
was criticized on the grounds that it was undemocratic, i.e., it tended to inhibit discussion at union meetings by members if contractors were present because of the fear of income reprisal; the personnel manager role in symphony orchestras was seen as an outgrowth of the contractor idea and it was suggested that the APM re-examine the concept.

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Morning session, September 5

The ICSOM treasurer instructed the delegates on voting procedures for ICSOM By-Law amendments (Note: see instructions in previous report on *motions passed*).

**MOTION: to dispense with further discussion of personnel managers.**

MOTION passed unanimously.

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The Editor of Senza Sordino asked for addresses for the following orchestras: Atlanta, Denver, Milwaukee and Salt Lake City.

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17. Locals paying expenses for ICSOM delegates

The delegates were polled to determine how many locals had paid the expenses of ICSOM delegates:

Baltimore - one delegate paid transportation plus $25.00 per day as provided for in local By-Laws. One delegate paid by orchestra.

Cincinnati - delegate expenses paid by local.

Dallas - to be voted on by Executive Board of local.

Detroit - delegate expenses paid by local.

Houston - $100.00 paid by local.

National - $300.00 paid by local.

St. Louis - delegate transportation and hotel, plus $10.00 per day paid by local; member of local Executive Board sent by local as observer.

Seattle - delegate expenses paid by local as per local By-Laws.

Toronto - delegate expenses paid 1/2 by local, 1/2 by orchestra.

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18. Site of next ICSOM conference

Four cities were candidates: Chicago 1, Baltimore 6, Cincinnati 3, Detroit 10; thus, Detroit will be the host for the 1968 ICSOM conference.
19. Motion: to have ICSOM continue membership in the American Symphony Orchestra League — $25.00. 
Motion passed unanimously.

20. Motion: that it be the policy of ICSOM that a five-day week be adopted for symphony orchestras and that support for this policy be enlisted from the Federation. 
Motion passed unanimously.

21. Motion: that each member of an ICSOM orchestra support the Emergency Relief Fund by a voluntary contribution of $5.00 for the 1967-'68 season. 
Motion passed unanimously.

22. Election of Editor of Senza Sardine

David Smiley was re-elected by acclamation.

23. Motion: to approve up to $500.00 expense account for the ICSOM chairman on ICSOM business. 
Motion passed unanimously.

24. Sub-committee report on code of ethics for conductors

Standards of Acceptable Behavior for Symphony Conductors

In accordance with accepted standards of ethical practice, conductors will:

a) comport themselves in a manner consistent with the dignity and professional status of the musicians under them;

b) refrain from using abusive, demeaning or humiliating language or other forms of harassment during rehearsals and concerts;

c) refrain from singling out any musician or group of musicians for the purpose of embarrassment, spite, or retaliation and

d) avoid creating situations in which the players under them are subject to criticism for failure to perform beyond the role for which they were engaged.

Breach of any or all of these standards shall subject a conductor to appropriate penalties to be fixed by the Federation and/or the local having jurisdiction.
-24-

Motion: to adopt report for possible inclusion in Article 22 of
the AFI By-Laws.
Motion passed unanimously.

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25. Rotation system

The discussion was concerned with rotation of players on out-
side jobs. It was suggested that the Chicago and Boston clauses
governing this matter be examined. Of the orchestras represented,
four had exclusive service clauses: Boston, Cleveland, Minneapolis
and Pittsburgh.

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Carlton Serrett, Vice-Chairman of IUPUS, offered to write a
vice-chairman's column for Senza Sordino and asked the orchestras
to help him with material.

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26. Non-renewal clauses

A poll was taken to determine how many orchestras had invoked
arbitration proceedings in a non-renewal dispute: Baltimore, Boston,
Buffalo, Chicago, Dallas and St. Louis.

Two orchestras, Chicago and St. Louis, had taken arbitration to
its final stage. In both cases, the decision had gone against the
player. The orchestras which have used the services of the American
Arbitration Board are Chicago, Cleveland, Detroit, Kansas City, Los
Angeles, Minneapolis, Philadelphia and Pittsburgh.

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The chairman reminded the delegates that quite a bit of money
for orchestra projects was still available under Title III of the
Health, Education and Welfare Act. Copies of this bill can be ob-
tained through President Kenin's office with instructions on how to
submit projects. The booklet is called Live Music Opportunities
Under Title III: How To Use It. Also, local union officers have in-
formation on this matter. Dallas is planning to submit an article
to Senza Sordino on this subject. In the June 1966 International
Musician, information was given on this subject.

The Higher Education Act also has funds available for orchestras.

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The chairman urged the orchestras to support TEMPO in its fight against anti-labor legislation. Each member of the Boston Symphony contributes to TEMPO.


27. Motion: that the following procedures be adopted for future ICSOM conferences:

1) All items to be placed on the agenda shall be sent to the ICSOM Secretary at least one week before the annual conference.

2) The Secretary shall have a printed copy of the agenda available for each delegate when the conference begins.

3) Each delegate shall have sufficient copies of any resolution he introduces to present each delegate.

4) The host city for the conference shall provide a typewriter and duplicating equipment for the use of the conference.

5) Additional items may be placed on the agenda by majority vote of the delegates present.

It was also suggested that the host provide an overhead projector for the conference.

Motion passed unanimously.

The ICSOM Secretary asked that suggestions for the ICSOM Orchestra Comparison Chart be sent to him soon.

The question of a summer issue of Senza Sordino was raised. The editor said that he would examine the possibility, although the fact that many orchestras were not in session was a problem. Also, the question of finances of putting out another issue had to be weighed against the advantages of a summer issue.

(The Editor asked for information from orchestras on negotiations for Senza Sordino.)

28. Arts legislation

The chairman said that it was important that orchestras support the Arts and Humanities Bill by writing to their U.S. Representatives and Senators: $137,000,000 is involved.

The title of the bill is:

H.R. 1308 - Arts and Humanities "Extension for Authorization of the National Foundation on Arts and Humanities"

In the House of Representatives, legislation is now in a subcommittee on labor.
In the Senate, legislation is now in a special sub-committee on arts and humanities.

The chairman said that the Arts and Humanities Committee, of which Mr. Roger Stevens is chairman, comprises twenty-six members. The chairman said he talked with Mr. Stevens about having ICSOM representation on this committee and was assured that as soon as a vacancy occurs, ICSOM would be represented.

Motion: that ICSOM be authorized to send a telegram to Mr. Stevens thanking him for his efforts on behalf of symphony musicians. Motion passed unanimously.

The chairman told the delegates about an amendment to the copyright laws proposed by Senator Williams of New Jersey. This amendment would restore rights to performers. Testimony is still being taken by Senator Williams. Obviously, the amendment is being fought by the recording industry. The chairman suggested that the delegates acquaint themselves with the proposed legislation. Senza Sordino will publish an article on this amendment.

The AFM has also been fighting for restoration of performers' rights.

29. Motion: to seek legal advice on retroactive payment of honorarium to the ICSOM Secretary and the Editor of Senza Sordino and, subject to that advice, to pay the retroactive honorarium.

The problem in payment is that, in spite of the wishes of the delegates at the 1966 ICSOM convention, the honorarium is not provided for in the ICSOM By-Laws. Motion passed unanimously.

The delegate from Philadelphia thanked the ICSOM Executive Board for its efforts in behalf of symphony musicians.

Conference adjourned at 1:00 PM, September 5, 1967.

Respectfully submitted,

Robert Maisel, Secretary
August 30, 1967

Detroit Plan

Presented herein is a plan for the establishing of standards for the sale and use of tapes made from live concerts by professional Symphony Orchestras under the jurisdiction of the American Federation of Musicians of the United States and Canada. This plan having been conceived by a member of the Detroit Symphony Orchestra may, if brought up for evaluation and consideration, be referred to as the "Detroit Plan" for purposes of identity and time saving.

Here this plan considered meritorious but in need of amplification or modification the logical course would be to make any additions to this plan under the heading of addendums and any desired changes under the heading of revisions. This would allow all member orchestras to peruse the plan's original framework along with all changes deemed necessary or desirable by the delegates when acting as a group under the ICSOM bylaws. Likewise it is self evident that this or any plan adopted must in its final form be rewritten in legalistic language prior to presenting it to member orchestras for ratification.

What is certainly the fervent wish of all of us is to find a working formula that is both equitable and desirable to all present and future member orchestras regardless of their size or budgets. Here then for your consideration is the "Detroit Plan" for standards and regulations in the sale and use of tapes by ICSOM member orchestras and hopefully ultimately all professional Symphony Orchestras under the Federation's jurisdiction.

Specifications and elaborating language:

1. A formula for the establishing of minimum prices in the sale of tapes by Symphony Orchestras is both desirable and necessary. This established price will pertain to the one time use of a tape, multiple use to be outlined in later paragraphs.

2. The basis for arriving at a minimum price scale shall be the total contract guarantee for the contract year to the scale musician in each member orchestra.

3. The minimum price scale shall be a fixed percentage of the contract guarantee for the year, to the scale musician. This percentage will be the same for all member orchestras and shall be one tenth of 13.
1. To have the minimum cost (1% of the average scale) equating with the virtual (the scale musician's yearly contract guaranteed) to give us the formula $C = \frac{1}{10} M S \times \# M$. That is, the

Minimum Price Scale is equal to one tenth of one percent of the yearly guarantee to the scale musician of each member orchestra.

5. The cost to a tape purchaser for the one time use of a tape shall be no less than the Minimum Price Scale times the total number of musicians under contract during any member orchestra's contract year. In formula this is $C = M S \times \# M$

6. The cost for multiple use of a tape is as follows: 2nd time tape use is $C = \frac{M S \times \# M}{2}$

3rd time tape use is $C = \frac{M S \times \# M}{4}$

All further tape use is $C = \frac{M S \times \# M}{8}$

7. Each member orchestra shall be responsible for notifying the Federation by January 10th annually of its minimum price scale for tapes. The price shall remain constant for the calendar year and shall be based on the scale musician's contract in effect as of January 10th thus avoiding almost all contract negotiation stalemates, strikes or lockouts.

8. The Symphony management may negotiate separately with the tape purchaser for additional moneys paid to it as a service charge, the amount not to exceed 5% of the total accruing to the orchestra.

9. Each individual tape contract shall be effective for a period of 18 years after which time the tape purchaser may enjoy free use of the tape excepting that at no time shall a phonograph recording be made of the tape or any portion thereof for commercial purposes. Each contract is to be made in quadruplicate with copies going to the Symphony committee secretary, the Symphony management, the Federation and the original remaining with the tape purchaser. Payment for a one time use of a tape must be made prior to the purchaser taking possession of the tape.

10. Sale contracts are to be negotiated between the tape purchaser and the Symphony management subject to ratification by the orchestra.
12. After a tape purchaser has paid for a minimum of three tape uses he may make use of portions of the tape at this prescribed rate, 1/4 hour or less to be at the rate of 25% of his tape cost as outlined in paragraph 6 under the heading of "All further tape use cost". One hour or less but more than 1/4 hour to be at the rate of 50% of "All further tape use cost". No other fractional payments are to be allowed under this plan.

13. Upon the refusal of a soloist to allow the taping or sale of any tape featuring him, the balance of the program tape may be considered a complete program for sale purposes providing that the playing time excluding a scheduled intermission is more than one hour. A soloist's refusal to release his portion of a tape automatically cancels his rights to any benefits he may otherwise have derived from the sale of the tape.

14. It shall be the responsibility of the tape purchaser to notify both the orchestra committee secretary and the Symphony management at least 10 days prior to the intended airing of a tape, specifying the date and time of its use and identifying the station(s) or network carrying the program along with specifying whether the tape use is fractional or complete. Any use of a tape without this prior written notice shall constitute an unauthorized use, subjecting the violator to a fine not to exceed double the rate scheduled for that use as outlined in paragraphs 6 and 12.

15. The Federation shall have the authority to enforce the Minimum Price Scale based on its yearly master list compiled from the verified Price Scale which each member orchestra is to deliver in writing to the Federation by January 10th of each calendar year. A member orchestra not reporting may not sell its tapes until the required report is made to the Federation. The Federation shall likewise exercise authority over the tape purchaser to the extent of placing any violator on the National Unfair List or the National Defaulters List until such time as the violation is corrected and/or any fine paid.
In conclusion it is up to us to all IAEO delegates that my positive action taken will have far reaching ramifications on the use and sale of types in the United States and Canada. Let us visibly nurture this new and growing trend both for our material betterment and the improvement in the cultural level of our people. Any formula which treats fairly all member orchestras with their wide range in income, budget, size, age and prestige must be given our most careful consideration.

Thank you for the opportunity to make this presentation to all brother IAEO delegates.

Drafted by
Walter Evich
Detroit Symphony Orchestra member

Presented by
David Ireland
Detroit Symphony IAEO delegate