**Wednesday Afternoon, August 19, 1998, ICSOM Conference Session**

The Conference was called to order by ICSOM Chairperson Robert Levine at 1:00 p.m.

**INTRODUCTIONS AND WELCOMES**

Chairperson Levine welcomed the delegates to Las Vegas and introduced and welcomed the members of the Governing Board, American Federation of Musicians [AFM] officers, and guests, including the following:

**GOVERNING BOARD OFFICERS**
- President David Angus
- Secretary Lucinda-Lewis
- Treasurer Stephanie Tretick
- *Senza Sordino* Editor Marsha Schweitzer

**MEMBERS AT LARGE**
- James Clute, Michael Moore, Charles Schlueter, Mary Plaine

**LEGAL COUNSEL**
- Leonard Leibowitz

A complete list of all Unity Conference attendees can be found at the end of the minutes.

**OTHER PARTICIPANTS, GUESTS, AND SPEAKERS**
- Ron Bauers
- William Bauer [Louisville Orchestra]
- Brad Buckley [ICSOM Chair Emeritus/St. Louis Symphony]
- Bob Docs [Louisville Orchestra]
- Martin Foster [Symphony Orchestra Musicians of Australia]
- Ernie Gross [Louisville Orchestra]
- Doug Fisher [Columbus Symphony]
- Tom Hall [Conference Coordinator, Chicago Symphony]
- Brooke Hicks [Louisville Orchestra]
- Clara Markham [Louisville Orchestra]
- Liza Medina [Attorney]

**ROLL CALL**

Secretary Lucinda-Lewis called the roll of the 46 ICSOM member orchestras. Delegates were present to represent the following orchestras:

- Atlanta Symphony: Michael Moore
- Baltimore Symphony: Mary Plaine
Levine introduced the keynote speaker, International Executive Board [IEB] member Tammy Kirk, who began by announcing that the AFM ended its fiscal years with a surplus. She spoke briefly of the importance of officer training and of strengthening the Union through rank-and-file involvement.

**Officers’ Reports**

The reports of the president, secretary, and editor were submitted in writing for the Delegate Manual. In addition to her written report, ICSOM Treasurer Stephanie Tretick reported on ICSOM’s new accountant and the move of ICSOM funds to the Dollar Bank of Pittsburgh. She also reported on the Department of Labor
Chairman’s Report

Chairperson Levine stated that there had been no strikes or lockouts this past year for ICSOM orchestras. He reported that American Symphony Orchestra League had begun to open channels of communications with the player conference leadership. ICSOM was invited to attend the League convention. Levine stated that the Symphony Orchestra Institute was continuing to work on the conductor evaluation project. He spoke briefly of the activities of the Investigative Task Force [ITF].

The leaders of ROPA and ICSOM had been invited to attend the Kennedy School of Government at Harvard University, where a study of non-profit administration would be taking place. Levine spoke of the Mellon Foundation’s project for funding orchestras. Mellon brought in representatives of the British Musicians’ Union, apparently because of the co-op governance of many British orchestras. Representatives of the Player Conferences and the AFM were invited for their input, but only after the Mellon report had been written.

Levine reported that the Florida Philharmonic and the San Antonio Symphony had left the Orchestra Services Program [OSP]. He said the New World Symphony [NWS] fence agreement had finally been negotiated but not signed. Levine explained that it was always a problem to deal with the NWS because of its enormous public and financial support. He recommended that both the Florida Orchestra and Florida Philharmonic be involved and consulted in all further matters regarding the NWS.

Levine reported that he had met with the International Executive Board [IEB] but without much result. On behalf of ICSOM, he requested more funding from AFM for financial audits of orchestras by Ron Bauers and for the Symphonic Services Division [SSD], but no additional funding was allocated. The ITF and all of the related Player Conference Council [PCC] activities are part of the ongoing effort to improve union services.

Levine discussed the past problem between the Milwaukee Ballet and Milwaukee Symphony. The Milwaukee Ballet management attempted to replace the Ballet Orchestra with the Milwaukee Symphony. During that conflict, the ICSOM governing board felt that it was important to support the members of the Ballet Orchestra, putting ICSOM Chairperson Robert Levine, a member of the Milwaukee Symphony, in a very difficult and conflicted position. Levine emphasized the fact that while the Governing Board supported the efforts of the members of the Ballet Orchestra and encouraged the Milwaukee Symphony members not to accept the Ballet services, it was not ICSOM’s policy to dictate to its member orchestras.

In conclusion, Levine acknowledged the efforts of the ICSOM Governing Board, Lenny Leibowitz, Travel agent Susan Levine, Florence Nelson, Conference Coordinator Tom Hall, and ICSOM Chairss Emeriti Fred Zenone and Brad Buckley.

In response to a question about the lack of response from the IEB to the PCC during the September 1997 meeting, Levine explained that the only communication he received was from AFM President Steve Young, and there was no other dialogue. The Locals Conference Council had requested that the AFM’s 800 number be re-instituted. While the 800 number was reinstated, it had not been announced publicly.

In response to a question from the floor about the level of funding for and services from SSD, IEB member Tammy Kirk responded that it had not been the intention of the AFM to cut SSD, but the AFM’s financial condition necessitated a cut. Steve Young added that in spite of the cut in SSD funding, SSD was performing
better now than ever before because of SSD Supervisor Florence Nelson, and stated that there was no plan to cut SSD funding further.

Levine stated that there are now only 7 members of the SSD staff, down from 12. He agreed that SSD provided incredible services for the number of people but went on to say that AFM staff has not been reduced by the same percentage.

Hale [Florida Philharmonic] indicated that the members of Florida Philharmonic did not want to see any efforts to organize the New World Symphony. They were very concerned about the NWS competing with other professional orchestras. Florence Nelson explained that the fence agreement was made with the NWS in an effort to protect the professional orchestras from encroachment and stated that, in future, someone from the Florida Philharmonic would serve on a grievance committee to oversee NWS activities. Jeff Tomberg [SSD Staff] reported that there had been ongoing efforts to bring members of the NWS together with members of the Florida Philharmonic.

**Nominating Committee**

Herb Winslow [St. Paul Chamber Orchestra] reported on the deliberations of the Nominating Committee. The five executive offices of ICSOM were up for election. Nominating Committee members were Herb Winslow, Nancy Agres [Indianapolis Symphony], and Bill Buchman [Chicago Symphony]. After Winslow had explained the nomination and election process, he announced that the Committee was nominating the incumbents. Winslow asked for additional nominations for all five positions. There were no further nominations. Nominations remained open.

**Panel Discussion: If Reform Fails**

Levine introduced the members of the panel: Leonard Leibowiz, Robert Levine, and Martin Foster, head of SOMA [Symphony and Opera Musicians Association (of Australia)], who served as moderator. Levine prefaced the panel presentation by stating that the purpose of the discussion was not to discuss how to leave the AFM, but what went wrong in Australia and how to prevent the same result from happening here.

Foster began the discussion by explaining the background of the symphonic industry in Australia. At one time, all Australian Broadcasting Corporation [ABC] orchestras were covered by a single collective bargaining agreement negotiated by the Musicians’ Union of Australia [MUA] without musician input. Collective bargaining agreements were never distributed to the musicians. Foster was the first player to acquire a copy of the agreement and distribute copies to his orchestra. There had been much infighting between local unions and the federal [union] office. In the early 70's, orchestra committees were providing services to their own orchestras which the union was either not capable or willing to provide.

Australian symphony musicians were given little opportunity to replace the union leadership because the union would hold elections unannounced. Musician relationship with the union continued to deteriorate. Eventually, SOMA asked to be designated by the MUA as the recognized orchestral division of the union. That effort was rejected. When relations between the musicians and the union could not be worked out, the musicians subsequently decided to secede from the MUA and join with the Media Alliance. SOMA is the musicians’ division of the Media Alliance. Membership dues from orchestra musicians are controlled by SOMA for the benefit of orchestral musicians.
There were discussions about the differences between the experience of Australian musicians and American musicians and the differences between the laws which govern union activities in each country. In Australia, the union had to be taken to court many times in order to enforce its own rules. The union routinely violated the labor laws in the conduct of business. In the United States, the problem with the Union is largely structural and financial resulting in its inability to provide an adequate level of services to its members. In both cases, the union’s failure to generate adequate services to working musicians constituted the main point of contention.

**Counsel report**

ICSOM Counsel Leonard Leibowitz pointed out that his written report, prepared for inclusion in the *Delegate Manual*, also contained descriptions of problems in non-ICSOM orchestras.

**ICSOM Directory Report**

Mary Plaine [ICSOM Governing Board Member at Large/Baltimore Symphony] reported on issues involving publication of the 1998-99 ICSOM Directory. Levine added that the governing board had discussed the possibility of allowing commercial advertising in the Directory.

**ICSOM Wage Mini-Chart**

Tretick reported on the Wage Mini-Chart and requested updated ICSOM wage chart information.

**Conductor Evaluation Report**

Rob Kassinger [Chicago Symphony] gave the Conductor Evaluation Administrator’s Report for Program Administrator Bill Buchman. Levine commented on the importance of the program and the unique nature of the information. The delegates were advised to read the Conductor Evaluation information provided for the *Delegate Manual* and to follow all precautions regarding use of the evaluation data.

**ICSOM Emeritus Report**

Program Administrator Abe Torchinsky was unable to attend. Michael Moore described the requirements for membership in ICSOM’s Emeritus Program. All membership applications should be sent to Abe Torchinsky.

**Strike Fund**

Angus reported on the changes in the Strike Fund Bylaws of the AFM, and documentation of the changes was distributed. The trustees had been looking into linking the premium/benefit amounts to weekly minimum wages. There were also discussions about making the Strike Fund universally mandatory with a dedicated amount from work dues providing revenues for the Strike Fund. It was felt that getting such a significant change in the Strike Fund passed at the 1999 AFM Convention was unlikely. Angus asked for direct input from orchestras on the indexing of the premium.

**ICSOM Media Workshop**

Brad Buckley chaired the Media workshop. Shari Hoffman, [AFM SSD] also participated. Buckley reported on the contentious nature of the last media negotiations and the changes in Limited Pressing Recording rules.
He stated that the level of musician compensation was not responsible for the reduction in classical recordings. Buckley pointed to the fact that there are many versions of the same works; that there is no new recording technology in the industry; and that most recording companies have gutted their classical sections as reasons why there are few recording made in the United States. He discussed the Internet downloading and marketing of commercial recordings. Buckley indicted that the AFM has been working very hard on all aspects of the Internet and hoped that the Union could get ahead of the technology. He stated that orchestras record for their communities, for presenters and sponsors, and for recognition. Buckley described the concept of wholly owned subsidiary recording companies [self-contained orchestra recording companies] and the subsidiary recording company of the St. Louis Symphony [Arch Media Company] which is a signatory to all AFM media agreements. The Saint Louis Symphony musicians negotiated the rate and are currently preparing to distribute their first CD. He felt the smart orchestras were going to market their own recordings, but musicians must have true input and power sharing.

Leibowitz expressed concern that power sharing does not constitute a collective bargaining agreement. Under such an arrangements, musicians might be deemed to be managerial employees. A discussion of the pros and cons of wholly owned subsidiary recording companies followed.

Thursday Morning, August 20, 1998, Plenary Session 1

The first joint meeting of the five player conferences was called to order at 10:00 a.m. ICSOM Chairperson Robert Levine introduced the delegates and guests of ICSOM, ROPA, OCSM, the RMA [Recording Musicians’ Association], TMA [Theater Musicians’ Association], and other guests and attendees.

Levine introduced AFM President Steve Young. Young briefly discussed trade divisions, concluding that trade divisions are not effective because they duplicate union services. He encouraged all union members to become more involved, beginning with attending local meetings and voting in elections. Basic activism means getting involved in the democratic process where rank-and-file members work to elect union delegates who will support legislation at the AFM Convention. Education is vital for members to understand their rights and responsibilities and what the union can and must do for them, especially at the local level. Young stated that the AFM had undertaken a project to educate local officers and develop organizing manuals. He said the current AFM structure could be made to work better but would not improve without the active involvement of the rank and file. Young questioned the factual accuracy of some of the criticisms appearing in recent Player Conference newsletters.

Levine introduced keynote speaker Ken Paff, a member and a reform activist of the Teamster for a Democratic Unio [TDU]. Paff spoke of the history of the Teamsters and the movement to reform the Union. He stated that the Union wasn’t doing its basic job and was in bed with the employers. Paff described rank-in-file involvement and solidarity as the basis of a strong, democratic union. In the middle 1970’s, an effort was undertaken to look at the structure of the Teamsters to determine what could be changed. Eventually, the rank and file won the right to elect their own shop stewards and the right to vote on contract modifications. In the meantime, solidarity between different segments of the union was being built. In 1989, Teamster members were given the right to vote and elect officers and delegates on a one-person-one-vote basis. In 1991, the reform group won, elected by the members, in spite of the fact that the majority of the locals opposed them. Organizing was put on the agenda of the union. Paff spoke of the success of the UPS strike in 1997. The newly elected Reform Group negotiated with UPS over issues which had previously been allowed by the old guard of the Teamsters.
Paff stated that unions have to get their members involved in organizing. The old guard of the Teamsters lasted as long as they did because of the lack of education and involvement of the rank and file. He explained the 1996 campaign finance problems of former teamster president Ron Carey. The recent Teamster election had been overturned by the federal government, and Carey was not allowed to run. Paff said that the old guard of the teamsters is currently attempting to regain control of the Union. The Reform Group will be running a slate of candidates who are more representative of the rank-and-file members. Paff stated that weakness of the union movement has created the environment which allows a substandard national minimum wage [$5.15]. He concluded by saying that union members can only hope to create positive change in their unions through collective action.

**Thursday Afternoon**

The afternoon plenary session was called to order at 1:00 p.m. by ROPA President Andy Brandt, who chaired the session.

Brandt introduced the members of the Investigative Task Force [ITF]: Robert Levine, ICSOM Chair; Dennis Dreith, RMA President; Beverly Spotton OCSM President; Bill Morarity, President of Local 802; Paul Sharpe, President of Local 279 [London, Ontario]; Jimmy Nixon, President of Local 105 [Spokane], Gordon Messick, President of TMA, Denise Westby, President of Local 99 [Portland OR]; and, Leonard Leibowitz, counsel. ITF Chair, Richard Totusek, Secretary of Local 47. Totusek gave a background of the ITF and offered a brief overview of the Task Force’s report.

Brandt introduced Bill Moriarity who spoke on the ITF organizing proposal. Moriarity stated that one of the primary tasks of a union is to encourage and recruit new membership. Membership in the AFM has declined. Fewer members means reduced influence at the bargaining table. There are many unorganized musicians in theaters and small orchestras throughout the U.S. who could be organized. Chamber music, freelance musicians, and rock musicians have yet to be organized.

Moriarity introduced Jimmy Owens of Local 802 who spoke of his organizing project at the New School in New York City. Owens stated that many jazz artists left the AFM years ago because they got nothing from the Union. The great jazz artists of the past did not need the AFM to set a wage scale for them. However, there was a need for the Union to set a wage scale for the sidemen, but no such scales were ever established. Owens reported that Local 802 has been able to show jazz artists that there is a musicians’ union which cares about them. He hoped that the AFM would notice what Local 802 had done for jazz musicians. Moriarity concluded by saying the ITF proposal was the first step toward greater organizing.

Brandt introduced Brad Buckley, who spoke on the ITF proposal calling for a prohibition of contractors on boards. Buckley described the basic core value of the union as knowing who the employer is. There are many locals which have contractors who serve on their boards. Buckley stated that it was contrary to the basic core values of the union to allow individuals who hire musicians to serve as officers or board members. He felt the ITF report did not go far enough to prevent contractors from serving in any elected union office.

Richard Toutesek addressed the ITF life membership recommendation. Life membership status has created a situation where the bulk of the members of many locals are made up of active life members who often control the elections by their numbers. The ITF report recommended that a non-voting, inactive status be implemented. Totusek suggested that the experience in Local 47 proved that the concept would work.
Jim Ewen [Vancouver] discussed the ITF recommendation for dues equity. Ewen introduced Rob McCosh, who described the situation in Nova Scotia where the local tried to raise the work dues for symphony musicians. The musicians successfully defeated that effort. Ewen concluded by stating that dues equity is important to a democratic, fair union. The ITF recommended that the same rate of work dues should be charged for all categories of work.

Dennis Dreith explained the ITF’s recommendation that union services be paid for by dues and that additional amounts not be charged for what dues should cover. The ITF proposed that Article 12, Section 20(b), of the AFM bylaws be repealed.

Dreith went on to discuss the proposed Conference Representative Board, which would provide official input from the player conferences and would have veto power on issues regarding AFM budget and all matters affecting EMSD and SSD, the Travel and Touring Department, and the Organizing and Education Department. The Conference Board would be composed of five representatives from player conferences and five from regional conferences.

Denise Westby, President of the Portland, Oregon Local described the ITF recommendation for AFM-provided annual training sessions for all principal local officers as a requirement of office.

Paul Sharpe, President of the London, Ontario, local, spoke of the ITF proposal for student memberships.

Robert Levine covered the final ITF recommendation which called for moving the AFM out of New York City into a location in the Central or Mountain time zone. Among the reasons for moving: high costs of rental, utilities, transportation, communication, and health insurance. The AFM currently pays $900,000 for health insurance for 93 employees.

**Friday Morning, August 21, 1998, ICSOM Conference Session.**

Chairperson Robert Levine turned the meeting over to Herb Winslow, chair of the Nominating Committee. Winslow asked if there were further nominations for the five executive positions. There were no further nominations, and the five incumbent officers were declared elected by acclamation.

Levine asked for approval of the 1997 ICSOM Conference Minutes. There were no corrections or amendments. The 1997 Minutes were approved as submitted.

Levine introduced ICSOM Secretary/Membership Committee Chairperson Lucinda-Lewis, who reported on the membership application of the Alabama Symphony. The other members of the Committee were ICSOM President David Angus and ICSOM Governing Board Member at Large Mary Plaine. Lewis briefly explained the membership requirements of ICSOM: 60 players, a majority of whom are members of the AFM, earning $15,000. She gave a brief history of the 1993 bankruptcy of the Alabama Symphony [ASO] and its 1997 reorganization. The new ASO had 48 members who earned a minimum annual wage of $22,000. It was the intention of the ASO board eventually to increase the size of the orchestra but in a fiscally responsible way. The Membership Committee recommended that the Alabama Symphony be admitted as a member of ICSOM with all rights and privileges.

There was a motion to admit the Alabama Symphony as a full member of ICSOM. [Motion #1/Membership Committee]
There was a brief discussion about the bylaw requirement to admit orchestras with fewer members than are required by ICSOM bylaws. It was pointed out that ICSOM’s bylaws allow the Membership Committee to consider and ultimately recommend for membership an orchestra failing to meet any of the membership requirements.

**Motion #1** carried.

Levine introduced Florence Nelson, Director of AFM SSD, who reported on the activities of SSD. Nelson stated that there had been 46 symphonic contract renewals in U.S. and Canada. SSD had been on site in over 20 of those negotiations. She warned orchestras that any media issues negotiated must be approved by the AFM. Nelson reported on the difficult financial situation facing the San Antonio Symphony where the management had attempted to negotiate huge financial cuts in July at a time when the majority of the musicians were away.

Nelson stated that several orchestras had moved their pensions to the American Federation of Musicians-Employer Pension Fund (AFM-EP). 45 orchestras are now covered by AFM-EP. Nelson encouraged delegates to get involved to effect change in the AFM and recommended that members work to improve their locals.

Levine introduced the International Representatives of the AFM. Special Assistant to the AFM President Barbara Nielsen described the role of the International Representatives (IR). AFM IR Don Shumate explained that International Representatives are responsible for auditing locals, train new local officers, work with locals in voluntary mergers, and oversee local compliance. Local compliance includes having an office with no fewer than 12 business hours per week, an answering machine or 24-hour voice mail, orientation for new members at least 3 times a year, a newsletter at least 4 times a year, financial records published once a year, and a published roster of members and negotiated wage scales, three board meetings and three membership meetings each year. Shumate stated that the AFM will soon become responsible for enforcing compliance.

IR Dennis Lynch added that there was a new program to train local officers and to increase the visibility of the local in the area. A new Officers’ Manual has recently been published.

Levine recommended that orchestras should try to find out when an IR is coming to town and have the orchestra committee meet with that representative.

**Dialogue with the International Executive Board**

Levine introduced Brad Buckley, who spoke of a situation which was discovered in one orchestra’s media survey. The Grant Park Symphony musicians had negotiated service conversion into their labor agreement. Buckley stated that managements had always wanted service conversion [where media services are not paid for over and above the regular services of the orchestra]. He read a letter from AFM President Steve Young which stated the intent of his office to act to enforce the bylaws of the AFM. Buckley warned orchestras not to negotiate into their collective bargaining agreements media provisions which are contrary to the national media contracts. Buckley concluded by saying that the AFM has an overworked and demoralized SSD staff, no organizing, and a lack of leadership, and he encouraged the delegates to seize the opportunity to reform the AFM.
Young responded that because the AFM bylaws stipulate the local as the bargaining agent, there were occasional incidents of media provisions being negotiated into collective bargaining agreements which did not conform to the requirements of the AFM. He wanted to change the bylaws to require that the AFM be the bargaining agent for all media provisions.

IEB member Ed Ward, President of Chicago’s Local 10-208, stated that it was his local which had negotiated the service conversion media provision in the Grant Park contract and explained the circumstances which led to that negotiation.

AFM Vice President Tom Lee, Secretary-Treasurer of Washington, D.C. Local 161-710, spoke about the AFM’s toll-free number and said that the IEB had agonized over the cuts in the AFM’s budget. To save money, the AFM’s 800 number was discontinued. It has subsequently been replaced. It was Lee’s opinion that locals are taking good care of their AFM orchestras.

IEB member Tim Shea addressed the ITF report. He felt that the report’s recommendations would have difficulty passing the convention and that the convention generally listened to the Player Conferences when it came to substantive proposals.

There were many questions directed to the members of the IEB. Jim Clute [Minnesota Orchestra/ICSOM Governing Board Member at Large] asked David Jandrisch [AFM Vice President from Canada] why the player conferences had not been allowed to speak directly to any of the standing committees at the 1997 AFM Convention. Jandrisch responded that he knew of no prohibition or intentional effort to exclude the player conferences from speaking to any committee.

Lee responded that the IEB would ensure that the player conferences would be given the opportunity to speak to any committee at the 1999 AFM Convention.

IEB member Ken Shirk, Secretary-Treasurer of Local 99, took exception to the ITF’s proposed Conference Review Board because he thought it would add an additional layer of bureaucracy to the decision-making process. He felt the rest of the report was filled with good, common-sense ideas. Shirk pointed out that until there was a strong grass-roots movement to change the Union, the AFM would not reform.

IEB member Tom Bailey, President of Local 136/IEB, expressed concern that any individual or group had been prevented from speaking to any committee at the AFM Convention and stated the need to ensure such an occurrence was not repeated in 1999.

The members of the IEB were asked what they would do about the ITF proposals the Unity Conference voted to support. Shea responded that it would depend upon which provisions were supported. He was concerned about mandating the AFM move out of New York City. Lee agreed with Shea.

IEB member Tammy Kirk was the Secretary of the AFM’s 1997 Restructure Committee. She stated that the player conferences had far more time to lobby their locals to support the ITF proposals than the Restructure Committee did to promote their plan. She advised the delegates to do that.

Jan Gippo [St. Louis] criticized the IEB for failing to take control and to represent and be responsive to the membership.
Mary Plaine [ICSOM Governing Board Member at Large/Baltimore] asked how many members the AFM had. Robert Levine responded that the AFM has approximately 90,000 members. Plaine also asked if there was any accounting of how many of the 90,000 had paid work dues in the last year. It was stated the AFM had no way of accurately determining that.

Brad Buckley asked whether the IEB intended to demand adequate funding for organizing at the 1999 Convention. Shirk responded the IEB had attempted to do that at the 1997 Convention but the effort was rejected. Bailey and Lee stated that organizing has to happen at the local level. Shea indicated it had been demoralizing to members of the IEB when they were unable to get legislation passed at the AFM Convention which would fund an organizing campaign, although he also felt organizing should begin at the local level.

Buckley asked if the IEB was going to ensure that symphonies in the U.S. and Canada get the services they needed. Shirk responded that the Convention would ultimately determine how much funding would be allocated to orchestras. Young suggested the only way for the IEB to shepherd legislation through the convention was for the members to become active at the local level.

Friday Afternoon, ICSOM Session

The meeting was called to order at 2:00 p.m.

Robert Levine discussed the evolution of the ITF and gave an overview of its deliberations. He then turned the meeting over to ICSOM President David Angus, who opened the floor for questions and discussion.

Jay Blumenthal [NYC Ballet] complained that the ITF report was watered down and did not address the true restructuring the AFM needed. Many delegates expressed disappointment that the ITF recommendations were not more revolutionary. Levine responded that the ITF proposals were intended to reform the union, not to restructure it.

Bill Moriarity [Local 802] added that a major consideration in shaping the ITF proposals was whether they would pass the convention. He said that although working musicians a majority of the Union, it was in the best interest of all AFM members to support those things which were in the best interest of working musicians and felt the IEB needed to have more contact with working musicians.

Susan Borenstein [Director of Organizing at Local 802] related that the AFL-CIO has created a special committee for strategic change intended to examine changes in the labor movement and how members can wrest their unions away from the old guards. She pointed out that if the stakeholders of any union are not at the table, it is difficult to make changes or find solutions. She suggested that ICSOM examine other trade unions which are currently restructuring. She viewed the ITF report as the beginning of a process.

Stephanie Tretick [ICSOM Treasurer/Pittsburgh] stated that the Pittsburgh local bylaws had been changed to eliminate contractors on the local board, to equalize dues, and to create student memberships.

Jim Clute [Minnesota] asked Bill Moriarity to explain the voting process at the convention. Moriarity explained that each local is allowed no more than four delegates. Voice votes on the floor heavily favor the smaller locals (which outnumber the bigger locals) because in voice votes, every local has one vote per 100 members, capped at 20 votes. In a roll-call vote, each local can cast only one vote, but a roll-call vote can only
be called as a result of a petition, which requires 15 locals or 30 signatories. Most votes at the convention are voice votes.

Clute felt that a change in the convention voting mechanisms would allow for a more democratic union. Moriarity pointed out that the process of changing the voting system at the AFM convention would be more difficult than getting ITF proposals passed.

Clute recommended that the ITF report be accepted as presented. It was agreed that the delegates would discuss each proposal.

There was a brief discussion on ITF proposal #1 [organizing] no substantive changes were suggested.

ITF proposal #3 [prohibiting contractors from serving on local board] was discussed. A clarification of the existing AFM bylaws regarding contractors on local boards was made by AFM counsel, George Cohen. Cohen felt that disallowing contractors to serve on local boards might not conform to the National Labor Relations Act.

There was motion to amend proposal #3 to exclude AFM convention delegates from contracting musicians. [Motion #2/ Hale]

A motion to amend Motion #2 to read: “. . . exclude AFM convention delegates from contracting other musicians” carried. [Motion #3/ Koen]

Motion #2 carried as amended.

More discussion on the definition of a contractor and co-op groups followed.

ITF proposals #7 & #8 [universal work dues] were presented for consideration. Brad Buckley spoke against universal work dues. He felt that it would be difficult to collect work dues from freelance musicians who do not work under collective bargaining agreements. Levine disagreed, suggesting that overall work dues would be reduced.

There was a motion to strike the language in proposal #7 and replaced with the following: “Federation work dues should be charged on all engagements, allowing for a lower rate than the current one for symphonic work dues with the savings retained by the local. Locals should charge the same total work dues rate for all categories of live work.” [Motion #4/ Gippo]

ITF Chairperson Richard Totusek responded that there should be a constant level of work dues on live work, without categories.

After a lengthy discussion, Motion #4 carried.

A motion to amend ITF proposal #5 calling for the barring of any inactive life member from serving as a delegate to the AFM convention carried [Motion #5/ Hale]
Concerns were expressed about ITF proposal #2 [giving (player) conferences formal power]. Musicians who do not work under collective bargaining agreements or who are not members of a player conference would not have direct representation on the Conference Representative Board. Levine responded that the player conferences would represent the interests of all working musicians.

ITF proposal #2 was accepted as originally presented.

After a brief discussion, ITF proposal #4 [give local officers training], was accepted as originally presented.

ITF proposal #6 [student memberships] was discussed next. There were concerns expressed that student members, as defined by ITF proposal #6, would not be allowed to work professionally. ITF member Paul Sharpe responded that the AFM bylaws already have a youth membership category for students 20 years old and younger. Youth members are allowed to work professionally. He recommended that student members under the proposed new category be advised to change their membership classification if they intend to work.

Blythe Tretick [Phoenix] suggested making the International Musician available to students for half price.

A discussion on ITF proposal #9 [move the AFM headquarters out of New York] followed. ITF proposal #9 calls for a one-time per capita assessment of $10 to pay for moving the AFM offices out of New York. It was suggested that because a $10 one-time assessment had been adopted at the 1997 AFM Convention, passing another assessment might not be politically possible.

There was a motion to amend proposal #9 removing “...to a location which shall be approved by a vote of the Delegates at the 1999 Convention or by a Special Committee appointed by those Delegates.” [Motion #6/Plaine].

Another motion to amend proposal #9 to remove the greater from the phrase “...out of the greater New York City area...” carried. [Motion #7/Plaine]

After a brief discussion, Motion #6 carried as amended.

**Saturday Morning Plenary Session, August 22, 1998**

The meeting was called to order at 10:00 a.m. by OCSM President Beverley Spotton, who chaired the meeting.

The agenda of the meeting was to discuss each proposal of the ITF report with the members of the Investigative Task Force. It was agreed that no motions would be accepted to amend any of the proposals during this session.

**Organizing**

It was asked whether there had been any effort to join forces with other international musicians’ unions to organize musicians. Levine stated that it was difficult enough to organize in two different countries [Canada and the U.S.] with similar labor laws without expanding beyond that.
Concern was expressed from the floor that organizing costs money and the ITF report had identified no financial means with which to pay for increased organizing effort. Moriarity responded that the ITF proposal was a philosophical first step.

**Conference Representatives Board**

It was asked whether musicians not represented by a player conference would have any representation on the Conference Representative Board. Dennis Dreith, President of the RMA, felt that there was enough diversity on the board to represent the interests of all musicians.

It was suggested from the floor that instead of a new separate board, the rank and file should have more direct input into the election of the IEB.

Members of the panel agreed that the IEB needed to have more contact with working musicians, and musicians had to have more direct involvement and representation in the decision-making processes involving SSD, EMSD, Travel and Touring, Organizing and Education.

Some expressed concern that the Conference Representative Board would become just a larger executive board. Dreith responded that there had to be an ongoing effort to insure that rank-and-file interests were represented.

It was stated from the floor that perhaps there needed to be more active involvement by working musicians in their local unions and in the democratic process to make locals work better. Musicians already have the power to make the union better by getting themselves elected to their local boards.

The panel members agreed but felt local activism would augment the efforts of the Conference Representative Board. Moriarity emphasized that working musicians have to have direct input in order for the union to develop strength. It was pointed out that the Conference Representative Board is conceived as an oversight board and would not create policy or legislation.

It was asked how the ITF proposals would be presented at the 1999 AFM Convention and what strategy would be used to get them passed. Toutusek responded that musicians needed to lobby their local unions for support. Dreith suggested if musicians can change the governance of their union, it will create a positive ripple-effect of change in the Union.

Emile Subirana [President of the Montreal Local] asked who had elected the ITF, and by what authority could it present or recommend these proposals? The question was ruled not on the proposal and therefore out of order.

**Contractors/employers on boards**

Pittsburgh opera/ballet delegate described the situation which led to the orchestras in Pittsburgh, including the Pittsburgh Symphony, changing the local union bylaws to ban contractors on boards.

Various comments from the floor were offered on the subject of banning local officers from contracting. ITF members responded that they did not want to prevent members who play in their own groups from serving on their local boards but emphasized the importance of delineating employers and employees. Levine stated that ICSOM’s governing board would present a parallel resolution to amend ICSOM’s bylaws.
There were several delegates who spoke in support of banning all contracting of any kind or amount by members of local boards.

**Saturday Afternoon Plenary Session**

The meeting was called to order at 2:00 p.m.

The delegates were encouraged to contribute to Tempo [AFM’s political lobby organization] and Teamsters for a Democratic Union.

It was recommended and accepted that the each conference empower its chair or president to go back to the ITF with any conference-recommended modifications to the report.

**Local officer training**

There was widespread agreement that officer training was needed.

**Inactive life membership**

All of the discussion was favorable to the ITF proposal.

**Student Membership Category**

There was considerable discussion on this subject. It was suggested that half-priced subscriptions be available to students. Many of the comments were directed at whether a student membership would prevent a student from working. Another suggestion was to make active and inactive student memberships. Others felt that the Student Membership proposal would bog down other proposals from the report at the convention.

**Collecting Work Dues**

Many felt that work dues could not be collected on so-called casual [freelance] work. There were others who suggested that attempting to collect work dues might drive some members out of the union. Levine responded that it did not make any sense to have members of the union who did not have to pay work dues, or, at least, for the Union not to make a best effort at collecting work dues.

**Dues Equity**

This proposal emanated from the situation in Halifax, Nova Scotia, where the local attempted to increase the work dues on Symphony Nova Scotia by 3% over the work dues they were already paying. All felt that symphonic musicians should not have to pay higher dues for services.

**Moving the AFM Headquarters out of New York City**

There was wide spread agreement that an additional $10 *per capita* assessment to fund the AFM’s move from New York might meet with resistance at the convention, since a $10 one-time *per capita* assessment had
already been passed by the 1997 AFM Convention to help the AFM deal with its financial crisis. Concerns were also expressed that forcing the AFM to move its offices from New York would cost it some of its valuable staff. Some felt the proposal might tie the hands of the AFM in obtaining the best possible location for its headquarters.

**Don’t Charge Extra for What Work Dues Should Cover**

There was total agreement on this proposal.

A discussion of the estimated financial impact of the ITF proposals followed.

There were comments regarding the importance of organizing to the future of the AFM but how difficult funding such a project to the necessary level would be.

**Saturday Evening ICSOM Session**

Robert Levine called the meeting to order at 7:00 p.m.

A motion to retain Leonard Leibowitz as ICSOM legal counsel at his current retainer carried. [Motion #8/Governing Board]

The following resolution urging player conference delegates or other similarly interested members to run for delegate to the 1999 AFM Biennial Convention carried [Motion #9/Stephanie Tretick]:

> Whereas, Under the AFM Bylaws the only duly constituted legislative body is the AFM biennial Convention; and

> Whereas, The only way to ensure that the interests of any group of members, including those represented by the Player Conferences, are advanced and enacted is for those members to elect delegates to the Convention who understand and share those interests; therefore, be it

**Resolved**, That all ICSOM delegates are urged either to run for or seek other similarly interested members to run for delegate to the 1999 AFM Biennial Convention.

Herb Winslow [Saint Paul] requested that the player conference leadership make a detailed list of activities and actions needed in the field to help pass the ITF proposals at the 1999 convention.

The following resolution acknowledging the efforts and accomplishments of Symphony and Opera Musicians of Australia [SOMA] in their fight for self-determination and union democracy was adopted [Motion #10/Governing Board]:

> Whereas, The International Conference of Symphony and Opera Musicians (ICSOM) has always been rooted in the concept of self-determination for symphony musicians; and

> Whereas, The Symphony Musicians of Australia have been engaged in a struggle to gain self-determination; and
Whereas, That struggle has demonstrated to the musicians of Australia and the orchestral world the power of unity; therefore, be it

Resolved, That the delegates to the 1998 ICSOM Conference express their heart-felt admiration to Martin Foster and his colleagues in the Symphony Orchestra Musicians of Australia for their tenacity and courage in their fight for self-determination and union democracy.

The following resolution recommending the amending of Article III, Section 2.(f), of the ICSOM Bylaws [Membership] allowing for Associate Membership status for foreign orchestras was adopted [Motion#11/Governing Board]:

Be it Resolved, That Article III, Section 2.(f), of the ICSOM Bylaws be amended to read as follows:

Foreign orchestras or conferences of foreign orchestras may apply for and be granted Associate status with the consent and approval of delegates to the annual ICSOM conference. Terms and conditions for such status shall be established by the Governing Board.

The following resolution recommending that a new section be added to Article IV [Officers] of the ICSOM Bylaws was adopted [Motion#12/Governing Board]:

Whereas, There is an inherent conflict of interest when employers serve as union officers; and

Whereas, Basic trade unionism precludes such dual roles; therefore, be it

Resolved, That a new section be added to Article IV of the ICSOM Bylaws as follows:

No officer or Member at Large of the Governing board shall (1) serve in the position of a Personnel Manager or Contractor for an employer; (2) work in any position where s/he receives any remuneration from contracting or booking musical units (other than regularly organized one of which s/he is a leader or member).

There was a motion to amend Motion #12 to remove last parenthetical sentence. [Motion #13/Gippo]

Michael Moore [Atlanta Symphony/ICSOM Governing Board Member at Large] stated that if this amendment carried, two members of the ICSOM Governing Board would instantly be removed from office.

There was a discussion to clarify the language.

A motion to end discussion carried. [Motion #14/Schlueter]

Motion #13 was defeated.

A motion to amend Motion #12 to change the parenthetical sentence to say “. . .other than a self-contained cooperative ensemble of which one is a leader or member.” [Motion #15/Plaine]

A motion to end discussion on Motion #15 carried. [Motion #16/Borschel]
Motion #15 was defeated.

Angus suggested the ITF language about contractors or local boards should be acceptable enough and recommended Motion #12 be accepted as written.

Motion #12 was adopted as originally presented.

The following resolution recommending that a new sub-section be added to Article IV [Officers] of the ICSOM Bylaws was adopted [Motion #17/Governing Board]:

Whereas, There is an inherent conflict of interest when employers serve as union officers; and

Whereas, Basic trade unionism precludes such dual roles; therefore, be it

Resolved, That a new section be added to Article IV of the ICSOM Bylaws as follows:

No ICSOM delegate shall (1) serve in the position of a Personnel Manager or Contractor for an employer; (2) work in any position where s/he receives any remuneration from contracting or booking musical units (other than regularly organized one of which s/he is a leader or member).

The following resolution authorizing the Chairperson of ICSOM to make any necessary changes in all resolutions having to do with the Final Report of the Investigative Task Force that were approved by the 1998 ICSOM Conference was adopted [Motion #18/Governing Board]:

Be it Resolved, That the ICSOM Chairperson be authorized to make any necessary changes in all resolutions having to do with the Final Report of the Investigative Task Force that were approved by the 1998 ICSOM Conference, with the object and intention of having the five Player Conferences agree to submit identical legislation to the 1999 AFM Convention regarding the substance of the Final Report. Any such changes must be approved by the ICSOM Governing Board.

There was a motion to amend Motion #18 to replace the last three words with “ICSOM Delegates.” [Motion #19/Koen]

After a brief discussion Motion #19 was defeated.

Motion #18 was adopted as originally presented.

A motion to accept ITF proposal #1 carried. [Motion #20/Governing Board]  
A motion to accept ITF proposal #2 carried. [Motion #21/Governing Board]  
A motion to accept ITF proposal #3 carried. [Motion #22/Governing Board]  
A motion to accept ITF proposal #4 carried. [Motion #23/Governing Board]  
A motion to accept ITF proposal #5 carried. [Motion #24/Governing Board]  
There was a motion to accept ITF proposal #6. [Motion #25/Governing Board]

There was a motion to modify Motion #25, ITF proposal #6. [Motion #26/Mansfield]
Motion #26 to modify ITF proposal #6 was overruled by the Chair.

A motion to challenge chair’s ruling carried. [Motion #27/Mansfield]

A discussion of modifying Motion #25, the language of ITF proposal #6, followed.

After brief discussion, a motion to overrule Motion #27 carried. [Motion #28/Clute]

A motion to reject Motion #25, ITF proposal #6, carried. [Motion #29/Koen]
A motion proposing alternate language for Motion #25, ITF proposal #6, was rejected. [Motion #30/Gippo]

A motion to reject ITF proposal #7 carried. [Motion #31/Hale]
A motion to reject ITF proposal #8 carried. [Motion #32/Schlueter]

A motion to use language in ITF proposal #6 as alternate language to proposal #8 as follows carried [Motion #33/Borschel]:

Be it Resolved, That the 1998 ICSOM Conference directs the ICSOM Chairperson to submit legislation to the 1999 AFM Convention that will prevent any repetition of the injustice that was done to the musicians of the Symphony Nova Scotia by their Local in raising their work dues in an undemocratic and inequitable manner.

A motion to reject ITF proposal #9 carried.[Motion #34/Clute]
A motion to adopt ITF proposal #10 carried. [Motion #35/Blythe Tretick]
A motion to adopt ITF proposal #11 carried. [Motion #36/Moore]

The following resolution urging the Nevada Symphony management to grant tenure to the existing members of the orchestra was presented [Motion #37/Governing Board]:

Whereas, It has come to the attention of the International Conference of Symphony and Opera Musicians that the Nevada Symphony (NSO) musicians have been locked out; and

Whereas, The major issue is the tenure of existing long-standing members of the orchestra; and

Whereas, Tenure is standard in the symphonic industry; and

Whereas, The management of the Nevada Symphony seems to be unaware that tenure for NSO musicians is well deserved; therefore, be it

Resolved, That the 1998 ICSOM Conference go on record as giving its full support to the musicians of the Nevada Symphony and urge the Nevada Symphony management to grant tenure for the existing members of the orchestra as soon as possible.

A motion 41 to amend “as soon as possible” to “immediately” carried. [Motion #38/Stutsman]

Motion #37 carried as amended.
The following resolution urging the IEB to establish a student subscription rate for the *International Musician* was presented [Motion #39/Blythe Tretick]:

Whereas, *The International Musician* already has nonmember and member subscription rates; and

Whereas, Increased access to union periodicals will help educate future members and supporters of the AFM; therefore, be it

**Resolved,** That the IEB establish a student subscription rate for the *International Musician*, to be published in the paper with the present subscription rates.

A motion carried to amend the last paragraph of Motion #39 to read [Motion #40/Harper]:

**Resolved,** That the 1998 ICSOM Conference urge that the IEB establish a student subscription rate for the *International Musician*, to be published in the paper with the present subscription rates.

Motion #39 carried as amended.

The following resolution amending Article 23, Section 2, of the AFM Bylaws was presented [Motion #41/Mansfield]:

**Resolved,** That Article 23, Section 2, of the AFM Bylaws be amended as follows:

Section 2: . . . .For election of Officers and Delegates to the AFL-CIO Convention, each Local shall be entitled to one vote for each 100 members or major fraction thereof, but no Local shall be entitled to cast more than 20 votes. No Local shall cast less than one vote.

There was a motion to amend Motion #41 as follows [Motion #42/Hale]:

**Resolved,** That the ICSOM Chair be authorized to submit to the AFM Convention that Article 23, Section 2, of the AFM Bylaws be amended as follows:

After a brief discussion, a motion to table indefinitely Motion #41 and all motions thereto carried. [Motion #43/Moore]

The following resolution urging the member orchestras of ICSOM to adopt the following policy regarding Electronic Media Guarantees was presented [Motion #44/Governing Board]:

Whereas, The use of Electronic Media Guarantees (EMG), has been grossly abused by symphony managers; and

Whereas, EMGs are intended to be an addition to any compensation due for live services; therefore be it
Resolved. That the 1998 ICSOM Conference urges the member orchestras of ICSOM to adopt the following policy regarding Electronic Media Guarantees:

1) Work to satisfy the EMG must be done within the contracted season length; 2) EMGs shall not be negotiated to reduce previously contracted weeks of service; 3) EMGs shall be utilized for work of a symphonic nature, not for commercial work such as jingles, theatrical motion pictures, etc.; 4) Orchestras shall not redirect any part of previously negotiated scale wages into EMGs.

A motion to adopt Motion #44 by unanimous consent carried. [Motion #45/Gippo]

The following resolution urging all ICSOM delegates either to run for or seek other similarly interested members to run for delegate to the 1999 AFM Biennial Convention was adopted [Motion #46/Governing Board]:

Whereas, Under the AFM Bylaws the only duly constituted legislative body is the AFM biennial Convention; and

Whereas, The only way to ensure that the interests of any group of members, including those represented by the Player Conferences, are advanced and enacted is for those members to elect delegates to the Convention who understand and share those interests; therefore, be it

Resolved. That all ICSOM delegates are urged either to run for or seek other similarly interested members to run for delegate to the 1999 AFM Biennial Convention.

The following resolution expressing support and encouragement to the musicians of the orchestras of San Antonio, Montreal, Kennedy Center, National Arts Centre, and the Florida Philharmonic was presented [Motion #47/Governing Board]:

Whereas, Once again this year there are a number of major orchestras in North America which are facing bargaining crises; and

Whereas, These orchestras are facing potential work stoppages; and

Whereas, Some of these work stoppages could prove disastrous to these orchestras; and

Whereas, In the spirit of trade unionism, solidarity, and collegiality, the AFM Player Conferences wish to support and encourage the musicians of these orchestras; therefore, be it

Resolved. That ICSOM express its support and encouragement to the musicians of the orchestras of San Antonio, Montreal, Kennedy Center, National Arts Centre, and the Florida Philharmonic, and further urge their managements to bargain in good faith and seek reasonable ways and means to solve their fiscal problems other than on the backs of the musicians.

A motion 50 to amend Motion # 47 to include the Louisville Orchestra carried.[Motion # 48/Hale]

Motion # 47 carried as amended.
A motion calling for the ICSOM Governing Board to determine site for next year’s conference was presented. [Motion # 49/Schlueter]

There was a motion to amend Motion # 49 to include San Antonio, San Diego, Florida, or any site location where ICSOM’s presence could be helpful: [Motion# 50/Bruce Ridge]

Mark Schubert [Honolulu] requested that Honolulu be added to list. The Chair ordered Honolulu be added to Motion #50.

ICSOM Counsel Leonard Leibowitz pointed out that all of the cited cities were where orchestras were currently having problems. Those problems might not exist next year.

Levine explained that ICSOM’s Conference Coordinator, Tom Hall, had more confidence in running a successful conference at the Antlers in Vail. Levine asked the delegates take that into consideration.

There was a motion to amend Motion #50 to say Vail or any other such location as might be considered by the Governing Board to be helpful to a troubled orchestra. [Motion #51/Bruce Ridge]

After brief discussion Motion #51 carried.

Motion # 50 carried as amended.
Motion # 49 carried as amended.

New Business

A motion calling for the ITF to formulate an effective voting block of delegates to pass the ITF proposals at the 1999 AFM convention carried. [Motion #52/Koen]

Gippo suggested that the ICSOM governing board consult with the delegates and orchestras more often.

A motion directing ICSOM’s governing board to communicate with each delegate once a month on the policies and activities of the governing board was withdrawn. [Motion #53 /Gippo]

The following resolution calling for the ICSOM Governing Board to formulate a plan to instruct the Delegates on the appropriate specific strategies that must be carried out over the course of the coming year was adopted. [Motion #54/Winslow]

Whereas, The Delegates to the 1998 ICSOM Conference have spent a great deal of time and energy discussing the ITF proposals; and

Whereas, The strategy of how to accomplish the passage of these proposals is crucial to the success of the ITF proposals; therefore, be it

Resolved, That the ICSOM Governing Board will formulate a plan to instruct the Delegates on the appropriate specific strategies that must be carried out over the course of the coming year.
Tom Hall thanked Stephanie Willingham for her assistance in the conference preparations. The delegates gave her a much deserved ovation.

Chairperson Levine asked if there was any further business.

There being no further business, the 1998 ICSOM Conference was adjourned.


Lucinda-Lewis
ICSOM Secretary