



INTERNATIONAL CONFERENCE OF
SYMPHONY AND OPERA MUSICIANS

2009 ICSOM Conference

Norfolk Waterside Marriott
Norfolk, Virginia

August 19-22, 2009

The Arts & Economic Recovery

Wednesday, August 19, 2009

ICSOM Chairman Bruce Ridge (North Carolina Symphony) welcomed the ICSOM delegates, AFM and Local officers and guests to Norfolk, VA. He introduced the rest of the ICSOM governing board, followed by the conference coordinators:

Brian Rood, ICSOM President (Kansas City Symphony)

Laura Ross, ICSOM Secretary (Nashville Symphony Orchestra)

Michael Moore, ICSOM Treasurer (Atlanta Symphony Orchestra)

Richard Levine, ICSOM *Senza Sordino* Editor (San Diego Symphony Orchestra)

Matthew Comerford, ICSOM Governing Board Member-at-Large (Chicago Lyric Opera Orchestra)

Paul Gunther, ICSOM Governing Board Member-at-Large (Minnesota Orchestra)

Cathy Payne, ICSOM Governing Board Member-at-Large (San Francisco Symphony)

Meredith Snow, ICSOM Governing Board Member-at-Large (Los Angeles Philharmonic)

Leonard Leibowitz, ICSOM legal counsel – ON LEAVE

Tom Reel, 2009 ICSOM conference coordinator (Virginia Symphony)

Robert Levine, assistant conference coordinator (Milwaukee Symphony Orchestra)

ICSOM Secretary Laura Ross read the roll call:

Orchestras:

Alabama Symphony Orchestra

Atlanta Symphony Orchestra

Baltimore Symphony Orchestra

Boston Symphony Orchestra

Buffalo Philharmonic Orchestra

Charlotte Symphony Orchestra

Chicago Lyric Opera Orchestra

Chicago Symphony Orchestra

Cincinnati Symphony Orchestra

The Cleveland Orchestra

Colorado Symphony Orchestra

Columbus Symphony Orchestra

Dallas Symphony Orchestra

Detroit Symphony Orchestra

Florida Orchestra

Fort Worth Symphony Orchestra

Grant Park Symphony Orchestra

Honolulu Symphony Orchestra

Houston Symphony Orchestra

Indianapolis Symphony Orchestra

Jacksonville Symphony Orchestra

Kansas City Symphony

Kathleen Costello

Michael Moore

Mary Plaine

Lawrence Wolfe

Robert Prokes

Ellyn Stuart

Matthew Comerford

Rachel Goldstein

Paul Frankenfeld

Lembi Veskimets

Paul Naslund [for Stephen Dombrowski]

Michael Buccicone

David Heyde

David Everson

Warren Powell

George Dimitri

Dale Newton

Steve Flanter

Eric Arbiter

Greg Dugan

John Wieland

Timothy Jepson

Kennedy Center Orchestra	Peter de Boor
Los Angeles Philharmonic	Meredith Snow
Louisville Orchestra	Steve Causey
Metropolitan Opera Orchestra	Marvin Topolsky
Milwaukee Symphony Orchestra	Robert Levine
Minnesota Orchestra	Norbert Nielubowski
Nashville Symphony Orchestra	Bradley Mansell
National Symphony Orchestra	Truman Harris
New Jersey Symphony Orchestra	Martin Andersen
New York City Ballet Orchestra	Ethan Silverman
<i>New York City Opera Orchestra</i>	
New York Philharmonic	Kenneth Mirkin
North Carolina Symphony	Elizabeth Lunsford
Oregon Symphony Orchestra	Dolores D'Aigle
Philadelphia Orchestra	John Koen
Phoenix Symphony Orchestra	Ron Whaley
Pittsburgh Symphony Orchestra	Penny Brill
<i>Puerto Rico Symphony Orchestra</i>	<i>Jaime Amador</i>
Rochester Philharmonic Orchestra	David Angus
Saint Louis Symphony Orchestra	Christian Woehr
Saint Paul Chamber Orchestra	Leslie Shank
San Antonio Symphony	Brian Petkovich [Stephanie Tepy Westney]
San Diego Symphony Orchestra	Yumi Cho
San Francisco Ballet Orchestra	Thalia Moore
San Francisco Opera Orchestra	Leslie Ludena
San Francisco Symphony Orchestra	Melissa Kleinbart
Syracuse Symphony Orchestra	Patrick Shrieves
Utah Symphony	George Brown
Virginia Symphony	Rodney Martell [for Amanda Armstrong]

MSC to waive payment of ICSOM dues for the 2008-09 season for the Honolulu Symphony. As of August 19, 2009, the orchestra is still owed 13 weeks of back pay for work performed. [*Motion #1 – ICSOM Governing Board*]

Norfolk (VA) Mayor Paul Fraim welcomed the delegates and guests to Norfolk. He spoke about his pride in the Virginia Symphony and how important the arts are to our economic recovery. (*complete text of Mayor Fraim's speech may be found on the ICSOM website – www.icsom.org*)

Ridge continued the introduction of additional Conference guests and presenters:

Bill Foster, ICSOM Electronic Media Committee chairman & AFM-EPF Trustee (National Symphony Orchestra)

OTHER AFM PLAYER CONFERENCES:

Carla Lehmeier-Tatum, President, Regional Orchestra Players' Association (ROPA)

Francine Schutzman, President, Organization of Canadian Symphony Musicians (OCSM)

Phil Ayling, President, Recording Musicians Association (RMA)

AMERICAN FEDERATION of MUSICIANS:

Tom Lee, AFM President

Bill Skolnik, AFM Vice President of Canada

Ray Hair, IEB, President, Local 72-147, Dallas-Fort Worth TX

Bob McGrew, IEB, Secretary-Treasurer, Local 65-699, Houston TX

Chris Durham, Director, AFM Symphonic Services Division

Nathan Kahn, AFM SSD negotiator

Deborah Newmark, AFM SSD, Director, Symphonic Electronic Media

Doug Lyons, AFM SSD, contract administration

Joseph Goldman, AFM SSD, benefits analyst

Mark Tetreault, Director, AFM SSD Canada

Barbara Owens, AFM SSD negotiator and AFM International Representative

Hal Ponder, Director, AFM Government Relations

OFFICERS OF AFM LOCALS:

Gordon Stump, President, Local 5, Detroit MI
Lovie Smith-Wright, President, Local 65-699, Houston TX and Chair, AFM Diversity Committee
Gary Matts, President, Local 10-208, Chicago IL
John Lindberg, President, Local 125, Norfolk VA
John Cusick, President, Local 161-710, Washington DC
Mary Landolfi, President, Local 802, New York NY
Jay Blumenthal, Vice-President, Local 802, New York NY
Charles (Al) Couch, executive board, Local 4, Cleveland OH
Patrick Hollenbeck, President, Local 9-535, Boston MA
John Grimes, Vice-President, Local 9-535, Boston MA
Robert Couture, executive board, Local 9-535, Boston MA
Brien Matson, President, Local 677, Honolulu HI
Vince Trombetta, President, Local 47, Los Angeles CA

OBSERVERS and OTHER GUESTS:

Paul Castillo, Secretary-Treasurer, Local 353, Long Beach CA, & Parliamentarian
Barbara Jaccoma, attorney/negotiator
Dennis Dreith, Administrator, AFM & AFTRA Fund and Film Musicians' Secondary Markets Fund
Jonathan Axelrod, attorney/negotiator
Rochelle Skolnick, attorney, Schuchat, Cook & Werner
Greg Drone, orchestra committee chair, Kennedy Center Orchestra/Washington Opera
Jerry Montgomery, observer, Indianapolis Symphony Orchestra
Leslie Dawn Knowles, observer, Toronto Symphony Orchestra
Richard Ryan, observer, Louisville Orchestra
Laurel Ohlson, observer, National Symphony Orchestra
Holly Slocum, Communications Director, Union Health Share
Beverly McGrew, guest

SPEAKERS/PANELISTS:

Paul Fraim, Mayor of Norfolk VA
JoAnn Falletta, Music Director, Virginia Symphony & Buffalo Philharmonic
Michael Kaiser, President, John F. Kennedy Center for the Performing Arts
Janet Horvath, author/speaker, *Playing (Less) Hurt*
Theresa Cameron, Director of Membership, Americans for the Arts
Jessica Strieter, membership, Americans for the Arts
Vinni LoPresti, Director of Benefits, AFM-EPF
Will Luebking, Director of Finance, AFM-EPF
Patricia Polach, AFM counsel, Bredhoff & Kaiser
William Thompson, presenter, University of Louisville

Virginia Symphony ICSOM Conference Coordinator Tom Reel made a few opening announcements.

John Lindberg, President of Local 125 – Norfolk VA, welcomed delegates and guests and spoke about the gift Local 125 placed in the mailboxes – a Virginia Symphony CD that had been paid for by the Local to celebrate the Local's 100th anniversary. He also explained that the evening cruise on Wednesday evening would include a presentation by Local 125 to their 10th annual John Paul Lindberg Arts Supporter of the Year Award recipient, the program director for WHRO (Hampton Roads' NPR public radio station), Dwight Davis.

JoAnn Falletta, Music Director of the Virginia Symphony and the Buffalo Philharmonic, expressed her pride to be a member of Local 125 and said how delighted she was to work with the musicians of the Virginia Symphony. She thanked Tom Reel and John Lindberg for their positive qualities and dedication. She acknowledged the very important meetings Bruce Ridge held with the orchestra during the past season, and Ridge's dedication to his first orchestra. She also thanked Nathan Kahn for his hard work on behalf of the orchestra. Falletta and the Virginia Symphony are both very proud the orchestra is a member of ICSOM. She believes ICSOM orchestras are the best in the world, and that it is musicians' skills that will cause US orchestras to thrive.

MSC (*Motion #2*) to approve the 2008 ICSOM conference minutes.

Officer Reports

(complete text of the Chairman's and President's Report may be found on the ICSOM website and in the October 2009 issue of Senza Sordino)

Chairman Bruce Ridge spoke of how his idols and mentors inspired him, and how his memories have flooded back as he returned to the city where he held his first orchestra position in the Virginia Symphony. He spoke of the importance of continued idealism and love of our craft, similar to the way we loved it when we were students. He said we must re-engage as advocates for our art and as leaders of our orchestras. He pointed to the difficult year orchestras have weathered and the new role we have assumed as financial experts. Arts are being withdrawn from schools even while there is overriding documentation that the Arts help students. We must inspire our colleagues even if our managers do not; the need is great. We must fight apathy.

He spoke about why ICSOM was formed and how its mission continues. This year, when we needed the AFM the most, it was not there. It took 10 months to hire a Symphonic Services Division (SSD) director, and ICSOM's advice and concerns are still being ignored. We must be united, not divided. ICSOM is an advocate of unity - we want to move forward with a new dialogue.

Ridge pointed out that this has been one of the worst years for orchestras with countless reopeners and tough negotiations. This week we must support and inspire each other, he believes there is reason for hope and that we can do it together. Concert attendance is on the rise. The economic impact of the Arts is impressive and can be observed everywhere, starting with the Virginia Symphony, and yet the orchestra's success is in jeopardy. ICSOM is here in Norfolk this week to show their support for this jewel of an orchestra – the Virginia Symphony must thrive and continue in the future. He said this is not a time of hand-wringing; it is a time of great opportunity.

Ridge related that when he is performing in North Carolina, he knows his colleagues across the country are performing in their cities at the same time. He closed by expressing how much he enjoys working with the governing board and also expressed sadness at the absence at this conference of ICSOM counsel, Len Leibowitz, who is currently on leave.

President Brian Rood thanked Local 125 and the Virginia Symphony for their welcome to Norfolk and reminded attendees that it was the advocacy and insistence of Bruce Ridge, then North Carolina's delegate, to bring ICSOM to our member orchestras who can benefit from our presence, rather than returning to Vail, CO, every summer. He spoke about ICSOM's progress over nearly 50 years with improved benefits, salaries, season length, and working conditions. He spoke of the services offered by ICSOM, and some of the services that began with ICSOM and have now become cornerstones of those recognized services we receive from the AFM. He spoke about his attendance, along with Bruce Ridge and Laura Ross, at the recent ROPA conference in Dayton, OH, celebrating ROPA's 25th anniversary.

Rood spoke about his and Ridge's activity working with the Orchestra Statistical Reports (OSR) and that all orchestras should have access to the League of American Orchestra (LAO) OSRs for their orchestra group. He spoke about the continuing requests for concessionary contracts and reopeners, and how ICSOM continues its advocacy and support with negotiating orchestra conference calls, Calls to Action, and other activities.

He spoke about the AFM's relationship with its members, and that orchestras continue contributing more and more work dues that are the working capital for the Federation and yet receive little return in services. He spoke about the lack of voting power when dues are assessed at the AFM convention. While some things have improved, like inviting Player Conference representatives to serve as active participants in media negotiations, unfortunately, little Federation resources are spent on SSD. Orchestras provide 55% of the work dues contributed to the Federation but only 9% of that is spent on SSD. We need to know what our relationship with the AFM will be in the future.

The recent Symphonic issue of the *International Musician (IM)* almost completely ignored ICSOM, and the quotes in many of the articles about orchestra activities are from management but not the musicians. ICSOM acknowledges Stanley Drucker's incredible contributions to the New York Philharmonic for more than 60 years and we all wish him well in his retirement; however, the front cover of the *IM* should have featured ROPA – currently the largest Player Conference – as they celebrated their 25th anniversary.

Rood warned the delegates that they must not become complacent; instead, he pointed out, we have a unique opportunity to define our roles as union activists and leaders of our orchestras.

Secretary Laura Ross gave a brief report and advised delegates to read the Officer Reports in their Delegate Manual mailed to delegates in July. She added that a new question regarding orchestra size has been added to the settlement bulletin form.

Treasurer Michael Moore reported that there will be no dues increase this year though ICSOM will realize some cuts in dues payments because of unfilled orchestra positions. Moore reported that none of ICSOM's funds have decreased.

Editor Richard Levine spoke about new postal regulations and asked that delegates be vigilant correcting addresses because we pay for every returned piece of mail, which is especially costly when issues are mailed individually instead of in boxes.

Nominations for President, Secretary, and two Members at Large were entered into the record by Nominating Committee member Delores D'Aigle (Oregon) on behalf of committee member Eric Arbiter (Houston), and Chair of the Committee Mary Plaine (Baltimore) who was unable to attend the conference. Placed into nomination were the following names:

Brian Rood for the office of President

Laura Ross for the office of Secretary

Matt Comerford and Cathy Payne for the offices of Member at Large

In an interview format with **Michael Kaiser, President of the John F. Kennedy Center for the Performing Arts**, Bruce Ridge addressed a number of topics with Kaiser regarding the future of American symphony orchestras. Some of the areas touched upon included: whether the economic downturn masks a long-term trend or is the result of a recession and therefore temporary (MK: *It's a bit of both but it has revealed a shocking lack of capability and training by many of the managers, and many of them leave one orchestra only to take up the position in another orchestra – bad management has not changed*); why managers appear to be resisting his message (*Managers have the responsibility for motivating the board but many do not agree with this philosophy – he believes the job should not just be about raising money but about marketing, building excitement, creating exciting programs and engaging the board and the public*); the disparity between musician salaries (which are currently being reduced) and high six figure salaries of executives that are losing money for their institutions (*Managers should be paid for performance, but unfortunately most boards do not know how to hire a good manager or how to replace a bad one – collectively they avoid facing their problems and blame the economy*); investing in special projects that inspire (*You don't make cuts to get yourself out of a problem - when there's less money you have to work harder. If you plan in advance [years not months], change your marketing from institutional to programmatic and consistently bring in new people, then creativity and ingenuity and financial planning will help the institution long-term*); projecting a positive message (*It's frightening to be responsible for the finances when you don't know where the money is going to come from but it's a bad move to put out a negative message when what inspires people to contribute and participate is excitement and good news – it also comes down to board training and understanding the orchestra's mission because it can't just be about the money*); whether this is the time to be balancing a budget as opposed to managing debt (*You cannot balance a budget on the back of future successes – boards need to restructure themselves to assist and managers need to find alternatives when cutting costs because marketing, salaries, artists and programs are the very last things that should be touched*); using the threat of bankruptcy as a fundraising effort (*This move comes as no surprise with so much cutting going on, but it's a big mistake to think people would want to give money to a failing organization – they want to be involved with successful organizations*); the role of orchestra members when managers and boards do not step up (*So much could be improved with education – musicians should be educated about arts managers because this is their future and they need to understand what is going to make the orchestra healthy. The board and staff need a broader education that includes orchestra concerns as well as many of the things already discussed*); and the elimination of education programs (*The Kennedy Center is working to coordinate arts activities that are systemic and are testing a pilot program in Sacramento – Arts organizations that do not participate now will not have audiences in the future.*) Kaiser agreed this had been the hardest time he has faced as well.

Delegates and guests asked additional questions. Larry Wolfe (Boston) asked about marketing interesting programming (MK: *It's not just about selling programs. A portfolio of programs and excitement needs to be built about a project or program*); John Wieland (Jacksonville) asked about strategies for board education (*My colleagues and I are very willing to meet with boards. It's quite possible that when an orchestra is unhappy with their board's performance, so are the managers*); Michael Moore (Atlanta) asked about cuts at the Kennedy Center (*Cutting free staff coffee saved \$30,000. We are sending fewer people to League conferences, renegotiating fees, moving productions and set-ups, moving newspaper ads to online advertising, and yes, removing light bulbs – We cut \$11M from a \$150M budget, yet all scheduled programs went off as announced and we are selling the same number of tickets*); Greg Drone (Kennedy Center) asked why the League is failing to educate leaders (*We try, but*

the teachers are from the 'old school' that continues to propagate the same failing system); Penny Brill (Pittsburgh) asked what musicians can do to help get Kaiser's message to the public (We have produced some 5-minute videos for boards and managers who are interested; I write a column in the Huffington Post every Monday; and orchestras in trouble can apply to www.ArtsInCrisis.org for my mentorship program); Chris Durham (AFM-SSD director) asked how to rebuild orchestras like Columbus that have taken big hits (It will not happen overnight and the orchestra has to show relevance in the public – We have been working with the Louisiana Philharmonic); George Brown (Utah) asked about how they are utilizing online networking (Facebook, online ticket sales, e-blasts with special offers, e-newsletters – Our marketing director is willing to assist orchestras if interested); Dolores D'Aigle (Oregon) asked for additional information regarding the board education program (We hold a 2-day seminar in October that is limited to 100 people – We have the most qualified board members to lead, and are willing to take recommendations for others. The application and information can be found at www.Kennedy-Center.org); Thalia Moore (San Francisco Ballet) asked about orchestra member involvement on board committees (While good ideas come from everywhere, there are many that fear criticism); Martin Andersen (New Jersey) asked how to bring new people into a 'closed' board (Work with management to educate the board about why diversity and new connections are a good thing for an organization, and while it's hard to force change from the outside, now is the time to try); Bill Foster (National) thanked Kaiser for his hard work and acknowledged the enormous contributions Kaiser has made in the changes to the Kennedy Center, and that National has benefited and their profile raised even higher. Marv Topolsky (Metropolitan Opera) asked about dealing with a board mentality that would attempt to suppress unions (We don't mention unions but instead bring board members to the orchestra for interaction by attending rehearsals and seeing how hard they all work. They will begin to change their attitude and appreciate the creativity and talent of the artists).

Bruce Ridge thanked Michael Kaiser for his time and inspiration, and he expressed the support of all orchestra musicians everywhere.

Following lunch, Robert Levine (Milwaukee) announced to the delegates that Abe Torchinsky, founder of the ICSOM Emeritus program, died that morning.

Delegates received an update on **Americans for the Arts** Action Fund from Director of Membership, Theresa Cameron, and Jessica Strieter, who coordinates membership and notification. They reported that, with the help of 100,000 members, AFTA was successful advocating for both inclusion in recovery fund allocation and increasing funding for the National Endowment for the Arts, as well as working to save state and local arts agencies and funders. They reminded delegates that ICSOM members may join for free and encouraged delegates to join the Action Fund and encourage their orchestra members to join as well. Cameron expressed how much AFTA appreciates the advocacy of Bruce Ridge and ICSOM.

Bruce Ridge spoke of the value of ICSOM's relationship with AFTA and their Advocacy alerts.

AFM President Tom Lee expressed his appreciation for AFTA's great work and then spoke about the Symphonic Services Division director search, which he admitted took far too long; he admitted to some errors in judgment and expressed his apologies. Chris Durham was selected and Lee speaks with him frequently about the direction Durham plans to take the department. Lee expressed pleasure that Joe Goldman was recently hired as a benefits analyst, a direct result of a 2008 ICSOM resolution. He addressed the conditions orchestras currently face, especially when cuts are demanded, and that change must be done on an informed basis. Negotiations have become much more difficult and tedious, and Lee agrees attorneys are very necessary.

Lee next spoke about the lengthy process the media committee had been involved with; expressed pleasure that Trish Polach would be speaking about the Integrated Media Agreement, which was the outgrowth of failed multi-employer negotiations; and hoped everyone would stick together in support of this agreement. He briefly spoke about Sound Recording, Film, Commercial/Jingles and Pamphlet B (theatrical touring) negotiations and mentioned the videogame agreement which, according to Lee, has brought in some money for musicians that haven't been doing much work because the AFM is dedicated to finding work for its members.

Lee spoke about the AFM's Legislative Action Committee, Friends of the AFM, and those members with email addresses who will be able to participate in quick e-mails to contact their congressional members. He spoke about the longtime battle over Performance Rights legislation, and that the broadcasting lobby has recently begun working very hard to make inroads into the coalition's recent progress. He urged everyone to sign up for the AFM's advocacy e-mail alerts, citing the success of a campaign a few years ago with Delta Airlines regarding its baggage policy. The AFM is also involved in lobbying efforts regarding tax issues (taxing tax-exempt contributions), pension issues, and Lee said the AFM has connections to the White House. He spoke about and

thanked Bruce Ridge for his testimony before Congress and congratulated him on a great job representing the AFM and ICSOM as well as all AFM Orchestras.

Lee moved on to the Pension Fund, its structure, fund administration, and how administrators, attorneys, managers, etc. are chosen. He urged participants to check their statements carefully each year, and spoke about The Fund's current status regarding the three levels established in the Pension Protection Act of 2006 – green, yellow and red. Unfortunately, the stock market took a big dive over the past year with the Dow Jones reaching a low of close to 6,500 around March 6, 2009. While the stock market increased somewhat during March, it was still drastically low at the end of The Fund's fiscal year which was March 31, 2009. This caused a real problem because it meant the assets were reduced and this would place The Fund in the red zone, which means that at the moment there is not enough money to pay off all of the participants that may draw their pensions both now and in the future. The Fund just a year earlier was in the green zone with 102% funding. At the moment The Fund, under legislation adopted late in 2008, has declared green zone status but the trustees, absent a huge rise in the stock market, are required to create a rehabilitation plan. Benefits earned must be paid but the trustees have lowered the multiplier as a preliminary measure in order to save accruing huge future benefits that will place more stress on The Fund. The Fund dropped by 28% over the previous fiscal year (and because assets are a fixed/equity mix our losses did not match the 50% drop in the Dow average.) However, changes are still required to be made and to be responsible trustees, they first addressed the multiplier, which was reduced first to \$2 and then, pending arbitration, it could go down to \$1. They hope the market will recover and The Fund will be back on the right track. Lee also pointed out the AFM-EP Fund is not alone in this difficult time and that a very high percentage of other multi-employer plans are having the very same problems. Lee also pointed out that those who have investment plans and intended to retire this year or next have now discovered that their retirement accounts have lost so much money that they can't retire. However, if they were to retire today and were in the AFM plan, they would still retire at the money contributed under the \$4.65 multiplier or any other multiplier.

Lee closed with thanks to members of the National Symphony who agreed to meet with congressional members on various topics through the year. He also thanked the SSD staff for their hard work.

Tom Lee - Q&A

Peter de Boor (Kennedy Center) asked about the usefulness of changes and forestalling the pension fund's zone status. *(TL: the trustees' believed they needed to take a longer look at the alternatives so that changes that were made were carefully thought out. Making quick changes could be harmful and would not necessarily do the job. Some of the changes that may be under consideration if The Fund's status is in the red zone at some point in the future include an increase in the age of retirement, altering early retirement benefits and the post retirement re-determination benefit as well as others. He explained that initially the actuarial study they received about 9 months after the fiscal year had been completed demonstrated that the most likely, and easiest, change to address funding losses was to lower the multiplier. This was a result of the economic downturn experienced after 9-11.)* AFM Trustees Bill Foster (National) and Mary Landolfi, (Local 802) explained that the red zone forces action and they had concerns that some actions could cause additional hardships like surtaxes that could be levied upon some employers, and orchestras especially, that could be assessed disproportionately. Lee introduced Lovie Smith-Wright (Local 65-699) and Gary Matts (Local 10-208) who serve as trustees along with Foster and Landolfi.

Richard Levine (San Diego) asked about withdrawal liability. *(Unlike the past, if an employer did try to leave The Fund, the employer would be required to cover its portion of obligations required under withdrawal liability. Foster addressed ICSOM's concern about the lack of an orchestra employer trustee, but pointed out that only the employer trustees can remedy this situation. Lee explained that Norman Samnick, who served as chair of the employer trustees, recently passed away. He has been replaced by Alan Raphael who is aware of the concern for an orchestral employer trustee. It is the responsibility of the orchestra managers to make their concerns heard about a symphonic trustee to the employer trustees.)*

Cathy Payne (San Francisco) appreciated Lee's comments regarding the SSD director hiring issues, and said ICSOM looked forward to working with Chris Durham. She reminded him that ICSOM, ROPA and OCSM had made a unanimous recommendation for the position of SSD director and his actions forestalled a good opportunity to work together. She expressed hope that Lee and ICSOM will be able to work together going forward.

Chris Durham, Director of Symphonic Services Division, handed out contact information, an SSD report (which can also be found in the Delegate Manual), and an outline of some of the services SSD provides. He introduced the AFM-SSD staff: Doug Lyons, Joe Goldman, Nathan Kahn, Debbie Newmark and Barbara Owens.

Contract Administrator Doug Lyons discussed the wage charts. He and Durham spoke about David Herring (Minnesota Orchestra) who was brought to their attention by ICSOM to develop an electronic version of the wage

chart that can be manipulated to assemble information during negotiations. Durham said he would like to put together a group of representatives from ICSOM, ROPA and OCSM to discuss the wage chart construction. There were requests that every other line be shaded to make the chart easier to read, that the “*notes” area be readable in electronic form immediately rather than scrolling pages away to see the notes, and it was suggested that the images of all current contracts be posted on the website so people could burn their own copies.

Durham asked the delegates for updated orchestra contracts so they can be distributed on the new CD-ROM within the next month or so, and mentioned an ongoing discussion to provide an SSD website either on the AFM’s site or a separate site.

Benefits Analyst Joe Goldman has been with SSD for one month in his new position. He explained that he will be working with negotiating orchestras and their bargaining committees; he will not be answering individual questions. Goldman said one of his primary concerns is how to negotiate free and inexpensive benefits in concessionary times. He spoke about a variety of options that could reduce the cost of medical insurance. He spoke about new 403(b) regulations that will be going into effect in the near future, the three types of 403(b)s – annuity (insurance), custodial (mutual fund), and retirement income account – and his evaluation of the types of funds ICSOM orchestras participate in. There was a brief Q&A regarding various types of health insurance options.

Following Goldman’s presentation Durham returned to a discussion of the wage charts, in particular, how to handle orchestras that do not submit information. Delegate suggestions included providing an online format that can be continually updated; asking the Locals to submit the information; and sending it to the printer regardless of whether orchestras have met the deadline (another commented that it depended upon what information was missing.) Lyons asked that delegates submit whatever information they did have and to enter additional information as it becomes available; he also recommended a new option, “Same as Last Year”, so delegates will not have to enter information that is unchanged.

Director of Symphonic Electronic Media Debbie Newmark, who also serves as administrator of the AFM Strike Fund, spoke about strike fund dues notification, deadlines and sending notice of changes to the roster caused by CBA negotiations. Regarding electronic media, she reminded delegates and orchestra committees to submit existing media language in advance when they receive a proposal, because AFM bylaws require that the Federation, not the Local, approves media language.

SSD Negotiator Barbara Owens, a recent addition to the SSD staff, reminded delegates and committees to establish communication with their colleagues, with central labor councils, and with arts groups. Regarding the topic of electronic secret ballots, she said they are not recommended at this time because it’s not truly anonymous.

SSD Negotiator Nathan Kahn spoke about the need to be more pro-active than reactive.

Durham closed by announcing he would meet with Local officers during the Town Meeting on Friday.

Strike Fund Trustees Report – David Angus (Rochester) and Brian Rood (Kansas City)

The ICSOM Trustees reported on the health of the Strike Fund (since 1970 the fund has paid out \$7.3M) stating that the fund has not lost the principal in many years, thanks in part to AFM controller Loraine Bartlett. They also thanked the fund administrator, Debbie Newmark. They reported that the Trustees met in June to review the fund and the policy book and have changed the language for benefit payments (almost all ICSOM orchestras are at the \$900+/week payment level) to continue payments during dark weeks that fall during a benefit payment schedule, unless the orchestra votes to suspend payments during those dark weeks. They reminded delegates about the rules regarding collection of dues from Beck objectors and non-members. The new Strike Fund Policy Book has been distributed along with the packet of Delegate Manual replacement pages.

Conductor Evaluation Administrator Report – Michael Moore (Atlanta)

Moore reported that program use has decreased – ten orchestras submitted evaluations last season. He asked delegates how to improve usage of forms. Some responded that they used an online survey for their individual orchestra surveys, while others responded that the ICSOM evaluation is being used in their orchestra during music director searches and when guest conductors are rehired. The issue of indemnification was raised in regard to individual orchestra evaluations.

Website, Directory and the Abe Torchinsky ICSOM Emeritus Program Report – Paul Gunther (Minnesota)

Gunther thanked webmaster Bruce Christensen (Nashville) who maintains the ICSOM website, reported on submitting changes to the Directory database each year, and the importance of updating emeritus member information. On behalf of Mary Plaine, administrator of the Abe Torchinsky ICSOM Emeritus Program, and who was unable to attend the

conference, Gunther reminded delegates about the rules for emeritus membership that can be found in the Delegate Manual.

Chairman Ridge requested a moment of silence to honor Abe Torchinsky before closing the session.

Mixer – Dinner cruise on the Spirit of Norfolk

Thursday, August 20, 2009

Roll call of delegates (by instrument)

Nominations – there were no further nominations; they remain open.

ICSOM Electronic Media Report – Bill Foster, Chair; Debbie Newmark, SSD; Trish Polach, AFM Counsel

Bill Foster referred delegates to Laura Ross's article in the recent *Senza Sordino* for background information on the Integrated Media Agreement (IMA) negotiations. He introduced Debbie Newmark, remarking on her experience during negotiations, and Trish Polach, who served as lead negotiator.

Trish Polach spoke about the AFM's frustration negotiating the IMA over the past two years, and the structure of media and bargaining representation that is dealt with on the local level, except in the case of media, which is handled on a national level. She spoke briefly about the various media agreements orchestras use and the importance of setting national standards that establish clarity, fairness, and expertise, and that did not undercut AFM freelance musicians. Many agreements over the decades, that established uniformity and a level playing field, were negotiated with a management group.

Polach reviewed the series of events that began with the negotiation of a successor agreement for the Symphony/Opera/Ballet Audio-Visual Agreement (SOB-AV), explaining that the managers were continually pressing for a new agreement as well as insisting that they had the right, if negotiations failed, to bargain media conditions with their Locals. Managers believed they could gain additional flexibility from their musicians. The AFM's response was that the managers had signed agreements recognizing the AFM as the sole bargaining agent; therefore, if they refused to bargain as a group, they would still have to deal with the Federation, not the Local, when bargaining media terms. By the time the two groups met in May 2009, the media landscape had been rewritten and many answers had been identified; it made things easier, allowed multiple platform release, and, in many cases, it was cheaper to produce media. Regardless, the managers walked away, letting their group authorization expire and leaving their colleagues in a lurch. Some managers have tried to negotiate media terms during their local CBA negotiations while other managers have expressed interest in the new agreement but are hesitating to sign any agreement at this time.

Polach walked delegates through the timeline, beginning in 2007 with the managers demanding fundamental changes with proposals that included no payment or a token payment and revenue sharing for all media, including television. The AFM committee was constructive, asking for specifics, and devised a scenario that would take into account the managers' legitimate issues and allow flexibility on some issues but also addressing musician issues. This February 2008 proposal led to "framework" discussions that led to an agreement to negotiate a convergence agreement that would include a "buffet option" with expanded rights the managers desired; however, it would require a real commitment to media production and more than a token payment to pay for these expanded rights. By November 2008, the managers had formed a group with a "self-destruct button" – the bargaining authorization expired on May 10, 2009. On May 9, the two sides were very close (85-95%) to an agreement that was groundbreaking and included an audio buffet based on annual compensation with expanded, not unlimited, rights for capture and use. The AFM had always maintained that orchestras should have the ability to vote on participation in the buffet, what was called buffet approval, but this was unacceptable to the managers. The agreement also included radio terms, the terms of live recording were slightly reduced in return for a mandatory payment for downloads, and the television landscape had been transformed from imprints and first release payments to per minute rates that, while in many cases were reduced, were not token payments but would treat orchestras fairly across the spectrum.

According to Polach, the managers' reasons for walking away included the lack of agreement over payment and terms of an audio-visual buffet; their refusal to agree to any local approval (though they expected to bargain locally); and the AFM's unwillingness to agree to unlimited capture by stationary robotic cameras (although an orchestra could vote to allow this locally).

Since then the AFM has decided to be more proactive. It assembled an agreement that reflected "what could have been" because the AFM felt the orchestra field as a whole should not suffer. After an enormous amount of work, the

AFM began approaching orchestras and managers and while many managers have expressed enthusiasm for the content of the agreement, they appear unwilling to be the first to sign it. Still others express interest and appreciation but want to tweak the agreement. The AFM committee continues, even now, to refine the agreement.

Polach thanked the committee, commending it for dealing with the demands placed on it by a group of managers who appeared divided and did little to identify solutions. The AFM committee was responsive to the needs of the entire orchestra community, not just the largest orchestras, taking into account the differences of opinion regarding what media should mean; they were always respectful and found a reasonable way to pull together. She commended Bill Foster for his astuteness and dedication to the group process; the rest of the ICSOM committee – Matt Comerford (Chicago Lyric), Paul Frankenfeld (Cincinnati), Cathy Payne (San Francisco), Bruce Ridge (North Carolina), Peter Rofé (LA Phil), Brian Rood (Kansas City), Laura Ross (Nashville), Roger Ruggeri (Milwaukee), and Fiona Simon (NY Phil); and ROPA committee members Carla Lehmeier (New Mexico) and Paul Austin (Grand Rapids).

Debbie Newmark explained the details of the IMA and thanked the Local officers who attended negotiations. There were 27 ICSOM, 24 ROPA and some unaffiliated orchestras that were represented by the managers' group. The agreement covers radio, CDs, internet streaming, downloads, wireless, new media, TV, DVDs, theatrical, education and documentaries. There is an a la carte section and an audio buffet. She also compared the differences between the new agreement and existing AFM agreements and closed by explaining what agreement options exist for orchestras. There were questions regarding the use of electronic media guarantees (EMG), secondary uses, the use of archival material, revenue sharing, and there were requests for more information and copies of the IMA.

Bruce Ridge introduced Janet Criner, a musician with the Virginia Symphony.

American Federation of Musicians –Employers Pension Fund (AFM-EPF) – Vinni LoPresti, Director of Benefits and Will Luebking, Director of Finance

Vinni LoPresti spoke about the website, www.afm-epf.org, which was developed in 2007, and the updates and additional services they continue to add. She encouraged people to register with a form that can be filled out online (speeding up the process). They are adding the ability to see interim quarterly statements for work that is currently being performed. She spoke about the benefit changes that occurred on May 1, 2009, when the multiplier was reduced from \$3.25 to \$2.00. There are currently four different benefit periods/multipliers - \$4.65, \$3.50, \$3.25 and \$2.00.

She spoke about the two types of designated beneficiaries – pre-retirement and post-retirement – and how benefits are paid. The pre-retirement form is available on the website where up to three primary and an additional three alternate beneficiaries (five, in the case of children) can be designated. Unless one is married to an opposite-sex spouse at the time of death, the benefit will not be payable unless there is a beneficiary form on file (or all of the named beneficiaries pre-decease the participant). Because The Fund is ERISA compliant, federal law, not state law, applies which means only an opposite-sex spouse will receive benefits if not designated as a beneficiary.

LoPresti spoke about the rules establishing the qualification for and payment of early retirement benefits that were established in 1998 and updated in 2008. The Early Retirement Procedure is available on The Fund's website. At the time of application, the participant will be asked to sign a statement saying he or she has permanently ceased all work with all employers who contribute to The Fund, including work for which no pension contributions are payable as of a specified date and the participant has no intention or contractual right to continued employment. The Fund will contact the employer for a written confirmation of the employee's final date of employment and that they have no contractual right to future employment; it will also ask for the dates of the symphony's season if applicable. During the two months immediately following the annuity start date (the date you are entitled to begin receiving payment), there must be no work performed for any employer participating in The Fund. It will also check again at the beginning of a symphony season. If there has been a violation, the benefit will terminate and benefits received must be repaid.

Annual statements provide all personal information, history of contributions year by year and vesting credit (breaks in service and status in The Fund), a yearly statement of all contributions, and a breakdown by benefit period. She encouraged each participant to check statements for any missing or incorrect information and report it to The Fund because there is a time limit of three years (as of Jan. 2011) after the calendar year ends to file missing information claims. 54,000 statements are distributed beginning in mid-September. Beginning sometime next year pension IDs will change from a six to seven-digit number.

LoPresti closed with a brief explanation of changes established in the Pension Protection Act 2006 (PPA) - beginning April 1, 2009, an additional option allows for a 75% survivor annuity, and the establishment of funding categories (red, yellow and green zones). While The Fund was deemed to be in critical status for the plan year beginning April 1, 2009,

Tom Lee previously stated that the Trustees opted to freeze The Fund's prior plan year green status for one year. This funding relief option was provided by the Worker, Retiree, and Employers Relief Act of 2008 (WRERA).

Will Luebking spoke about the notices required to be sent to all participants by the PPA, and the difficulties faced by The Fund because PPA rules are new rules and regulations for funds and are still subject to clarification and interpretation. One benefit to The Fund when it elected to remain in the green zone for an additional year was it allowed extra time to assess the application of these new laws. He spoke about funding liability, withdrawal liability, and how Fund contributions are directly affected by both decreases in the volume of covered employment and the scale wages paid for covered employment. Luebking explained that whenever a pension benefit decreases The Fund is required by law to send a letter 15 days prior to the decrease. This is especially important because a decrease cannot technically occur until after notice is sent to participants. A draft letter is sent to the local (and to the orchestra committee chair, if requested) prior to notification of all orchestra members.

Some employers have been late in paying required pension contributions. The Fund is required to give pension credit to musicians whether or not the employer pays pension contributions, unless The Fund sends a 10-day notice of prospective termination to an employer stating that the employer's participation in The Fund will be terminated unless the employer pays all past due pension contributions. Such notices have been sent to orchestras, who generally respond by paying the past due contribution amount or they work out a payment plan with The Fund. With the number of organizations currently experiencing financial distress, The Fund continues to monitor payments in order to stay on top of contributions that become past due.

There were questions regarding how retirement age is calculated; whether an employer once expelled may be allowed back as a contributor; who is responsible for notifying The Fund during negotiations when considering a reduction in a pension contribution rate (*WL: both contributing employers and local unions must notify The Fund of collective bargaining agreement changes that reduce the rate of contributions that the employer makes to The Fund for any covered employee sufficiently in advance of the effective date of the change to allow The Fund to provide affected participants with at least 15 days' advance written notice of the change.*); whether there can be a pre-retirement estate designation or waiver for spousal payments (*not allowed*); how the investments have changed since March 31, 2009; and whether changing career with no payment obligations to The Fund constituted retirement (*it does*).

ROPA President Carla Lehmeier-Tatum spoke of the close working relationship between the orchestra conferences' leadership, and about ROPA's 25th anniversary celebration in Dayton, OH. She spoke about the positive messages they heard and her research into the formation of ROPA 25 years ago. ROPA's diverse membership runs the gamut from budgets of less than \$1M up to \$15M. The economic recession has led to managers attempting to take advantage of these difficult times by cutting cost on the backs of musicians and programming rather than sustaining their organizations' activities. Balanced budgets have become a mandate, demands for concessions are constant, and the death of Ron Bauers, who was a wonderful ally in defending our orchestras' budgets, has been a great loss. ROPA is increasing its networking capabilities with other player conferences. During her travels to visit constituent orchestras, Lehmeier-Tatum attended a joint meeting in August 2008 that included Local 7 officers, members of the Pacific Symphony, Chris Durham from the AFM, and Brian Rood and Laura Ross from ICSOM; the group spent two days working together and sharing information. If there was ever a time to work together, it is now: the symphonic conferences and the AFM must work together to help all orchestral musicians gain a better footing in bargaining. She thanked ICSOM members for their support of the Shreveport Symphony during their work stoppage.

OCSM President Francine Schutzman reported that OCSM held a good conference the past week with Bruce Ridge, Carla Lehmeier and Phil Ayling in attendance. While OCSM's 20 member orchestras do not have health insurance worries, over 75% have a deficit (though the problems of the two most troubled orchestras are due not to the economic downturn but rather to bad management). She spoke about the recent demise of classical music programming on Canadian Broadcast Company (CBC) radio, and of the recently devised Canadian Symphonic Internet agreement that does not conflict with the CBC agreement. Provincial funding has been cut but federal funding appears to be holding steady, though British Columbia and Ontario will be implementing a harmonized sales tax (provincial and federal) that is expected to affect many of those orchestras' ticket sales. Schutzman reported that there has been some positive activity as well: Montreal has a new hall and music director, is celebrating its 75th anniversary and has had great success on its tour; Winnipeg has been involved in a very successful festival it began some years ago; and Vancouver has just been given the use of seven floors of a new skyscraper for the next 20 years to set up a school. She wished everyone luck for a brighter future.

RMA President Phil Ayling congratulated the ICSOM governing board and Tom Reel for organizing a successful conference. He spoke about the RMA's advisory role negotiating the numerous AFM media agreements, and the

common experience we all share as musicians even if the jobs are different. He spoke of the Player Conferences' dedication to the welfare of our colleagues, the culture in our country and the quality of life we all want to have. Although we are artists, we are also union members and policy makers – people with “servants’ hearts”. He spoke about the differences between our collective bargaining agreements: while most orchestra agreements are negotiated locally, recording agreements are covered by national agreements; thus the recording musicians’ “Local” is the Federation. Ayling addressed AFM Convention voting policies, pointing out that the process created to serve musicians has broken down. For example he would normally have been involved in the symphonic media negotiations but was not allowed to participate. The RMA has had concerns about the hiring process of the director of the Electronic Media Services Division (EMSD) that are similar to the concerns ICSOM had regarding the hiring of the new SSD director. The new office manager in the West Coast office, who has no musical background, was hired without their knowledge or consultation, and Dick Gabriel, who is very knowledgeable, has been marginalized. Ayling outlined the RMA’s concerns about the promulgated AFM videogame agreement, how it was crafted, that there has been little review, and that their attempts to address this agreement have come to nothing. Ayling is concerned that AFM members are not being protected. He spoke about the financial health and funding of the AFM, and stressed that the AFM must improve, be more transparent, and that we should receive assurances that the sizable work dues paid by the Player Conferences are used to benefit those same musicians. He thanked the delegates for their service.

Janet Horvath - Playing (less) Hurt – Part I: Hearing Protection Seminar

Horvath recently rewrote her book and updated it, including a new section regarding hearing protection. Hearing issues are a major issue for musicians but there is also a stigma in revealing problems. Sound exposure is cumulative and decibels are dangerous, and though there is injury across the board, violinists and violists are especially affected because their instruments send 100 decibels directly into the left ear. She played examples of loud percussion and brass passages, the high frequency of the piccolo and cymbal, the sound of an orchestra in the pit that can hit and sustain 120 decibels, and the loudness of contemporary music because (as quoted by her own CEO) “the audience has an expectation of being blown out of their seats.” She spoke about the damage done to ears, giving some statistics. Because music is intermittent in high decibel sound, there is no accurate way to measure it – too loud, too high, too close, too long. Placement on stage is important. Unfortunately, Workers’ Compensation does not kick in until a musician can no longer perform their job (usually diagnosed as the loss of capability to hear speech but long after musicians can effectively do their job). Tinnitus, described as a constant ringing in the ear, or to some a roaring, is on the rise and there is no cure; they can only try to control it. *Hyperacusis* is a collapsed tolerance for all sound. *Recruitment* is an extra sensitivity to certain sounds in which human ears’ hair cells, that are organized in bands, become damaged; *Recruitment* compensates by trying to take from other areas.

For prevention musicians should practice more softly, distance themselves, minimize exposure with mutes and take silence breaks, avoid small rooms with hard surfaces, use shields (chair shields should be placed no further away than seven inches and should not be directly in front of instrument bells), use risers (sending sound over the heads of the musicians in front), and use hearing protection (there are new custom-made plugs that can deal with even more protection); revolving seating helps too. Other considerations include the scheduling of very loud repertoire, amplification, blasting monitors, and avoiding overhangs (especially for violins since they amplify high frequencies). She recommended that musicians carry earplugs with them everywhere.

Janet Horvath - Playing (less) Hurt – Part II: Injury Prevention Seminar

Music Medicine, while a growing field, is still relatively new; she has included a long list of resources in her book. She spoke about repetitive injuries that do not show up on x-rays and MRIs and said it is possible musicians might have to change their techniques. An ICSOM study many years ago said that fully ¾ of orchestra musicians had some sort of pain or injury during their careers. One reason could be that musicians are not in charge, the music director is. Others could be additional services on Sundays, more time spent rehearsing and performing and double service days. Overuse and exhaustion lead to injuries – many times scheduling of the calendar is done by staff members with little understanding of the taxing nature of some programs; schedules should be reevaluated and should also include consideration that the one or two days off are spent practicing the next program(s).

Force & tension + repetition + poor posture + no rest = overuse or repetitive stress injuries

Horvath cited some instances of repetitive movements that can cause injury, e.g., Ravel’s *Bolero* has 5,144 drum strokes; *tremolo* and virtuosic passages are major offenders for string players. Concerns about carpal tunnel syndrome (the inflammation of tendons and membranes going through the tunnel in the wrist) have gained credibility since it is on the rise. Nerve entrapments, nerve compression, muscle imbalances (motions in one direction but not another) are also job-

related problems. She suggested ways to avoid erratic practicing or over practicing – warm up the body with a short exercise, take breaks, vary repertoire at home if not possible at work, increase practice load gradually, and reduce practice intensity. She spoke about embouchure and jaw problems and suggested various joint support implements and tapes, chin rests that are fitted to individuals, and adaptive instrument enhancements like cello key pegs (right side against the left side of the head), the viola designed by David Rivinius (he has also designed a violin), and various instrument supports, head joints, and keys. She also demonstrated posture exercises and stretches, and spoke about different chair options.

Horvath ended the presentation by addressing Gradual Return (“Work Hardening”) policies.

Friday, August 21, 2009

Nominations – there were no further nominations; they remain open through the afternoon.

TOWN MEETING – open to delegates, alternate delegates and ICSOM officers only

Topics discussed –

- Len Leibowitz
- AFM SSD & AFM
- TEMPO/AFM Legislative Action Fund
- Mike Okun, who is temporarily advising the ICSOM governing board, was introduced. He explained the recent Penn Plaza decision by the U.S. Supreme Court that could impact how discrimination cases may be decided when a collective bargaining agreement contains both a no-discrimination and a grievance and arbitration clause.

* * * * *

Tom Lee addressed issues raised by RMA President Phil Ayling on Thursday, regarding representation at the AFM convention and the representation of individual groups by either a Local or Players’ Conference, how the IEB interprets some issues, and the AFM’s attempt to capture work through various AFM agreements. Lee said opinions should be respected but there are two sides to any disagreement and the IEB’s concern is to capture work for AFM members. Lee said he was aware he made mistakes in the hiring process for the new SSD director, and announced the appointment of Rochelle Skolnick as new SSD Counsel. He believes that SSD is moving forward with the recent hiring of Joe Goldman and Barbara Owens.

Bruce Ridge introduced Beverly McGrew (wife of IEB member Bob McGrew), and Tim Judd (Richmond Symphony and ROPA Executive Board.) He also introduced attorney Mike Okun to the rest of the attendees.

AFM Legislative Director Hal Ponder thanked ICSOM’s “hidden weapon,” Bruce Ridge, who testified before Congress earlier in the year. Ponder works with many dedicated AFM members who advocate for Performance Rights legislation, which concerns payment to musicians for analog radio broadcasts, similar to the digital payments we now receive. This legislation has gained attention and support, and has received a positive vote from both the House Judiciary and Senate Judiciary committees. Meanwhile, broadcasters have refused to negotiate or work with the music industry on this issue because they think they will win. The AFM invites members of AFM locals to visit their representatives in Washington and he is hopeful legislation will pass this year or the next because there are many advocates including a number of other unions.

The AFM is also working on legislation that will give passengers the right to carry instruments on airplanes and though the FAA reauthorization bill includes AFM language, the entire bill is controversial so it could fail. Ponder explained that he works with other unions through the AFL-CIO, and discussions about health care legislation are an important topic in these meetings. The AFM also supported increasing funding to the National Endowment for the Arts through the Cultural Advocacy Group, a coalition of unions and other groups that include Americans for the Arts.

Thalia Moore (San Francisco Ballet) asked if Ponder was aware of legislation against same-sex partner coverage in the Health Insurance Equality Act discussed in 2008’s congressional session. Ponder said he would look into it.

How to Develop an Effective Protest Campaign - Ray Hair, IEB & President, Local 72-147, Dallas/Fort Worth, TX (*PowerPoint presentation may be found on the ICSOM website*)

A protest was developed because the Texas Ballet Theater no longer hires a live orchestra and replaced the orchestra with a tape made in China. Attendees George Dimitri (Fort Worth), Bob Couture (Local 9-535) and SSD Director Chris Durham were members of the picket line. The orchestras that served the ballet include Fort Worth and Dallas Opera.

Election:

President – Brian Rood elected by acclamation.

Secretary – Laura Ross elected by acclamation.

Member-at-Large – Matt Comerford and Cathy Payne elected by acclamation.

AFM Delegate at Large will be elected on Saturday.

TEMPO/LAF contributed - \$1,713

Media Strategies Permeating Negotiation Practices: Analysis to Message to Media – William Thompson

(PowerPoint presentation may be found on the ICSOM website)

William Thompson's presentation included financial analysis tools and goals that can be used effectively in negotiations and in the media. He detailed specific analysis goals that include gaining the ability to perform budgetary analysis under great pressure, using trend and deviation analysis as well as benchmarking, and developing the ability to contribute positively and credibly to an economic discussion about the orchestra institution. These abilities can allow musicians to position themselves and equalize their negotiation power. Thompson explained how analysis data can be used as leverage when crafting the media message and gave some examples. There are times when media can be of use, but there are other times when you may want to agree to avoid media.

Q&A

Ron Whaley (Phoenix) spoke about how supportive the community was during previous negotiations when the musicians used the media, whereas during recent negotiations the committee chose to agree to a media blackout. Whaley asked Thompson about his thoughts regarding media blackouts. *Thompson said he does not like media blackouts unless they have been "bought". You can trade the headaches of a media campaign for things at the table, they can be profitable.*

Saturday, August 22, 2009

Roll Call

Election:

Delegate to the AFM Convention – Matt Comerford (Chicago Lyric) was nominated and elected by acclamation.

Alternate Delegate to the AFM Convention – Meredith Snow (Los Angeles) was nominated and elected by acclamation.

Paul Castillo was introduced as the parliamentarian.

AFM Diversity Committee Report – Lovie Smith-Wright, Chair

Smith-Wright was officially appointed chair of the committee in January 2009. She listed the members of the committee and spoke about the various diversity awards. One honors Locals for their participation in diversity. There are now two President's Youth Awards that are divided by age groups, one for youth up to age 20 and the other for young musicians ages 21-35. There is also a Local advocacy award for an individual who has done outstanding work. While attending the ROPA conference in Dayton OH, she recently caught up with the two previous youth award winners who are doing very well. The committee is in the process of putting together a video that includes famous members and artists.

Smith-Wright also reported on the committee's charge at the last AFM convention to deal with the AFM bylaw conflict with the Labor Department determination regarding election of African-American delegates from merged Locals. The committee has formally recommended that, before the election, Local bylaws must stipulate that in merged Locals, the minority delegate position cannot be designated as an African-American.

Resolutions -

The following resolution (#1) honoring Sam Denov for his work as an ICSOM Founder was adopted by unanimous consent. *[Motion #3: ICSOM Governing Board]*

WHEREAS, Sam Denov was a leader and member of the Chicago Symphony at the formation of the International Conference of Symphony and Opera Musicians in 1962; and

WHEREAS, He served ICSOM in those early years in a variety of leadership capacities including Vice-Chairman from 1963-66 and then again in 1968-69, as Editor of *Senza Sordino* while serving as Vice-Chairman from 1965-66, and finally as Chairman of ICSOM from 1969-70; and

WHEREAS, As Vice-Chairman and then Chairman of ICSOM, Sam Denov helped fulfill George Zazofsky's and ICSOM's goal of establishing the AFM Strike Fund in 1970; therefore, be it

RESOLVED, That the delegates and officers of ICSOM recognize, thank and honor Sam Denov for his many contributions as an early leader in the orchestra field; and, be it further

RESOLVED, As a token of that recognition for Sam Denov's work on ICSOM's behalf, he be given a framed copy of this resolution as an expression of ICSOM's respect and admiration as an ICSOM Founder.

The following resolution (#2) regarding the death of Ron Bauers was adopted by unanimous consent. [Motion #4: ICSOM Governing Board]

WHEREAS, Understanding orchestra financial reports is of key importance during collective bargaining negotiations and in ongoing contract discussions with our managers; and

WHEREAS, Musician/accountant/teacher Ron Bauers assisted orchestras in North America through his evaluation of audited financial reports and IRS Form 990 reports; and

WHEREAS, These reports were designed for public consumption, making it difficult for orchestra managers to dispute the results; and

WHEREAS, Ron Bauers was able to take dry, financial information and make it understandable and even entertaining; and

WHEREAS, Ron's untimely death in January 2009 was felt not only by his friends and colleagues, but by orchestras across North America; therefore, be it

RESOLVED, That the Officers and Delegates of the 2009 ICSOM Conference express their deepest admiration and respect on behalf of all musicians in memory of a devoted friend and colleague.

The following resolution (#3) regarding the death of Henry Shaw was adopted by unanimous consent. [Motion #5: ICSOM Governing Board]

WHEREAS, Henry Shaw was one of ICSOM's greatest *Senza Sordino* editors, holding the post from 1972 to 1982; and

WHEREAS, Henry understood that one of the core values of ICSOM was the importance of communication and sharing of information amongst its orchestras; and

WHEREAS, His prodigious efforts produced sixty issues (plus one supplement) of *Senza Sordino* over that 10 year period that were on deadline without the assistance of current technology; and

WHEREAS, During this time, Henry also served as Assistant Principal Second Violin of the Cincinnati Symphony Orchestra and he served as a member of his orchestra's committee; and

WHEREAS, The many ICSOM officers and delegates past and present who have known Henry mourn his passing this past March; therefore, be it

RESOLVED, That the delegates of the 2009 ICSOM Conference express their condolences to his wife and family; and, be it further

RESOLVED, That a copy of this Resolution be presented to his wife, Bobbi Shaw, as a token of their respect and esteem for his many contributions to ICSOM.

The following resolution (#4) thanking Mark Perkins and SullivanPerkins for the development of the new ICSOM logo was adopted by unanimous consent. [Motion #6: ICSOM Governing Board]

WHEREAS, Mark Perkins and his advertising and design firm, SullivanPerkins, worked diligently, professionally, and successfully designing the new ICSOM logo; and

WHEREAS, Mark Perkins and his colleagues at SullivanPerkins spent months creating and submitting numerous possible logos, all worthy of consideration; and

WHEREAS, They were patient, accommodating, and productive while the ICSOM governing board discussed the proposed logos and made suggestions for various revisions, finally coming to consensus on a logo offered during SullivanPerkins' first round of selections; and

WHEREAS, SullivanPerkins not only provided the logo in many forms and file types for various uses, but also supplied a comprehensive use and standards guide; and

WHEREAS, Mark Perkins highly values and appreciates music and other art forms, as demonstrated by his long-time support of numerous arts, cultural, and educational organizations, including the Dallas Symphony and the Dallas Opera; and

WHEREAS, Mark Perkins and SullivanPerkins have been generous with both their time and resources to the great benefit of ICSOM; therefore, be it

RESOLVED, That the ICSOM governing board and the delegates of the 2009 ICSOM Conference thank Mark Perkins and SullivanPerkins for their support of music and ICSOM and for their tremendous generosity and creativity in providing the International Conference of Symphony and Opera Musicians with its new logo.

The following resolution (#5) saluting ROPA's 25th Anniversary was adopted by unanimous consent. *[Motion #7: ICSOM Governing Board]*

WHEREAS, The ROPA Conference in Dayton, Ohio marked the 25th anniversary of the Regional Orchestra Players' Association; and

WHEREAS, Before 1984, regional orchestras across the nation were faced with unique problems and challenges not encountered by major orchestras represented by ICSOM; and

WHEREAS, Before 1984, musicians in regional orchestras had no player conference representation in the AFM or any established means of networking; and

WHEREAS, Nathan Kahn, who was elected as ROPA's first president in 1984, was instrumental in organizing the musicians of regional orchestras; and

WHEREAS, The following orchestras are charter members of ROPA- Austin Symphony Orchestra, Charlotte Symphony Orchestra, Colorado Springs Symphony Orchestra, Columbus Symphony Orchestra, Florida Orchestra, Fort Wayne Philharmonic, Fort Worth Symphony, Grand Rapids Symphony, Hartford Symphony Orchestra, Jacksonville Symphony Orchestra, Memphis Symphony Orchestra, Nashville Symphony Orchestra, New Mexico Symphony Orchestra, Omaha Symphony Orchestra, Philharmonic Orchestra of Florida (Florida Philharmonic), *San Jose Symphony, Spokane Symphony, Tulsa Philharmonic, Virginia Symphony and Wichita Symphony Orchestra; and

WHEREAS, The following Delegates and official guests attended the first ROPA Conference in Columbus, Ohio, in 1984 - Chris Allen, Brian Bell, Mike Buccicone, Tom Dale, Chris Durham and Steve Secan from Columbus; Nancy Levine, Janis Nilsen, Elizabeth Pistolesi and Carol Stumpf from Charlotte; Buddy Pitts and Mark Tetreault from Jacksonville; Nathan Kahn and Rick Ricker from Nashville; Leonard Byrne and Richard Totusek from Spokane; Bruce Schultz and Weymouth Young from Tulsa; Gary Wisner from Florida; Sam Gnagey from Fort Wayne; Jane Owen from Fort Worth; Russ Schultz from Memphis; Tom Derthick from Sacramento; Joanne Tanner from San Jose; Dennis Danders from Wichita; John Palanchian and Fred Zenone from ICSOM; and AFM President Victor Fuentealba and AFM Symphonic Services Director Lew Waldeck; therefore, be it

RESOLVED, That the delegates of the 2009 ICSOM Conference hereby recognize and honor the charter member orchestras of ROPA, and the attendees of the first ROPA Conference in Columbus, Ohio, in 1984, for their courage and vision in joining together to seek solutions to their common challenges, and for establishing the Regional Orchestra Players' Association, which serves thousands of working musicians in 78 member orchestras across the United States today; and, be it further

RESOLVED, That the delegates of the 2009 ICSOM Conference enthusiastically and whole-heartedly congratulate ROPA on the celebration of its 25th anniversary.

*[*note: the Richmond Symphony and the Sacramento Symphony were mistakenly left off the list at the conference, but have been included in the final version distributed to the delegates and printed in the October 2009 issue of Senza Sordino]*

The following resolution (#6) regarding Abe Torchinsky's death was adopted by unanimous consent. *[Motion #8: ICSOM Governing Board]*

WHEREAS, Abe Torchinsky was one of ICSOM's great supporters during his tenure as principal tuba with the Philadelphia Orchestra from 1949 through 1972; and

WHEREAS, Abe was also acknowledged as one of the world's finest tuba instructors, preparing many members of the tuba community in our symphony orchestras today when he was a professor at the Curtis Institute of Music from 1949 through 1972 and the University of Michigan School of Music from 1972 through 1989; and

WHEREAS, Abe established and administered the ICSOM Emeritus Program which enabled retired ICSOM musicians to continue to be a part of the ICSOM community through a continued subscription to *Senza Sordino* and inclusion in the ICSOM Directory; and

WHEREAS, His contribution as administrator for 20 years, from 1983 to 2003 brought about a renaming of this program as the Abe Torchinsky ICSOM Emeritus Program; and

WHEREAS, News of Abe's death reached ICSOM during their annual conference in Norfolk, VA; and

WHEREAS, Abe's death was immediately felt by the delegates and guests attending the ICSOM conference along with his many friends and colleagues around the world; therefore, be it

RESOLVED, That the Officers and Delegates of the 2009 ICSOM Conference express their deep sadness for the loss of a friend and colleague who touched countless musicians' lives during his long and prolific career.

The following resolution (#7) regarding the distribution of ICSOM Chairman Bruce Ridge's presentation to the IEB, PCC and LCC was adopted by unanimous consent. [*Motion #9: David Angus (Rochester), David Everson (Detroit), Rachel Goldstein (Chicago Symphony), David Heyde (Dallas), John Koen (Philadelphia), Robert Levine (Milwaukee), Leslie Ludena (San Francisco Opera), Kenneth Mirkin (New York Philharmonic), Thalia Moore (San Francisco Ballet), Norbert Nielubowski (Minnesota), Lembi Veskimets (Cleveland), Christian Woehr (Saint Louis), Lawrence Wolfe (Boston)*]

WHEREAS, ICSOM Chairman Bruce Ridge made a presentation to the AFM International Executive Board, the Player Conferences Council, and the Local Conferences Council in July 2009; and

WHEREAS, A major focus of the presentation was the process by which AFM President Tom Lee hired a replacement for former SSD Director Laura Brownell; and

WHEREAS, The information in the presentation regarding that process was shared by Chairman Ridge with the delegates to the 2009 ICSOM Conference; and

WHEREAS, The delegates to the 2009 ICSOM Conference believe that the information about how the process was delayed and subverted and how the recommendations of the symphonic player conferences were disregarded is important for the members of ICSOM orchestras to know; therefore, be it

RESOLVED, That the delegates to the 2009 ICSOM Conference direct the Governing Board to make public Chairman Ridge's presentation to the International Executive Board in such a way as to ensure the widest possible dissemination to ICSOM orchestras and their AFM Locals.

There was a question about the governing board's hesitancy releasing the information. Ridge explained that the board was concerned about misinterpretation of ICSOM's support of SSD and its new director. The presentation will be released with an additional statement of clarification.

MSC [*Motion #10: Michael Moore, Chris Woehr*] to have the minutes reflect that all resolutions were adopted by Unanimous Consent.

ICSOM Conference Site Selection –

2010 - Lovie Smith-Wright, president of Local 65-699, Houston TX, spoke of the Houston Symphony's intent to host the 2010 conference; the site was approved at the 2008 conference.

2011 – David Everson said Detroit had expressed interest in hosting the conference and would discuss this with the Local 5 executive board. Without a formal bid, no vote was taken.

2012 – Matt Comerford recommended Chicago, the site of ICSOM's first meeting, as the site of the 50th anniversary celebration. MSC (*Motion #11*) Chicago was adopted by the delegates as the site of the 2012 ICSOM conference.

2013 – Tim Jepson said Kansas City would be interested in hosting the conference. Without a formal bid, no vote was taken.

Good & Welfare –

Brian Rood thanked the delegates for his re-election and expressed how honored he is to work with all the musicians of ICSOM.

Robert Levine announced he had phone numbers for Abe Torchinsky's family.

Carla Lehmeier thanked ICSOM for the resolution honoring ROPA and its first president, Nathan Kahn.

Francine Schutzman pointed out that the symphonic issue of the *International Musician* ignored OCSM as well as ICSOM.

Laura Ross thanked the delegates for her re-election and for their diligence submitting settlement bulletins this past season.

John Koen urged delegates to continue to keep in touch with each other over the next year because communication is very important.

Robert Levine urged delegates to keep in touch with their Locals as well because many of them are also frustrated with the Federation. ICSOM orchestras have bargaining relationships with their Locals.

Bruce Ridge's closing remarks included thanks to Tom Reel for all his work, and in particular for the terrific press and public relations events (the ICSOM banner, the call-in radio show and a feature in the *Virginian Pilot*), to the Virginia Symphony which had more members of a home hosting orchestra in attendance than ever before, and to Local 125 President John Lindberg. He also thanked Robert Levine for his help as assistant conference coordinator at this conference and over the past few years. Ridge thanked the many Local officers who attended, and thanked IEB members Bob McGrew, Ray Hair, VP of Canada Bill Skolnik and President Tom Lee for their support and attendance (Ridge acknowledged a very nice thank you note he had received from Skolnik.) Ridge offered special thanks to Mike Okun for his assistance, and to Paul Castillo for agreeing to serve as Parliamentarian.

Brian Rood asked the delegates to thank Bruce Ridge for the last three years of leadership. [There was extended applause.]

Bruce Ridge thanked the governing board - his best friends and great orchestra advocates. He asked that delegates take the positive message, the message of unity, and the elevated tone and activism back to their orchestras and spread it throughout our union. He promises to work even harder on behalf of ICSOM this next year.

The MAL/Delegate Luncheon followed conference adjournment at 11:45AM.