

Senza Sordino

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Kansas City Symphony Joins ICSOM

At the August 1995 ICSOM Conference the ICSOM Membership Committee issued this Report (taken from the minutes of the 1995 ICSOM Conference):

ICSOM Secretary Lucinda-Lewis chaired the Membership Committee. The other members of the Committee were David Angus and Jim Clute. . . . Lewis explained that the Kansas City Symphony presented a very unique problem for the Committee. It met all three of the basic requirements for membership, but it did not have a union recognition clause in its contract. The members of the Kansas City Symphony had been trying to negotiate such a clause into their labor agreement without success. It was the recommendation of the Committee that Kansas City be granted membership in ICSOM when it achieved union recognition from the employer.

The delegates voted unanimously to accept the recommendations of the Membership Committee.

The necessary union recognition, and thus ICSOM membership, arrived in Kansas City in May 1998 with the ratification of a "breakthrough contract unprecedented among American symphony orchestras," as described in a joint statement released by the management and musicians of the Kansas City Symphony. "The contract is a perpetually extended 'evergreen' agreement of nine years' duration that contains provisions for no strikes or lockouts as well as features for joint problem solving. This agreement between Local 34-627 and the Kansas City Symphony spans from July 1, 1998 through the 2006-2007 season.

"Under this ground-breaking nine-year contract, compensation, title pay, and pension benefits have been determined for the first three years. These main economic items (compensation, title pay and pension benefits) for the second three-year period (years four, five and six) will be established in year two of the contract, and the cycle will be repeated similarly thereafter. When these items have been agreed upon, a new nine-year contract will be in effect. Under this agreement, musician compensation, title pay and pension benefits will be guided by key economic targets established through 'benchmarking' peer group orchestras.*

"The contract allows for musician compensation and service structures to be equalized by moving all Symphony musicians to full contract status over the first three years of the agreement (presently the Kansas City Symphony has a three-tier compensation structure). The contract contains a 'service exchange' provision, allowing for the expansion of the Symphony's innovative Community Connections Initiative outreach and education

program. The contract also establishes the first formal pension program for the musicians of the Kansas City Symphony.

"For the first time since the Kansas City Symphony was established in 1982, and by unanimous vote of the Symphony's Board of Directors, the American Federation of Musicians is recognized through this agreement as the collective bargaining representative of the musicians.

"The agreement facilitates participatory management and governance structure through enhanced involvement of Symphony musicians on the Board of Directors and on standing Board committees. The contract allows for three voting Board positions to be filled by musicians in a commitment to further increase the open communication already developed. In the spirit of this agreement, other elements of the contract may be revised at any time by mutual agreement, and issues of concern to both parties will be discussed as an ongoing process.

"Brian Rood, spokesperson for the Musicians' Committee, commented that 'this is an integral step forward for the Kansas City Symphony. By moving all our musicians to full-time status, and bringing salaries, title pay, and pension contributions in line with our peers, we will be better able to achieve our goal of artistic excellence. In addition, union recognition offers us opportunities in recruitment, pension, and national recognition not available previously.'

"A task force comprised of Musician Committee Members, Symphony Staff, and members of the Symphony Board was assembled in the fall of 1997 and completed its findings in January 1998. The contract was negotiated throughout February and March 1998 based upon the recommendations of the task force.

(continued on page 10)

In This Issue

Kansas City Joins ICSOM	1
Dissonance: Dissent in the AFM	2
On The Road To UNITY	3
Voicings	6
MB and MSO Conclude Discussions	7
Petrillo: Leader of the Ban	7
Missing Pieces in Mellon's Puzzle	9
The Athletic Musician	10
Index to Senza Sordino, Vol. 34 & 35	11
Newslets	12

DISSONANCE

A HISTORY OF DISSENT IN THE AFM

Unions in America have struggled since their beginning with issues of internal control, governance, and purity of purpose. There usually exists a genuine desire on the part of workers and union officials to make better jobs and better lives for working people, but discord can sometimes result from the belief among workers that their interests get lost in a maze of union bureaucracy, corruption, incompetence, or greed.

Some union officials, having learned from management the techniques of intimidation, threats, abuse of power, and propaganda, find it too easy to turn those tactics against their own union members, if necessary, to get them to accept an unpalatable contract or to impede rank-and-file attempts to democratize the union. It has also proven to be especially hard in America, the land of rugged individualism, for people to understand the concept of collectivism. All too often, rather than band together for the common good, workers scab each other's work, locals fight other locals for dominance, and employers take full advantage of such internal union discord, sometimes rendering the efforts of even honest, competent union leaders ineffective.

The AFM, like many other unions, is plagued by fundamental and persistent conflicts, most of which have been with us since the very beginning of our union. AFM history is punctuated by a series of eruptions generated by conflicting union ideologies and tensions between subgroups within the union. While each intra-union battle has ended with some progress being made to right the wrongs perceived by the rebels, most of the original problems of the AFM are still with us to some extent, among them 1) national unity vs. local autonomy; 2) musicians as aristocratic artists vs. musicians as working laborers; 3) full-time working musicians vs. non-musicians and "weekend warriors," which can also be described as trade union function vs. social and protective functions; 4) local territoriality and jurisdictional disputes; and 5) competition from foreign interests, students, military musicians, traveling bands, and new technologies. Our straining over these issues began at the very beginning, with the founding of the American Federation of Musicians.

The Birth of the AFM

Trade unionism for musicians began, not in response to workplace concerns, but as an outgrowth of social, fraternal and protective associations. During the mid-19th century, musicians in many cities began to coalesce around "benevolent programs which they had set up; a program of death benefits was most typical. The musicians' organizations were interested in presenting programs for the entertainment of the public, planning affairs for their own enjoyment, and engaging in 'social hilarity.' Only late in the century were attempts made to enforce performance price lists."¹ The first organization of musicians clearly formed as a trade union was incorporated in New York City in 1863.

During the next decade many cities formed musicians' unions.

These separate local organizations were successfully brought together into a national body in 1886 with the founding of the **National League of Musicians (NLM)**. The American Federation of Labor (AFL), formed in 1881, repeatedly sought the affiliation of the fledgling NLM, and was repeatedly turned down, primarily because the majority of musicians in the NLM did not want to be associated with the laboring likes of the manufacturing and construction unions that made up the AFL. "The faction opposing affiliation maintained that musicians had little in common with other workers or their unions, and that the musicians union would suffer a loss in dignity and prestige by affiliation."¹ Unable to bring the entire NLM into their fold, the AFL proceeded to charter the local unions directly, and by 1895 a large majority of the NLM locals were affiliated with the AFL.

"The convention of the AFL in 1895 authorized President Samuel Gompers to give the NLM one final opportunity to join the AFL. The understanding was that a new national union would be organized if the offer should be rejected. When the NLM, by a tie vote, decided not to join the AFL, Gompers issued a call for a national convention of musicians unions to meet on October 19, 1896. . . . The convention successfully organized the **American Federation of Musicians (AFM)**, and received a national charter on November 6, 1896."¹ Thus, the formation of the AFM was itself an act of dissension and dual unionism.

Local 310

By 1904 the NLM had disintegrated, but the primary group of NLM musicians who had opposed affiliation with the AFL, the **Musical Mutual Protective Union (MMPU)**, remained as an independent union in New York City. The AFM recruited the non-MMPU musicians in New York and chartered Local 7, then Local 41, attempting all the while to bring the MMPU into the AFM fold. Finally the effort succeeded, and in 1903, Local 310 was chartered as an amalgamation of the MMPU and the AFM.

In 1920 the New York theatre managers, unhappy with the contract terms offered by Local 310, appealed to the national union. AFM President Joseph Weber stepped in and settled with the theatres. A faction of Local 310 musicians resented Weber's intrusion into the local's affairs, and that group gained control of the local's board of directors. A battle over local autonomy ensued, and Weber had the contentious board members expelled from the union. [A similar scenario was played out by Petrillo and the recording musicians of Local 47 in 1955. See "James Petrillo: Leader of the Ban" on page 7.]

The MMPU had been incorporated under the laws of New York and did not relinquish its state charter when it joined the AFM. The state charter of the MMPU now came back to haunt the AFM; the local's board of directors appealed Weber's expulsions to the courts, and the New York court ruled that "Weber had no right to interfere in the internal affairs of Local 310 because it was incorporated under the laws of the state."¹ When Local 310 stopped honoring transfer cards deposited by members of other locals, it was suspended from the AFM.

(continued on page 4)

On The Road To **UNITY**

The ICSOM-OCSM-ROPA-RMA-TMA**
UNITY CONFERENCE

August 19* – 23, 1998
The Riviera Hotel and Casino
Las Vegas, Nevada, USA

UNITY AGENDA:
AFM Restructure

The first-ever Unity Conference, where all five AFM players conferences will meet in unison, is less than three months away. The primary agenda item and the reason for the collective gathering is restructuring the AFM. The five players conferences represent most of the working musicians in the AFM, and at Unity, these working musicians will gather to define their common needs, develop goals, and discuss possible changes in the AFM to make it a better union.

All officers and/or delegates of ICSOM, OCSM, ROPA, RMA, and TMA are expected to attend, according to the terms of their respective conference bylaws. Article 5 Section 24 of the AFM Bylaws requires your local to cover "the reasonable and necessary expenses of sending one Delegate to the appropriate annual Conference of ICSOM, OCSM, or ROPA, if applicable." Observers and other guests, properly registered, will be admitted as provided in each conference's bylaws.

ICSOM participants are encouraged to book their travel and lodging through our official travel agents **Susan Levine** or **Carl King** at:

TRAVEL GEMS
381 Park Avenue South, Suite 1201
New York NY 10016
1-800-569-4495, 212-889-3131, Fax 212-889-8688
email: suetravel@aol.com

Because airline contracts often include an additional percentage discount for booking prior to 60 days before the conference date, we suggest booking your air travel and hotel room early. A block of rooms has been reserved at the Riviera for Unity Conference participants; all Riviera Hotel room block reservations *must* be made through Susan Levine or Carl King at TRAVEL GEMS.

Special Unity Conference Room Rates (in US \$):

Single/Double	\$65.00	Petite Suite	\$125.00
1 Bedroom Suite	\$250.00	2 Bedroom Suite	\$325.00

All rates are exclusive of 9% tax. Additional persons in room will be charged at the rate of \$20 per person, per night.

TO ALL UNITY CONFERENCE PARTICIPANTS:
 Please notify Susan Levine or Carl King at Travel Gems of your planned attendance by June 16, *whether or not you are making lodging and travel arrangements through Travel Gems*. Travel Gems will serve as the central "notification of attendance" point, insuring a complete and accurate attendance roster.

Tentative Unity Schedule

<i>Tuesday, August 18</i>		
10:00a - 1:00p		SSD Negotiating Workshop* (for orchestras currently negotiating)
2:30p - 5:30p		SSD Negotiating Workshop* (for orchestras negotiating next season)
<i>Wednesday, August 19</i>		
10:00a - 1:00p		independent conference sessions
2:30p - 5:30p		independent conference sessions
evening		"Grand Social Event"
<i>Thursday, August 20</i>		
10:00a - 1:00p		opening plenary session
2:30p - 5:30p		plenary session
<i>Friday, August 21</i>		
10:00a - 1:00p		independent conference sessions
2:30p - 5:30p		independent conference sessions
<i>Saturday, August 22</i>		
10:00a - 1:00p		plenary session
2:30p - 5:30p		plenary session
<i>Sunday, August 23</i>		
10:00a - 1:00p		possible independent conference sessions adjournment

* Florence Nelson and the staff of the AFM Symphonic Services Division will present a series of Negotiation Workshops just before the Unity Conference, on Tuesday, August 18. ROPA initially organized these workshops and has invited negotiating orchestras from all the conferences to join them. ICSOM negotiating orchestras are encouraged to attend. If your orchestra wishes to participate, please notify Andrew Brandt, ROPA President, at 218 Boulevard St. Shreveport LA 71104, or 318-222-5452, or andybrandt@worldnet.att.net.

** **The five AFM Players Conferences:**
International Conference of Symphony and Opera Musicians (ICSOM)
Organization of Canadian Symphony Musicians (OCSM)
Regional Orchestra Players Association (ROPA)
Recording Musicians Association (RMA)
Theatre Musicians Association (TMA)

(*DISSONANCE continued from page 2*)

The New York theatre owners, forced by this event to choose between the warring factions, chose to bargain with the national AFM instead of Local 310, leading to the demise of the New York AFM local. New York musicians, feeling vulnerable to outside competition without an AFM local to represent them, petitioned the AFM for a new local. The void was soon filled by the chartering of Local 802 in 1921. What was left of the MMPU bowed to Local 802 and was finally dissolved in 1947. Dual unionism had ended in New York City, but the quelling of the uprising at Local 310 did little to reconcile the conflicting dogmas of local autonomy and national supremacy.

The Musicians Guild of America

The invention of the sound recording was the single most provocative event in the history of professional music. The impact on every aspect of the music business was profound and permanent. Recordings have been recognized as a blessing, making music more accessible to millions of people worldwide, but also a curse, taking away opportunities for live musicians to earn a living. Recordings even made it possible "for a musician to play at his own funeral."

Another technological advance, the motion picture, had at first been a boon to musicians, creating new jobs in vaudeville theatres to accompany silent films. But by the 1920's and '30's both recordings and movies had begun to put musicians out of work. Studio musicians at radio stations were being displaced by phonograph records, and theatre musicians were losing their jobs to the "talkies." AFM President Weber, having seen the demise of other unions that had unsuccessfully fought new technology, said, "nothing will destroy the usefulness of an organization surer than to set its face against progress, no matter how unfavorable we may at present consider same to our interests."¹

Weber's successor, James C. Petrillo, who was elected President of the AFM in 1940, was not so cautious. He worked first to stop recordings from being made, and failing that, to get musicians a share of the sizeable profits being made in these new industries. In 1942, when the recording companies refused his demands for more pay to musicians, Petrillo instituted a national ban on all phonograph and transcription recordings. It lasted more than two years and was only lifted when the record companies agreed to "pay fixed royalties to the Federation for each record and transcription made."² Those royalties went into a fund that would become the Music Performance Trust Fund (MPTF), supporting live public performances and employing musicians put out of work by recorded music.

But there was a dark side to Petrillo and the MPTF. As national recording contracts were signed and musicians got raises, much of those salary increases went not to the musicians who earned them, but into the Trust Fund. It became clear that Petrillo intended to build the Trust Fund into his own political slush fund, using "the trust fund and its dispersal of monies around the country as political patronage, keeping hundreds of small locals happy literally at the expense of the working musician. . . . The voting structure of the AFM ensured that the big locals (New York, Chicago, Los

Angeles, where the majority of professional musicians lived and worked) would always be voted down by the dozens of small locals that remained in Petrillo's pocket."²

The rank-and-file musicians were struggling financially and politically, being deprived of a portion of their rightful earnings and silenced in the AFM governance structure while Petrillo's power, and his slush fund, grew larger and larger. Revolt came in 1958 with the formation of a rival union, the **Musicians Guild of America (MGA)**, led by Cecil Read of Los Angeles Local 47. In a NLRB-sanctioned election on July 12, 1958, the MGA wrested from the Federation the right to negotiate with the major studios. Dual unionism once again plagued the AFM. Explained Justin Gordon, another Local 47 dissident, "None of us were anti-union. But the union must work for you, and the AFM did everything *but* work for us; they worked against us."²

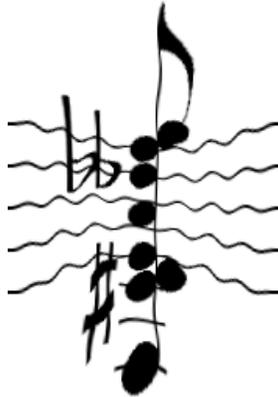
Petrillo's empire collapsed. Faced with the rise of the MGA and a growing distaste for his strong-arm tactics, Petrillo resigned as President of the AFM in 1958. By 1961, new AFM President Herman Kenin decided that it was time to coax the recording musicians back to the AFM. He offered to reconcile with the MGA, agreeing to two important reforms: ratification of national contracts by the people who do the work, and a new Special Payments Fund, representing half of the old Petrillo Trust Fund, that would at last provide royalties to musicians for their recordings. The recording musicians returned to the AFM, and the MGA was dissolved. [For more detail on Petrillo's history with the recording musicians, see "James Petrillo: Leader of the Ban" on page 7.]

The RMA

Peace in the recording industry was short-lived, however. It wasn't long before the AFM was again perceived to be neglecting the recording musicians. Working conditions soured, pay scales and residuals eroded, and the AFM was not helping to improve the situation. Feeling the need to put pressure on the AFM and become more directly involved in the negotiation process, recording musicians again united, forming the **Recording Musicians Association (RMA)** in New York in 1969.

An incident involving a nonunion "jingle house" in San Diego, Tuesday Productions, once again set fire to the smoldering relationship between recording musicians and the AFM. Tuesday, by threatening a lawsuit similar to the one that bankrupted AFTRA in 1982, coerced the AFM and President Victor Fuentealba into an agreement that did little more than put a union stamp on nonunion activity. Recording musicians were livid. "The contract represents nothing more than legitimizing nonunion conditions that have existed for years, while throwing away a quarter-century of progress that has been achieved through years of arduous negotiation."²

The "Tuesday deal" helped mobilize recording musicians from coast to coast and made the RMA a truly national association of recording musicians. RMA President Dennis Dreith said, "Up to this time, there had been a great deal of animosity and suspicion between musicians in Los Angeles and New York. The purpose of



the RMA—more than saving the jingle contract—was to create unity among recording musicians in every part of the United States and Canada.” . . . “Many Federation officials regarded the newly unified, multi-city RMA with distrust, even paranoia. . . . Said Dreith, ‘The first thing the Federation thought was: The Guild [MGA] is back. The phrase “dual unionism” was bantered around many times.’”²

Musicians continued to take issue with Fuentelba’s handling of phono negotiations, and a particularly explosive bargaining session in 1987, during which the RMA representatives walked out, almost provoked another split by the recording musicians. “Dreith—who actually had decertification papers in his briefcase, should things go completely and irrevocably wrong with the AFM—said he didn’t want to break away as the Guild had. But AFM officials weren’t sure what was happening. To some, the spectre of the Guild was back.”² Ultimately an agreement was reached and the RMA did not secede from the union, but Fuentelba’s goose was cooked. He lost the election for the AFM presidency later that year.

The RMA was formally incorporated in 1983 and, despite Federation paranoia, was granted AFM conference status in 1987. In the succeeding years a guarded but more productive relationship has developed between the AFM and its recording musicians, and the voice of RMA is being heard. The RMA was instrumental in the 1990 ousting of a destructive president of Local 47, Bernie Fleisher, and at the 1997 AFM Convention, a proposed 1/2 percent work dues increase on recordings failed in large part due to intense and vocal RMA opposition. [See “RMA Opposes Dues Increase,” *Senza Sordino*, May 1997.]

ICSOM

By 1900 all U.S. symphony orchestras had been unionized, except one—the Boston Symphony. Henry Lee Higginson, founder of the Boston Symphony, was profoundly anti-union, and when the AFM refused to make union musicians available to the nonunion BSO, he populated the BSO with mostly foreign musicians. The BSO musicians, working under substandard pay and conditions, sought to unionize several times, but failed to break the will of Higginson and the BSO board. Union recognition did not come to Boston until 1942, when Petrillo froze the BSO out of all recording and radio work, upon which they were financially dependent, and prohibited union guest artists and conductors from appearing with the BSO, until they joined the AFM.

Under strong AFM pressure, and with Higginson now out of the picture, the BSO agreed to sign that first contract with the AFM on the condition that the orchestra would be allowed to hire musicians from any part of the United States, not just from within the jurisdiction of the Boston local. The AFM complied, and the Federation bylaws were changed to allow all orchestras the same privilege of recruiting nationwide. (With this act, Petrillo may have paved the way for a national community of symphony musicians and laid the groundwork for ICSOM.)

U.S. symphony orchestras were not great places to work in the middle of this century. As reported in *Symphony* in 1952, the maximum regular season length for any orchestra was only 30 weeks, and only four orchestras—Boston, Chicago, New York, and

Philadelphia—paid a minimum living wage as defined by the U.S. Bureau of Labor Statistics. Orchestra musicians in many cities sought to improve their conditions, but found no help from their union, and sometimes even downright interference. The worst problems surfaced around 1958 in Cleveland, where orchestra musicians had to sue AFM Local 4 for the right to ratify the collective bargaining agreements negotiated on their behalf, the right to organize orchestra committees, and to collect dues from the musicians to support such committees. Similar problems were brewing in Chicago, where in 1962 the Chicago Symphony musicians filed a complaint with the NLRB against Petrillo and Local 10 over restrictions on outside jobs and denial of representation at negotiations.

By 1960, tentative plans were being made by orchestra musicians “to hold a conference of delegates from several orchestras, because of the growing feeling that common problems might have common solutions.”⁴ AFM President Herman Kenin, hoping to cut the musicians off at the pass, announced his own “Symphonic Symposium” of orchestra and union delegates, which was held in July 1960. Between 1960 and 1963 several meetings of orchestra musicians took place, some with union representatives present, others with orchestra musicians alone. The meetings with the union were unproductive. As described by a Cleveland delegate, “For the Federation it provided the opportunity to allow ‘steam to be blown off’ by orchestra representatives, to determine which way the ‘steam’ was blowing, and then to lecture the orchestra delegates, not the union delegates, on conformity and responsibility, as they conceive it to be.”⁴

A more successful meeting took place in Cleveland on September 6-8, 1962, attended by a group of delegates representing about 15 orchestras, calling itself the **International Conference of Symphony and Opera Musicians (ICSOM)**. This meeting was followed by others, with more orchestras enthusiastically joining in. AFM response to ICSOM was immediately hostile. “There were accusations of dual unionism and threats to ‘crush you like ants.’”³ After seriously considering leaving the AFM, ICSOM instead decided to reform the union from within and became the first players’ conference of the AFM in January 1969. Since that time, life in American orchestras has improved dramatically, 19 orchestras now having 52-week seasons and dozens providing a respectable living wage.

The symphony musicians’ incredible success in improving their wages became a liability to them, however, in their relationship with the union. In the early days of the AFM, the theatre and vaudeville musicians were the cash cows of the union, being the best-paid contingent of working musicians in the Federation and bringing in the lion’s share of the work dues. By mid-century the recording musicians had taken over that role, and by 1980, symphony musicians had joined the ranks of the relatively well-to-do among union musicians. Both the Federation and the locals, suffering shrinking memberships and loss of work to technology and nonunion labor, looked to symphony musicians for a bigger chunk of revenue to cover the union’s expenses. In 1980 the AFM Convention assessed a new 1% work dues, to be levied only on symphony musicians,

(continued on next page)

(DISSONANCE continued from page 5)

half going to the Federation and the other half staying with the locals.

Orchestra musicians complained that it was unfair for them to be expected to shoulder a disproportionate share of the union's financial burden—in effect, to be punished for being successful trade unionists—without being provided at least basic union services in return. A Houston Symphony member pointed out, “In Houston, symphony musicians comprise less than 1% of the union membership, yet our work dues provide an average of 20% of work dues collected.” The Metropolitan Opera Orchestra said, “This vote to force a minority of working symphonic musicians to pay a new tax at the Federation level and an even larger share at the local level is redolent of ‘taxation without representation.’ Every classical musician must view this action as a beginning of a serious rupture in inter-union relationships.”⁵

In 1989 a plan was worked out by the AFM and the players conferences, with the guidance of respected union consultant Bill Roehl, to provide needed union services to symphony and recording musicians in return for their greater financial investment in the union, but the plan was never fully implemented. [An update on the Roehl Report and “Blue Ribbon” Committee, which will describe the current discontent that has lead ICSOM and the other players conferences to this summer’s Unity Conference, will appear in the next issue of *Senza Sordino*.]

Seattle

Symphony musicians, like recording musicians, have rebelled against the AFM and its locals in various ways at various times, from the 1960’s lawsuits in Cleveland to the dues strike last year in Louisville [See “Rhapsody in Bluegrass, Part III,” *Senza Sordino*, January 1998.] All of these rebellions stopped just short of actually severing the ties that bind—except in 1988 in Seattle.

Dual unionism among professional musicians lives now in Seattle, a painful reminder that dissension in the AFM is not just a relic of our ancient past. An open wound on the dysfunctional body of the AFM is the **International Guild of Symphony, Opera, and Ballet Musicians (IGSOBM)**, the union of the Seattle Symphony. In 1988 the Seattle Symphony musicians threw off what they perceived to be oppressive AFM rules and an unresponsive Seattle local and took their unionism into their own hands.

This brings us to the state of restive dialogue with the AFM in which ICSOM and the other players conferences now find themselves. The next setting for union democracy in the AFM will be the Unity Conference, August 19-23, 1998, in Las Vegas. History is waiting for us there.

Marsha Schweitzer
Editor, *Senza Sordino*

References:

1. *The Musicians and Petrillo*, Robert D. Leiter, 1953
2. *For the Record: The Struggle and Ultimate Political Rise of American Recording Musicians Within Their Labor Movement*, Jon Burlingame, 1997
3. *Music Matters: The Performer and the American Federation of Musicians*, George Seltzer, 1989
4. *Senza Sordino*, Vol. I, No. I, January 1963
5. *Senza Sordino*, Vol XVIII, No. 6, August 1980
6. *Senza Sordino*, Vol XXVII, No. 1, October 1988



I felt compelled to comment on the lead story by Mary Carroll Plaine in the March, 1998, issue of *Senza Sordino* that arrived yesterday. While the participants that spent several days at the George Meany Center for Labor Studies were uplifted by their experience, I could not help but wonder about one aspect of their experience that left me cold. Apparently, there has been so much bashing of their organizations and leadership by participants there that the Center put new rules in place to stifle the dissent. To me, it shows the depths to which the American labor establishment has sunk.

How can a democratic and free labor movement flourish in such an environment? Without free speech and the right to dissent, there can be no real democracy or progress! Obviously, there is much to grouse about in today’s labor movement establishment, and that certainly includes the AFM. Isn’t it time that America’s symphony musicians stop subjecting themselves to the anachronism that the AFM has become, and file for a divorce on the basis of irreconcilable differences? What is appropriate for thoroughly disenchanted domestic partners is certainly apropos for musicians and their so-called “union.” There is, and has been, nothing that the AFM can do for musicians that they cannot do better, and less expensively, for themselves, in their own new and independent labor organization. It’s time to wake up! The new millennium is almost upon us. The masochism must stop.

Sam Denov
Chicago Symphony Orchestra (retired)
Former ICSOM Chair

Mary Plaine replies: The emphasis at Meany is on teaching participants what constitutes a good union and how members can create one, not bashing one's union if one feels it is not representing its members properly. While conference attendees are asked to refrain from speaking harshly about their unions when in class, what they do outside of those classes is up to them.

“Voicings” graphic design and concept by Michael Gorman and Norman Foster (bass and clarinet, respectively, of the Honolulu Symphony)

Milwaukee Ballet and Milwaukee Symphony Conclude Collaborative Discussions

“The Milwaukee Ballet Company and Milwaukee Symphony Orchestra (MSO) announced jointly that they concluded discussions on a possible collaborative effort between the two organizations. Under discussion was a proposal for the MSO to provide orchestral accompaniment and other music services to the Ballet. After careful consideration and a thorough investigation, it has been determined that such a collaboration would not be in the best interest of both organizations at this time.

“The proposed arrangement was viewed as an opportunity to strengthen both the artistic and administrative resources of each organization,” said Christine Harris, executive director of the Ballet. “After a thorough analysis, it has become clear that such a collaboration could restrict the options of both organizations to select whatever operational means are necessary to ensure financial stability.”

“While this particular opportunity is not right for the Ballet and the Symphony at this time, our discussions have served to open a dialogue between both organizations about other artistic and administrative partnerships,” said Steven A. Ovitsky, vice president and executive director of the MSO. In February, both organizations publicly announced that they were exploring the collaboration in answer to a call from community leadership. Both the Greater Milwaukee Committee and the United Performing Arts Fund (UPAF) have encouraged arts organizations to explore artistic and administrative partnerships to strengthen the arts community as a whole.

“As we have stated before, UPAF supports collaborative efforts that serve the best interests of the arts community, particularly long-term survival of our major groups. If the organizational, particularly financial, stability of both the Milwaukee Ballet and Milwaukee Symphony Orchestra cannot be strengthened by this collaboration, then we recognize that the community would not benefit from such a direction,” said Vince Martin, UPAF chairperson.

“While we are disappointed that a collaboration could not be arranged at this time, both the Ballet and MSO remain committed to exploring other avenues for achieving greater operational efficiency,” said Jodi Peck, chairperson of the Milwaukee Ballet board. The Milwaukee Ballet will continue to negotiate with the current Milwaukee Ballet Orchestra, whose contract expires June 30, 1998.”

[taken from a joint press release by the managements of the Milwaukee Symphony Orchestra and Milwaukee Ballet]

Tom Strini, in an editorial for the *Milwaukee Journal Sentinel*, sheds more light on the reasons for the decision to pull back from the proposed collaboration: “If the Milwaukee Ballet were committed to being a classical company, the collaboration would have come about, because classical ballets always require an orchestra. The Milwaukee Ballet of the future, however, is an unknown quantity. Harris, board President Jodi Peck, artistic director Basil

JAMES PETRILLO: Leader of the Ban

*by James Clute
Bassist, Minnesota Orchestra
ICSOM Member-At-Large*

About eleven years ago the Minnesota Orchestra was joined by the orchestra of Göteborg, Sweden, for a performance of Gustav Mahler's “Symphony of a Thousand.” Each American had a Swedish stand partner; mine was a young man, about my age, who had spent the early years of his career playing in bands on Swedish cruise ships in the Caribbean. My partner told me of an incident which had occurred on one of the cruises: The band members noticed that an elderly gentleman sat near them every evening and appeared to enjoy the music greatly. As they became acquainted with the gentleman, they discovered that he was the retired president of the American Federation of Musicians, James C. Petrillo. Of the tales he told them, the ones that remained in their memories were of the great difficulties and actual dangers in being a labor leader in the 1940's and '50's. To prove his point, he showed them that he still carried a revolver. (When I told this story to Ed Ward, the current president of Local 10-208 in Chicago, he wasn't surprised—his office, designed by Petrillo when Petrillo was president of the local, features many bullet-proofing design characteristics.)

In Jon Burlingame's 1997 book *For the Record*, which is a history of America's recording musicians, he writes: “More than one musician reported seeing Petrillo settle disputes by pulling out a concealed gun and placing it carefully on the table before him.” Screaming and table pounding were also in Petrillo's negotiating repertoire. Petrillo was a typical “tough” labor leader, yet there was never any proof of dishonesty or corruption attached to him. Gifts from the membership, yes; dishonesty, no.

James Caesar Petrillo was born on Chicago's West Side in 1892, the son of an Italian immigrant. Achieving the level of fourth grade after nine years of trying, he quit school and ended his formal education. He delivered newspapers and played trumpet in the *Daily News* band. He soon was playing trumpet in his own band. “Loud

(continued on next page)

Thompson and other leaders at the company are rethinking its very nature. They are trying to find a way to make the \$4.2 million company more exciting and appealing at the same time they are making it cheaper to run. With the exception of the extravagant new *Nutcracker* coming in December, we are likely to see more modern repertoire. Newer dances typically call for less in the way of sets, costumes and musical resources than the big classics demand.

“Any agreement with the MSO would have limited the ballet's options, because MBC would have had to pay for a big orchestra whether or not its new, yet-to-be-formulated artistic identity needs it or not. A pick-up band like the Milwaukee Ballet Orchestra gives the ballet the concert-to-concert flexibility it needs during a transitional period, when it may need a big orchestra, a mixed chamber ensemble and no orchestra at all on successive programs.”

(PETRILLO continued from page 7)

and lousy” was his own description of his trumpet playing. In his early twenties, he became a union leader. Within a few years he rose to the vice-presidency and soon the presidency of Local 10.

Having entered the field when almost all music came from live performances, he devoted his career to creating live music, protecting opportunities for musicians, and restricting electronic reproduction. Petrillo's first battles as Local 10 president were against the Chicago radio stations which were taking work away from union musicians. When he was appointed to the Chicago Park Board, he convinced the board to create the Grant Park Symphony Orchestra. He also pioneered the “standby” system: If a non-local musician played in a Chicago theater, a local musician had to be paid to “stand by.”

Throughout his forty-year career in representational work, he would continue to fight automation in its various forms. His efforts in restricting recordings and broadcasts were legendary. In 1936 he forbade Chicago musicians from making recordings for use in broadcasting. Petrillo saw to it that no high school band played where a union band might. This led to the cancellation, on one day's notice, of a national radio broadcast of the National Music Camp Orchestra from Interlochen, Michigan.

Petrillo caused a ban on all recordings by union musicians in 1942-44 and again in 1948. These bans were lifted when the recording industry signed contracts which created free concerts in all AFM locals, financed by royalties from record sales. Petrillo felt this Music Performance Trust Fund was his finest moment, and it became the key to his political strength.

Petrillo was elected to the presidency of the AFM in 1940, holding the position until his resignation in 1958. He was distinctly a “populist” in his approach to union leadership. His ideals were that a union should do what was best for the majority, even to the point of “spreading the work around.” With the creation of the MPTF, Petrillo's ideals came into direct conflict with the principle that an individual worker should be able to retain the bulk of his earnings. The manifestation of this conflict came in 1958 when, during a several-months-long strike in Los Angeles against the movie producers, a rival union was formed—The Musicians Guild of America.

There were many causes leading to the formation of the Guild. In 1951, Petrillo had continued his war against recorded music by negotiating an agreement with the four major networks requiring that five percent of the budget for the recording of a television show must be paid to the AFM. Within four years this 5% “tax” had caused 80% of filmed TV scores to be recorded overseas, producing a large loss of income to Los Angeles musicians.

Prior to 1955, every musician who had worked on a film sold to TV received a one-time payment of \$25. In June of 1955, Petrillo and the International Executive Board directed the motion picture industry to make these payments to the MPTF instead of the individual musicians. The LA musicians lost \$2.5 million in nine months.

Furthermore, Petrillo and the IEB took a 10% wage hike that had been negotiated for the musicians in the Phonograph Record

Agreement, the first such increase in eight years, and diverted it into the MPTF. These unilateral directives were possible because Article 1, Section 1 of the Federation bylaws essentially gave the AFM President the right to issue any directives he wished. In addition to this loss of income, the Local 47 musicians had no royalties, no pension, and no contract ratification.

In September 1955, the members of Local 47 voted to protest the transfer of funds from them to the MPTF. A committee from Local 47 appealed to Petrillo and the IEB to change their policies and were refused. Shortly thereafter, at a general meeting of Local 47 members, the Local officers who supported Petrillo were voted out of office, and leaders of the dissenting group were voted in as the new officers. Within a few months thirteen of the rebel leaders were brought to trial by Petrillo and were expelled from the AFM.

In June 1956 the AFM convention upheld the expulsion of the rebel group. Petrillo was able to control the convention votes by rules which allowed the small locals to dominate the large locals. The 650 locals each had approximately the same number of delegates, so in voice votes the “lung power” went to the small locals. In the election of Federation officers and board members, the sliding scale of vote allotment meant that the larger the local, the smaller its proportion of votes. (Even today, Local 30-73 in Minnesota with approximately 1800 members has 18 votes, yet Local 802 in New York with 10,800 members has only 20 votes.)

As the AFM was negotiating an employment agreement with the Los Angeles movie producers affecting Local 47 musicians, an impasse was reached which led to a strike by the musicians beginning in February of 1958.

In March 1958, the dissenting Los Angeles musicians formed The Musicians Guild of America. This provoked incredible turmoil throughout the entire AFM because the specter of dual unionism was now a reality. One of dual unionism's first victims was James C. Petrillo, who relinquished the presidency of the AFM later that year, although he remained president of Local 10 in Chicago. He was replaced as AFM president by Herman D. Kenin.

In July 1958 the Guild won a National Labor Relations Board election giving them the right to negotiate with the major film studios. The Guild quickly negotiated an end to the 20-week strike. This settlement ended the 5% tax, and within two years the recordings from overseas were nearly eliminated. Also of importance, musicians now were allowed to ratify their own contracts for the first time.

Two years later, the Guild's right to negotiate with the film industry was defeated in another NLRB election. To an extent, this defeat was caused by a change in attitude by the Federation. The Federation had recently voted the infamous and dictatorial Article 1, Section 1 out of its bylaws. Federation action also returned to the musicians the pay increases which had been diverted to the MPTF.

In 1962 the AFM and the Guild concluded negotiations allotting half of the money which had been going to the MPTF into a new Special Payments Fund which would send that money back to the musicians who made the recordings. In the same 1962 negotiations, the AFM granted the recording musicians the right to ratify

their contracts. After winning these concessions from the AFM, the Guild dissolved itself, and its members were permitted back into the AFM. (Later in the same year, the formation of ICSOM began with its main goal being the right of symphonic musicians to ratify their own contracts.)

The final chapter in the long story of Petrillo's strong influence within the musicians union came in the December 4, 1962 presidential election in Local 10. A group of dissidents, mostly Chicago Symphony Orchestra members, had filed unfair labor practice charges with the NLRB. Their complaints regarded Petrillo's restriction of their right to take jobs outside the symphony, and his refusal to permit the symphony's elected orchestra committee to sit at the bargaining table. This small group campaigned hard against a complacent Petrillo, beating him by a very narrow margin. After his election defeat in Chicago, the AFM gave him a comfortable pension and advisor's salary, but his influence had ended.

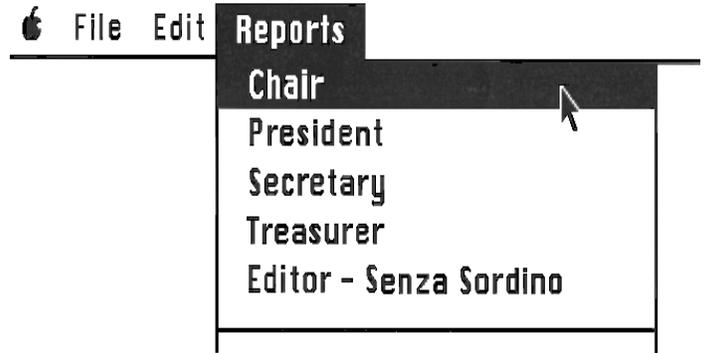
James Caesar Petrillo died on October 23, 1984 at the age of 92. He was possibly the best-known labor leader in mid-20th-century America. His recording bans, his tangle with the National Music Camp, his troubles with the Guild, to mention a few of his notable battles, gave him nearly instant name recognition in most American families. His national recognition was usually not positive; he even defied Franklin D. Roosevelt in his wartime recording ban. Indeed, some of his actions may have led in part to the enactment of tougher national labor laws. But he was a hero to most of his constituents.

Coming from a background of "loud and lousy" at a time when automated music was no threat, it is no wonder that he fought musicians who recorded music or made a substantial wage from it, and referred to them as elitists (or worse). He was a fighter for the little guy as long as the little guy was performing live music. He was mentioned in a 1940 article in the periodical *Current Biography* as increasing pit orchestra musicians pay from \$12.00 to \$99.00 per week, and creating sick leave and widow benefits.

His methods of controlling votes at the annual convention showed political genius, and standing up to nearly unanimous public opinion against him demonstrated remarkable bravery. He was a leader that time passed by, but the legacy of his policies remains.

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4. "Revolt Against Petrillo," Elizabeth Poe, *The Nation.*, May 5, 1956
5. "The Union That Fights Its Workers," Lester Velie, *Reader's Digest*, December 1956
6. "James Caesar Petrillo," *Current Biography*, 1940



The Missing Pieces in Mellon's Puzzle

The Orchestra Forum, a project of The Andrew W. Mellon Foundation, recently concluded a series of meetings for the purpose of "structured dialog around issues of current importance to the future of the orchestra field," with a goal of shaping "a new national program of strategic support for American orchestras." The Mellon Foundation invited ten professional orchestras (nine American and one English) to participate in the Forum. The orchestras sent representatives to the meetings from their boards, staffs, and conducting staffs, as well as some musicians (some of whom were chosen by their managements, not by their colleagues, to attend.)

The Mellon Foundation chose to exclude any of the institutions in the field that represented musicians or boards, including the American Symphony Orchestra League, ICSOM, ROPA, or the AFM—an interesting decision, considering that the initial invitation to orchestras to apply for participation included questions about the role of national service organizations in "pushing the field in new directions" and whether the "Union" could be a "positive force" in achieving higher levels of job satisfaction for musicians. One would have thought that the ASOL and the AFM (not to mention the orchestra musicians' own conferences) might have had something useful to add to the discussion of those questions.

But the Mellon Foundation did invite one union to participate in the Orchestra Forum. Unfortunately, it was the union that represents British orchestra musicians, not the one that represents the musicians that play in American orchestras.

The ICSOM chairperson eagerly awaits his invitation to participate in the efforts of a major English foundation (any one will do) to make an impact on the English orchestral scene. He expects to wait for a long time, however.

Robert Levine
ICSOM Chair

Book Review:**Aching Bodies and Broken Embouchures*****The Athletic Musician:******A Guide to Playing Without Pain***

by Barbara Paull and Christine Harrison

192 pages \$27.00 paperback

Scarecrow Press

Since the 1980's, when official interest in musicians' playing injuries peaked within the medical establishment, there have been several books and articles written on the subject. *The Athletic Musician, A Guide to Playing Without Pain*, written by physical therapist Barbara Paull and violinist Christine Harrison, is one more book which deals with the various complex and difficult physical problems plaguing musicians. As is the case with other such books on musicians' aches and pains, *The Athletic Musician* is filled with a wealth of information on preventing and dealing with general playing injuries but is absent any information on the soft palette injuries in woodwind players, swelling or abrasions of the lip, or the stretching or tearing of the lip muscle in brass players.

However, *The Athletic Musician* is a well-written book which offers sound advice on playing posture, how to hold, carry, and adjust an instrument ergonomically to make it more comfortable and healthy to play. It contains a very easy-to-understand primer in body mechanics and anatomy and describes stretching and strengthening techniques specifically designed for the back, neck, shoulders, arms, elbows, wrists, hands, and fingers. As well, it includes a thoughtful discussion of the psychology of dealing with a playing injury.

A few years ago, ICSOM published one of the best handbooks written for musicians on the subject of playing injuries, *The Musician's Survival Manual*, written by Dr. Richard Norris and edited by former *Senza* editor Deborah Torch (available from MMB Music, phone 1-800-543-3771). Like *The Athletic Musician*, it is a wonderful source of prevention and treatment information. Neither of these two books can replace common sense, though. It doesn't take a medical manual to figure out that playing injuries, including embouchure injuries, are caused by overuse—from musicians engaging in playing activities too many hours every day.

Musicians are taught from an early age that the more they play, the better or stronger their playing will become. But that is only true if the muscle systems which control a player's playing are allowed to recover from the ever-increasing physical and professional stresses expected of them. The rehearsal and performance schedules of most symphony, opera, and ballet orchestras are grueling, to say the least. Adding to this institutional load is a player's private teaching, recordings, chamber music, and other self-imposed extracurricular musical activities, all of which make it impossible for a player to get the proper amount of physical rest, practice time, and time away from the instrument.

Chronically fatigued muscles cannot sustain the kind of daily physical and artistic demands musicians place upon them. When a player's playing mechanics are compromised by fatigue long enough, they soon become replaced with a more strained, stress-filled mechanical system. It is no wonder that many players eventually find themselves battling physical problems. Unfortunately, while most of us are intellectually aware of the cumulative effects heavy playing schedules have on our physical health and playing, we have done little to address the problem institutionally.

If there is any long-term answer, it is prevention. Dr. Emil Pascarelli, a New York City specialist in occupational and music medicine, would like to see anatomy and body mechanics taught in music schools so that musicians can learn how things work and how to avoid injuring themselves, how much stress their muscles can take, when to let their muscles rest, and how to strengthen their muscles properly.

The Athletic Musician is an excellent resource for developing a safe and sound physical approach to playing and is available through your local bookstore.

*Lucinda-Lewis
hornist, New Jersey Symphony
ICSOM Secretary*

Lucinda-Lewis has been doing research for the last three years for an upcoming book on injuries and medical/dental problems affecting brass players. She has also published several articles in brass players' magazines throughout the world on embouchure problems.

(KANSAS CITY JOINS ICSOM continued from page 1)

“*Peer Group Benchmark – The base annual salary, title pay and pension contribution paid to the musicians will be increased to an amount not less than the average annual salary and title pay percentage of a peer group of orchestras. Best efforts will be made to provide annual salary and title pay in excess of the peer group average. It is the goal of the Kansas City Symphony to substantially increase pension contributions, establish a seniority pay plan, increase per diem expense pay, and to reduce employee contributions to health insurance to levels commensurate with those of the peer group. The peer group will consist of eight orchestras which

participate in both the International Conference of Symphony and Opera Musicians (ICSOM) and the American Symphony Orchestra League (ASOL) selected at the time of each negotiation based upon their annual operating budgets for the then current season, with the Kansas City Symphony's budget as the median. The average annual base salary of the eight orchestras, the average title pay percentage, and the average annual pension contribution percentage of those eight orchestras will become the benchmarks for negotiations between the Symphony and its Musicians.”

[The Kansas City Symphony Orchestra Committee will write a follow-up article in the next Senza Sordino to explain their new contract in more detail. – ed.]

INDEX to Senza Sordino – Volumes 34 and 35

Volume 34, #1 - January 1996

Prodigal Returns - The AFM-EP Fund
Conductor Evaluations - Why Bother?
Preliminary 1995-96 ICSOM Wage Chart
1994-95 ICSOM Orchestra Recording Sessions
"Input is Futile: Prepare to be Ignored" - an editorial on musicians and boards
"Pay Now - Pray Later?" - the advantages of paying tax on LTD premiums
Handy Hints, Volume III
Newslets - Symphony Orchestra Institute, Musicians beat IRS, DuBrul takes new job

Volume 34, #2 - April 1996

Death and Transfiguration - The Rebirth of the Honolulu Symphony
In Memoriam Henry Loew
Phono Negotiations Concluded
Newslets - ASOL, AFM, ICSOM, ROPA meet; Symphony Orchestra Institute awards Doctoral Fellowships

[Volume 34, #3 and #4 were not published.]

Volume 34, #5 & 6 - October 1996

New ICSOM Leadership Unveiled In Vail
1996 Conference Keynote Address
Be It Resolved
Silence In San Diego
Orchestras In The News

Volume 35, #1 - December 1996

Philadelphia Strike Ends
Chair Report
The Depreciation Deduction
Atlanta Strike Is Over
Striking the Job, Not the Music
AFM Strike Fund Benefit Increased
San Francisco Symphony Votes To Strike

Volume 35, #2 - March 1997

Restructuring the AFM
Resurrection in Alabama and San Diego
ICSOM Wage Chart
Atlanta Strike
San Francisco Strike
CSO Alumni Association
ICSOM Financial Report
Editors on Art & Civilization

* *

Glen Morley was a cellist and librarian with the Rochester Philharmonic Orchestra from 1947 to 1955. His life in the orchestra inspired a series of sketches which he titled "Symphoniphobias," of which this is one, titled "Triangle." (submitted by Morris Secon, Rochester Philharmonic hornist, retired.)

Volume 35, #3 - May 1997

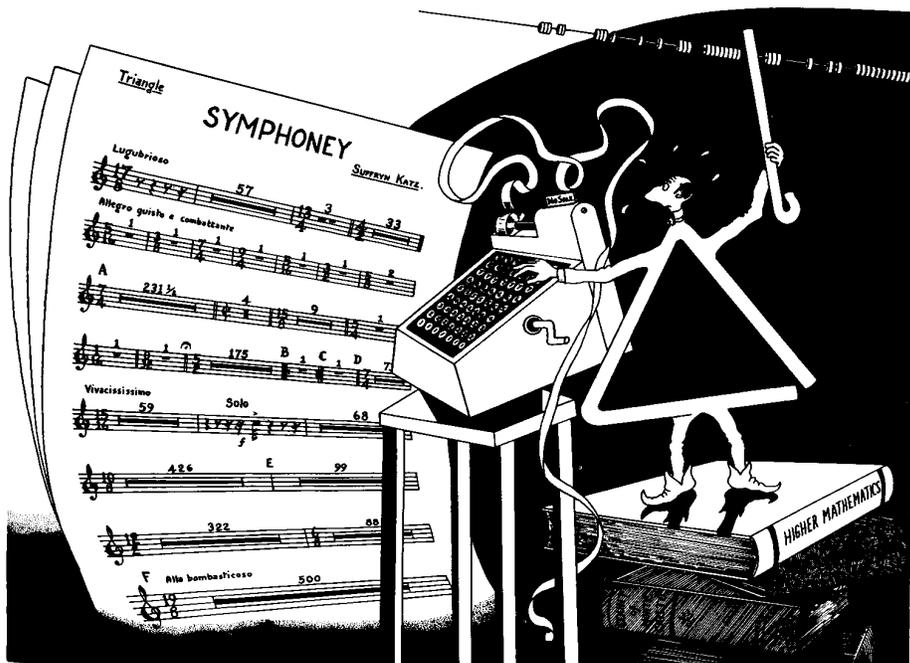
Rhapsody In Bluegrass - the continuing struggle of the Louisville Orchestra musicians
RMA Opposes Dues Increase
Orchestra-L
Review - An Orchestra Musician's Odyssey
Honolulu Symphony Claws its Way Back
Wage Chart Additions
Friends in Need
Computer Bytes Music Copyists
Newslets

Volume 35, #4 - August 1997

The AFM - A Leaking Ship in Troubled Waters
AFM Convention Highlights
1997 ICSOM Conference
The Musician's Survival Manual
The ICSOM CD-ROM
The Musicians' Chair
Harpists, Cellists, Short Musicians Unite! - another chair
Rhapsody In Bluegrass, Part II
Newslets

Volume 35, #5 & 6 - October 1997

In Search of a Real Fix - Players Conferences Join Forces
1997 Conference News
Chicago Lyric Opera Settles
Voicings - thanks from Jacksonville, letter from Indianapolis musician about conference, letter from Grant Park musician about donating sick leave
Houston Settles
1997 Conference Action
PCC Forms ITF, Meets IEB
Newslets



Glen Morley

Newslets

The Musician's Survival Manual by Dr. Richard Norris has been translated into Croatian and is now being used by musicians in Croatia. In a letter to Dr. Norris, Zvonimir Stanislav of the Croatian Association of Orchestral & Chamber Musicians writes, "Last year an Arts Medicine Center for performing artists was established within the Dubrava Clinical Hospital in Zagreb, a center similar to those around the world. It was founded on the initiative of the Croatian Performers' Collecting Society, in collaboration with various artists' associations (Croatian Association of Orchestral & Chamber Musicians, Croatian Musicians' Union, Croatian Society of Music Artists). The Center has already conducted extensive medical examinations and tests with members of the Zagreb Philharmonic, while other Croatian orchestras are soon to visit the Center as well."



ICSOM Member-at-Large Michael Moore and Nathan Kahn of the AFM Symphonic Services Division are working on solutions to the recent problems incurred by musicians **bringing musical instruments onto commercial aircraft as carry-on baggage**. New regulations being established by the airlines are making the transportation of instruments increasingly difficult. If you have experienced instrument carry-on problems recently, Nathan and Michael would like to hear about it. Michael can be reached at the addresses below, and Nathan at (719) 520-3288 or NathanKahn@aol.com.

This year's **ICSOM Scholars** have been selected, in collaboration with the American Symphony Orchestra League's Music Assistance Fund. The ICSOM Memorial Awards provide scholarships to minority music students chosen in competitive auditions. Congratulations to the winners:

<i>Kazem Abdullah</i>	<i>clarinet</i>	<i>Cincinnati Conservatory</i>
<i>David Davis</i>	<i>viola</i>	<i>Roosevelt University</i>
<i>Robert Davis</i>	<i>clarinet</i>	<i>Cleveland Institute</i>
<i>Mariana Green</i>	<i>violin</i>	<i>Juilliard School</i>
<i>Kyle Lombard</i>	<i>violin</i>	<i>Yale University</i>
<i>Richmond Punch</i>	<i>viola</i>	<i>Juilliard School</i>
<i>Jennifer Snyder</i>	<i>viola</i>	<i>Juilliard School</i>
<i>Tahirah Whittington</i>	<i>cello</i>	<i>[undecided]</i>



Several ICSOM orchestras have inquired about the American Federation of Musicians and Employers' Pension Fund rules **restricting working in covered employment while collecting early retirement benefits (before age 65)**. The new rules were instituted to bring the pension fund into conformity with Federal regulations. More information will be forthcoming from the AFM-EPPF in their summer newsletter.

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Cleveland Orchestra
Columbus Symphony Orchestra

Colorado Symphony Orchestra
Dallas Symphony Orchestra
Detroit Symphony Orchestra
Florida Orchestra
Florida Philharmonic Orchestra
Grant Park Symphony Orchestra
Honolulu Symphony Orchestra
Houston Symphony Orchestra
Indianapolis Symphony Orchestra

Jacksonville Symphony Orchestra
Kansas City Symphony
Kennedy Center Orchestra
Los Angeles Philharmonic
Louisville Orchestra
Metropolitan Opera Orchestra
Milwaukee Symphony Orchestra
Minnesota Orchestra
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