

Senza Sordino

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*As ICSOM enters the third millennium, it is fitting that we study where we have been and where we have gone, in preparation for deciding where we should go in the future. Toward that end, the first three issues of this volume of Senza Sordino will focus on the origins and the growth of ICSOM during its near-40-year history. * This issue looks at the conditions in the orchestras and unions of the first half of the 20th Century that gave rise to ICSOM. * The March issue will chronicle the mostly positive changes that took place after the formation of ICSOM. * The June issue will profile the ICSOM of today, identifying the current issues being addressed by ICSOM's leaders and anticipating the old and new challenges that ICSOM can expect in the 21st Century.*

Into the New Millennium: A Step Forward, A Look Back

My first experience with a professional orchestra was with the Southern Symphony in Columbia, South Carolina. It was 1938. The Juilliard placement bureau sent me to Steinway Hall to audition for the conductor, Hans Schweiger. He offered me the job—an eleven-week season, no allowance for train fare from New York to Columbia, and a salary of \$18 per week. There were no benefits for health or instrument insurance. I declined the offer. He thought about it a while, then offered me \$25 per week, pointing out that men who had families were accepting the \$18 salary. I accepted—played eleven weeks of challenging works, made friends, played chamber music and went home after the eleven weeks with a net savings—after train fare, room and board—of ten dollars.

Back in New York I played a lot of free-lance work. No benefits, no pension. In 1943 I played an audition for the position of concertmaster of the American Ballet Theatre Orchestra. The audition was at the old Metropolitan Opera

House. Antal Dorati was the principal conductor. I played for him about an hour. He gave me a three-foot-high stack of music and asked me to play for him again in three days. I had never played ballet music before—worked at the music until 2 a.m. each day—went back on the third day and played for Dorati again. I got the job. It was a 21-week tour. We played in 85 cities. It paid \$100 per week for 7 performances and extra for matinees. Some weeks we made as much as \$300—but there were no benefits, no insurance, no pension.

I was with the St. Louis Symphony for a total of four years. No committees, no benefits. When I was with the Dallas Symphony there were stirrings of change. A committee was organized and meetings were held at regular intervals.

In 1956 I became a member of the New Jersey Symphony. Rehearsals were \$5. Concerts were \$25. I was assistant concertmaster for 37 years—years of unbelievable changes—in committees, benefits, length of season and salaries.

I hope some of the bright, talented musicians of today are aware of the long, hard struggle it took to make these benefits happen. Many dedicated people gave freely of time, energy and intelligence, despite the risks to job and even career.

*Esther Schure Gilbert
New Jersey Symphony violinist, retired*

“As matters stand, music . . . is inadequately nourished if not actually starved. It is difficult for a musician to make a living even when his talent is demonstrable . . . he is in a marginal economic class and must frequently take a second job in his slack season in order to pay his bills. In short these men—symphony musicians in particular—are actually subsidizing music by working for a wage that is pitifully incommensurate with the skill and professional training they must have.”

Thomas B. Sherman
St. Louis Sunday Post-Dispatch
July 13, 1958



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COMMITTEES AND SUCH

by *Russell V. Brodine*

ICSOM Emeritus, St. Louis Symphony

(The following is an excerpt from Mr. Brodine's upcoming autobiography, *Fiddle and Fight*)

CHAPTER FOUR

My work in the St. Louis Symphony continued to be, in the main, musically satisfying. In other respects, conditions called for picking up where I left off in Los Angeles. I had not been long enough in either Salt Lake City or Portland to do more than begin to get acquainted. In St. Louis I found others as concerned as I to improve the conditions of our work.

We did not have to start by bringing our fellow workers into the union. Classical musicians were solidly in the AFM. The union policy of having union members refuse to play with nonunion members made it essential for every player to have a union card.

The AFM tended, however, to be a top-down organization, neither democratic nor militant. So our first jobs were to get our colleagues more active in the union and to get the Local officers more responsive to our needs.

It was clear that nothing could be accomplished until we had an orchestra committee. Now that orchestra committees are an accepted part of the scene, it may seem strange that getting one started took any effort. In fact it took two seasons—'50-'51 and '51-'52—to get one established.

Tours provided an especially good time for talking up the need for a committee. Grievances are always aggravated on a tour, while the closeness of not only working but living and traveling together can develop solidarity. When we returned from one tour, Newton Pacht volunteered to take our grievances to the union.

Sam Meyers, who was then president of the Local, had no time to listen. The next day, thirty of us marched into the union hall. Sam jumped up from his desk, dusted off the chairs with his white handkerchief, and listened attentively.

The push for a committee came mostly from recent additions to the orchestra. We immediately ran into problems from the older musicians. There had been a committee in the past but it had been inoperative for several years. Since it had accomplished little, reviving it did not elicit much enthusiasm. There was also resentment against us newcomers. Who did we think we were, coming in and telling the old timers what ought to be done? A clique of first-chair players felt they were the anointed leaders of the orchestra and could represent it in any necessary contacts with the conductor or the union.

William Zalken, the manager, and Max Steindel, the personnel manager, did everything they could to oppose a committee. Even Vladimir Golschmann, the conductor, got into the act. One

day at rehearsal he talked to the orchestra about how needless it was to form a committee or to be confrontational about such things as pay and working conditions.

"My friends," he said, "we are all musicians, we are artists. We are not here for ze profit, we are here for ze art."

Newton astonished everybody by expressing his agreement that we were indeed there for the sake of the music. He then went on to say it was obvious that we were not there for money or profit, since we were getting as little as nineteen hundred dollars for a season's work.

He added that since Golschmann was getting more than thirty thousand per season it was unseemly of him to say that "we" were not there for money. Newton suggested that if the conductor felt it necessary to interject himself into the dispute, he should do so by backing the orchestra's demands.

Golschmann's face turned fiery red. He left the podium without replying and canceled the remainder of the rehearsal.

The union was at first hostile but finally gave us qualified permission to form a committee. At the Local 2 Board of Directors meeting on February 25, 1952, the following action was taken:

"It was agreed that the Board shall not interpose any objection, at this time, if the personnel of the orchestra wish to elect an orchestra committee, on the condition and with the understanding that said committee will not assume making any decisions, and limiting its procedure and activities to informing the Musicians Mutual Benefit Association Board of Directors concerning any situation

or circumstances revealed to the committee by the personnel of the orchestra which should be considered or acted upon by the local."

Newton had decided not to return the following season, so he was willing to stick his neck out in the struggle for a committee, taking the lead in collecting signatures in favor. Before the end of that season, we had a majority. Newton so informed Max Steindel.

"Let me see the list," Max demanded.

Newton was not about to expose the signers to possible harassment, and said, "Oh, no. They stay right here in my pocket." We took them to the union and made the committee official.

Henry Loew also played an important part in getting the committee. He had the prestige of the first chair, the respect of the orchestra for his musicianship, and a personality that soon made him popular with his colleagues. He became the committee's first elected chairman.

It was, of course, impossible to function within the restrictions imposed by the union board. Once the committee was established it became more and more active as the voice of the orchestra, usually through the union but sometimes independently.

With less than half a year's work guaranteed, most of us were also guaranteed a period of unemployment every year. In the years

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when my wife Virginia was not working, we had to borrow a few hundred dollars from family or friends before the fall Symphony season began, managing to pay it off by Christmas.

Some of the well-established local men did enough teaching to tide them over, but most of the single players left for New York or elsewhere to seek mid-season work. Often they failed to return, accepting work in some other city with a greater prospect of permanence and family life.

Aron Teicher, a talented graphic artist as well as a violinist, portrayed our plight in a cartoon with several panels. First came a fiddle player in his formal concert clothes, holding his instrument at the end of the season. Then came several panels depicting him as a clerk, a welder, etc. Finally, in the fall, he was shown once more in white tie and tails with his fiddle under his chin. It was titled "Vacation With Pay."

Even musicians in the larger orchestras, with somewhat longer seasons, had this problem. Two Philadelphia bass players, Fred Batchelder, my former roommate, and Ed Arian, with whom I had played in Central City, spent summers as "Good Humor" men, selling ice cream from carts on the street. Violist Murray Schwartz in our orchestra, sold Fuller brushes between seasons.

Understandably, unemployment insurance was a major issue in the orchestra in the fifties. Although a few musicians scorned it as "charity," most of us felt that it was desperately needed.

The Symphony Society, as a nonprofit organization, was not required at that time to provide unemployment insurance and resisted adding this unwanted cost to the budget. In the negotiations for a new contract at the end of the 1958-59 season, the Orchestra Committee, with Ed Ormond as Chair, made this a major demand, and it was won in 1960.

Another important victory of the Orchestra Committee was the establishment of a dismissal committee. Written into the contract, it bound the Society not to dismiss any member of the orchestra who had played two or more consecutive seasons without the approval of the Dismissal Committee. This committee consisted of four members elected by the orchestra and four selected by the Symphony Society, which could include the conductor and the assistant conductor.

With the short season and the poor pay, some musicians became disgusted and left the symphonic field for positions in the music departments of universities. Others left music altogether.

Turnover was so great that thirty-one different bassists played in our eight-chair section in the decade of the fifties. Three were older men who retired or died but all the rest came and went, playing with us for a season or two and then going on to other orchestras or other jobs. By 1960, Henry and I, the newcomers a decade earlier, had become the old-timers, the only bassists who had been in the orchestra for a decade.

It was the same in the other sections. Of the eighty-eight members of the orchestra in 1960, only twenty-seven had been there in 1950. When this problem was pointed out to Manager Zalken, his response was, "Musicians are like grasshoppers. They like to hop around."

Turnover was so great that thirty-one different bassists played in our eight-chair section in the decade of the fifties. . . . It was the same in the other sections. Of the eighty-eight members of the orchestra in 1960, only twenty-seven had been there in 1950. When this problem was pointed out to Manager Zalken, his response was, "Musicians are like grasshoppers. They like to hop around."

Our struggle to improve pay and conditions was therefore also a struggle to develop a more stable orchestra, a struggle for better music.

Our struggle to improve pay and conditions was therefore also a struggle to develop a more stable orchestra, a struggle for better music. Yet it was not until the 1959-60 season that we finally were able to add two weeks to the previous twenty-three. Pay inched up by very small increments, not enough to make a substantial difference in the attractiveness of the job. My own salary as assistant principal bass stayed a few dollars over minimum. In '59-'60 the minimum had reached \$105 and my own pay \$120 a week.

Although we had inadequate information about conditions in other orchestras, we knew enough to realize that these small improvements were not

enough to keep us from dropping behind. We encountered some of the musicians from other symphonies when we were on tour and had friends in still other orchestras. The little information we had from these informal contacts only reinforced our feeling that something must be done to establish inter-orchestra communication.

How to do this was the subject of many discussions among orchestra members and particularly in the Committee, of which I was a member that year (1958-59). Various proposals were made for surveying the symphonic scene, some quite elaborate.

Finally, Ed Ormond, Committee Chair, said, "It's got to be simple. A questionnaire to all orchestras as to their contracts and conditions and a return tabulation of the results."

While we were on tour we worked far into one night formulating the questionnaire. We got it copied and collected names of individuals in as many orchestras as we could. In some cases we sent it to a symphony hall addressed to "Orchestra Committee." We collated it with a covering letter on the bus between towns and sent it out.

Although we knew that what we were doing was important, in retrospect it can be said that its significance was immeasurable, not only to St. Louis, but to the whole symphonic profession. It was a major step toward what became, some years later, the International Conference of Symphony and Opera Musicians (ICSOM), now a player conference of the AFM.

Twenty orchestras reported on their conditions. Pay and length of season ranged from \$70 a week for a twenty-week winter season and a four-week summer season in Denver to \$157.50 a week in New York and Philadelphia for thirty-two week seasons. The Metropolitan Opera Orchestra members were getting \$166.50 a week for thirty-one and a half weeks.

The Problem of Age Discrimination

By *Sam Denov*

*ICSOM Emeritus, Chicago Symphony
Editor, Senza Sordino 1965-66, ICSOM Chair 1969-70*

What can we do if we've been fired because someone decided that we are simply too old to do our job? We know in our heart of hearts that we can still perform as well as we ever could. Yet, some decision-maker has determined that they want someone younger to fill the job we once had.

Sadly, this is a problem many of us may eventually have to deal with as we grow older, particularly since we can no longer be compelled to retire. Mandatory retirement, of course, is no longer permitted.

Our problem is compounded by the fact that once we reach the age of 70½, we will begin receiving not only our salary and probable seniority increments; we'll also be drawing our full pension benefits and full Social Security benefits as well. Through no fault of our own, we will suddenly become an enormous financial burden to the orchestra we play in. At that point, there is little incentive for us to retire voluntarily because we'll be earning more money than we have in our entire working lives. In fact, that income is so great that none of us who organized ICSOM could have foreseen it in our wildest dreams. This problem is not unique to musicians, but it is a dilemma.

Back in the 1960's, Congress anticipated the problems faced by older workers and added another protected class of employees to the list of those who could not be discriminated against by their employers. The Age Discrimination in Employment Act of 1967 (ADEA) added employees 40 or more years of age to those who could not be discriminated against because of their gender, religion, race, etc.

Recently, because various federal appeals courts were interpreting the provisions of the ADEA in different ways, the U.S. Supreme Court clarified how a plaintiff could prevail in a lawsuit for age discrimination against their former employer in federal court. That ruling was in *Reeves v. Sanderson Plumbing Products, Inc.*, decided on June 12, 2000.

First off, we are met with the disturbing news that winning such a lawsuit will generally NOT get your job back for you. If you are successful, you may receive compensatory damages plus attorney's fees and court costs. Unfortunately, you will not be awarded punitive damages.

To begin with, an employer, because of the ADEA, will NEVER say that you've been fired because of your age. They will give some other reason, which you must prove is only a pretext for your unlawful discharge. But before we get into the nitty-gritty of your lawsuit, let's set out some of the timely things you must do in order to even be able to challenge your employer in court.

Within 180 days after you've been discharged or otherwise discriminated against, you must file a complaint against your employer with the local

Equal Employment Opportunity Commission office in your area. If your state also has a comparable agency, you must also file with them. Often, when you file a complaint with the EEOC, they will take care of the state filing for you.

The EEOC is supposed to investigate your complaint, but as a matter of fact, budget constraints and political considerations often limit those investigations to a perfunctory review except in the case of class actions. In due course, the EEOC will issue you a right-to-sue letter that gives you the right to file a lawsuit against your employer for age discrimination, but that lawsuit must be filed within 90 days after your receipt of that document. By this time, if you have not hired your own attorney, that is the very next thing you should do. Remember that these time limitations are crucial if you want to preserve your rights.

As a civil suit, the standard of proof is a preponderance of the evidence. Generally, the trier of fact will be a jury. Before *Reeves v. Sanderson*, as the plaintiff, you had the burden to prove that you were fired because of your age, regardless of whatever nondiscriminatory reason your employer gave for your discharge, even if that reason was pretextual.

In *Reeves v. Sanderson*, the Supreme Court made the plaintiff's burden of proof somewhat easier. During the trial, the court said that there must be a shifting of the burden of proof. To begin with, you must show a *prima facie* case of age discrimination. There are four elements involved in making such a *prima facie* case. You must show 1) that you are a member of the protected class of employees (i.e., you were at least 40 years of age at the time of your discharge); 2) that you were capable of performing the duties of your job; 3) that you were discharged; and 4) that you were replaced by someone younger than you. In most cases, the age differential must be considerable. (The replacement employee must be at least 10 years younger than you are.)

Once you have established a *prima facie* case of age discrimination, the burden shifts to the employer to show that your discharge was for a nondiscriminatory, legitimate reason. That burden must be one of production, not persuasion. In other words, there must be evidence, not just argument, to show that the employer was justified in its decision to discharge you.

At this point, if the employer has made a credible showing of the nondiscriminatory reason for your discharge, the burden shifts back to you to convince the trier of fact that the reason stated by the employer was false and nothing more than a pretext for your discharge. That is usually the most important and difficult aspect of the trial.

Once that has been done, the employer may make a motion for judgment as a matter of law under Rule 50 of the Federal Rules of Civil Procedure. If the judge grants that motion, the case is over and you have lost. If the judge denies the employer's motion, the case will go to the jury. The judge will then instruct the jury on

what the law is and how they must apply the evidence to the facts to arrive at their verdict.

If the jury is convinced that the employer's stated reason for your discharge was really false, they are entitled to infer that the real reason for your discharge was age discrimination. That is the essence of the Reeves decision by the high court. If they arrive at that point, they will assess the amount of the award for compensatory damages. In cases in which the discrimination was found to be deliberate, the award of damages may be doubled.

Prior to *Reeves v. Sanderson*, some Circuit Courts of Appeal imposed an additional burden on the plaintiff of showing evidence of the employer's age-related animus and practices in order to prevail. In some cases, that may still be necessary, but those instances will be few, if any.

Sometimes, these age discrimination cases will have additional claims that, if proved, will allow the jury to assess punitive damages as well. That may be when the employer, for example, has also defamed the employee in a malicious manner or taken other steps designed to punish and hurt the discharged employee.

Hopefully, if your discharge turns out to be what you think is, an open-and-shut case of discrimination, if such a case even exists, your lawsuit may be settled through negotiation before it ever comes to trial. That is probably the best possible outcome of an age discrimination lawsuit. Having a skillful attorney increases the chances of such an outcome.

As you can see, these lawsuits against employers can be gut-wrenching experiences that will take you on an emotional roller coaster ride, and should only be undertaken after some thoughtful reflection about what has happened to you. You will also have the burden of paying your attorney some up-front money as a retainer to handle your case.

When all is said and done, and even if you should be successful, as was mentioned previously, you will not have your old job back, but you will receive some monetary compensation for what has happened to you. Whether the whole thing is worthwhile is a matter that only you can decide. It takes a considerable amount of intestinal fortitude to even consider bringing a lawsuit against your former employer. But, if that is what you decide, then go for it!

It would be a much better strategy economically for your employer to make you a monetary offer that is large enough to entice you into resigning when you reach the age at which they want you to go. It is in the best interests of the organization from the standpoint of morale as well. In such cases, your employer may ask you to sign a waiver of your rights under the ADEA. The ADEA has very strict guidelines about such waivers. They must comply with the following guidelines in order to be valid:

- ◆ The waiver must be in writing and be understandable.
- ◆ It must specifically refer to ADEA rights and claims.
- ◆ It cannot waive rights or claims that may arise in the future.
- ◆ It must be in exchange for a valuable consideration.

- ◆ It must advise the individual in writing to consult an attorney before signing the waiver.

- ◆ It must provide the individual at least 21 days to consider the agreement and at least 7 days to revoke the agreement after signing it.

If the employer requests an ADEA waiver in connection with an exit incentive program or other employment termination program, the minimum requirements for a valid waiver are even more extensive. This is a much better alternative than simply terminating an older employee under some phony pretext. Hopefully, we should now be better prepared to make the appropriate decision for whatever may come.

The solutions to the problem of aging are certainly not perfect, but for the present, they are all that we have.



Whatever Happened to "Respect Your Elders?"

On December 21, 2000, it was reported that an anonymous donor had given over a million dollars to the Richmond (VA) Symphony specifically earmarked to fund a voluntary "buy-out" program for all of the players who have been members of the orchestra for 25 years or more.

The details of this buy-out offer and any action the musicians might take in response to it have yet to be determined.

Newsletter

Starting salaries for attorneys at the largest 250 law firms in the United States range from \$60,000 to \$140,000. (from *The National Law Journal*, 12/4/00)



Many, many thanks to those who contributed material for this and future Senzas. The passion and caring you have expressed for music, fellow musicians, and ICSOM is the fuel that keeps us going. – Ed.

The St. Louis Survey of 1958

The first known survey of wages and working conditions in orchestras was done by the AFM in 1952. (That survey was published in Senza Sordino, Vol. XV, No. 4, April 1977, and information from it will appear in the next Senza.) However, the

earliest and most comprehensive survey done by musicians themselves before the formation of ICSOM was undertaken in 1958 by the St. Louis Symphony Orchestra Committee. The survey project was spearheaded by Edward Ormond, Chairman, with

Orchestra (metro area pop.)	winter season weeks	min. weekly salary	automatic raises?	unemployment insurance?	Social Security? **	health insurance? (mgmt-paid)	pension?	summer season?	summer season length	summer season salary
Met Opera (8,142,000)	31.5	\$166.95	no	yes	yes	no	no	no		
NY Phil (8,142,000)	32	\$157.50	no	yes	yes	no	yes	yes	6	\$140.00
Chicago (6,300,000)	30	\$155.00	no	no	yes	no	yes	yes	6	\$125.00
Los Angeles (5,572,124)	24	\$121.00	no	yes	yes	no	*	yes	8	\$121.00
Boston (3,141,623)	40	\$140.00	no	no	yes	yes	yes	yes	6	\$140.00
Philadelphia (2,180,300)	32	\$157.50	no	yes	yes	yes	yes	no	6	\$132.50
Cleveland (2,000,000)	31	\$130.00	no	no	yes	no	yes	yes	8	\$84.00
Detroit (1,912,000)	25	\$120.00	no	yes	yes	yes	*	yes	12	\$70.00
St. Louis (1,892,000)	25	\$105.00	no	*	yes	no	*	no		
San Francisco (1,721,170)	22	\$120.00	no	no	yes	no	yes	yes	10	\$46.00
Buffalo (1,653,363)	23	\$100.00	no	yes	yes	no	no	yes	8	\$19.00
Pittsburgh (1,601,700)	27	\$125.00	no	yes	yes	no	no	no		
Cincinnati (1,514,000)	28	\$112.50	no	no	yes	no	yes	no		
Dallas (1,415,400)	23	\$90.00	yes	no	yes	no	*	no		
Indianapolis (1,272,700)	22	\$80.00	yes	no	yes	no	no	no		
Minneapolis (1,215,000)	27	\$110.00	no	yes	yes	no	no	no		
Kansas City (1,191,000)	20	\$85.00	no	no	yes	no	no	no		
New Orleans (1,123,640)	25	\$95.00	no	no	yes	no	no	no		
Denver (877,933)	20	\$70.00	no	no	no	no	no	yes	4	\$70.00
Rochester (772,971)	30	\$110.00	no	*	yes	no	no	no		

* under negotiation

** At the time of this survey, participation in the U.S. Social Security system was optional for nonprofit organizations.

Russell Brodine and Henry Loew (who became the St. Louis Symphony's first ICSOM delegate). The St. Louis Committee issued a report to the orchestras that participated in the survey, which contained a tabulation of the statistics gathered along with some prescient questions and conclusions.

paid vacation?	tour length (wks) (current season)	tour transport	per diem	ratify contract?	dismissal committee?
no	7	rail	\$10.25	yes	yes
yes	none	rail-bus	\$12.00	yes	yes
no	varies	rail-air	\$12.50	no	yes
no	one-nighter	bus	\$11.00	yes	yes
no	5	rail	\$14.00	yes	yes
no	4	rail	\$13.00	no	yes
no	4	rail-bus	\$13.00	no	no
no	5	rail-air-bus	\$10.00	no	no
no	3	bus	\$10.00	no	yes
no	none			yes	yes
no	none	bus	\$12.00	no	yes
no	5	bus	\$12.00	no	yes
no	3	rail-bus	\$12.00	no	yes
no	none	bus	\$10.50	no	yes
		rail	\$11.25		
no	1-3	bus	\$10.00	no	no
no	8	rail-bus	\$11.00	no	no
no	none			no	no
no	4.5	bus	\$4.50+room	no	yes
no	1	bus	\$9.00	no	no
no	none		\$10.00	no	no

The St. Louis Symphony Orchestra Committee (Local 2 AFM) wishes to thank all the individual musicians and orchestra committees who responded to our questionnaire and thereby made this report possible. Having the information compiled here has already been helpful to us in preparing contract proposals for next year and presenting our case to management. We hope it will be similarly helpful to other orchestras. It was gratifying to receive answers from other cities which were not only complete and interesting, but expressive of enthusiasm for the idea of inter-orchestra communications and further cooperation. The following quotes are samples of the comments received:

Excellent idea—Great need for clarification of working conditions and establishing liaison Your problems are our problems. . . . The problems of the symphony musician must be brought to the attention of members of Congress, public, etc.

Perhaps it would be a good idea to have a sort of linkage between us all.

I will discuss with him (AFM President Herman Kenin) the possibility of setting up a sort of convention for symphony players.

The picture presented by this survey is not a pretty one for the performing musicians. It is not too much to say that it indicates the existence of a real crisis in the symphony field. As we have gone over the conditions existing in one city after another, it seems to us that these answers raise many new questions. How should musicians seek to better present their situation? Through our union, of course—certainly more regular, active participation in our locals, closer cooperation of orchestra personnel, orchestra committees and union officers is a basic necessity if any gains are to be made. But can each individual AFM local solve each orchestra situation in isolation? Isn't a broader approach necessary? What about the proposal contained in more than one reply, that our International Union sponsor a symphony conference?

Should we take a more direct interest in the question of how symphony orchestras are supported financially? Is the current crisis due to an outmoded system of obtaining support for our orchestras? If so, what other sources could be tapped? Is municipal, state or federal subsidy the answer? Is reaching a wider segment of the public the answer? Or should we merely press our demands determinedly upon the present Symphony Associations and let them solve the problem of finding the necessary funds?

We believe that music is a vital part of our culture, and that it is possible for it to play an increasingly important role in the lives of the American people. But the possibility of growth and development, even the present status of music, is threatened by the economic insecurity of our jobs and the almost total lack of respect and prestige connected with our profession.

It is our hope that this report will make a small contribution to furthering discussion and action toward the improvement of the performing musicians' income, security and status and the revitalization of our country's musical life.



To all 2000 ICSOM Conference attendees:

A sincere thank you for being so nice to me during my unexpected illness at the ICSOM Conference. I love the Purple Heart you gave me!

Thank you also to the many musicians of the Louisville Orchestra who helped pick up the slack my absence caused by running innumerable errands and constantly seeing that the checklists were up to date. And last, but certainly not least . . . thank you to the lifesaver of all lifesavers, Tom Hall. His hard work during my absence kept the conference afloat, and also was invaluable in training me to prepare for the conference.

We're so glad that everyone came to Louisville.

Trevor Johnson
2000 ICSOM Conference Coordinator
Louisville Orchestra ICSOM Delegate



Yes, I was an orchestra player, a bassist in the Houston Symphony with Barbirolli for two seasons 1961-62; American Symphony Orchestra under Stokowski 1963-67; Boston Symphony under Leinsdorf 1967-70; principal bass of the Los Angeles Chamber Orchestra under Marriner 1971-78.

I was the BSO delegate to the ICSOM convention in 1969. George Zazofsky was a big inspiration to me; his ideas helped me years later, when I was a recording musician (27 years) in the Los Angeles studios. I was never afraid to speak up at union meetings there, and I think a lot of what I said at meetings (mostly direct quotes from GZ, things he had talked about thirteen years earlier), especially during the big strike in 1980, led to the formation of the RMA chapter in Hollywood.

I am retired now, so I have plenty of time to think back.

The high-salaried players of today's major orchestras should kneel with a fervent prayer of thanks for ICSOM and very brave men like Mr. Zazofsky, because without the group that organized ICSOM and all the effort that they put into it, there would be a lot less reward for the players in the symphonic field today.

Thanks again for your work !

Buell Neidlinger
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I joined the Chicago Symphony in the fall of 1958. While I was overwhelmed by the greatness of the orchestra, I was extremely underwhelmed by the treatment of the group by both the union and management. The orchestra didn't even have a players' committee. Towards the end of the season the orchestra was told that there would be one less concert per week at Ravinia. (This was a sepa-

rate contract from the CSO.) This event seemed to spark the idea that the players needed a committee. The union was no help so we had to accept the Ravinia proposal of one less concert and less pay in the summer. I had heard of one player who didn't want more work anyway because he wouldn't be able to keep his factory job in the summer. The union was only interested in contracts which gave a little higher scale and never asked the players what they wanted.

Once we had a committee established we had meetings in the basement of Orchestra Hall. The manager during some of the most controversial times was a former critic, Seymour Raven. Stories would get back to his former paper about all of the back-stand troublemakers in the orchestra and found their way into the criticisms of the concerts. One time when I was a committee member, we were thrown out of the meeting room in Orchestra Hall by the manager, Raven. We had no place to meet. The solution was to buy a mimeograph machine and print an underground newsletter which we passed out to members as they went into the hall for a rehearsal or concert. This was the best way, at the time, to get information to the players. The idea was a good one since we then decided to send copies of these newsletters to orchestra committees all over the country.

The Philadelphia orchestra was playing in Chicago in the spring of the year ICSOM got started. We decided to see if we could have a meeting with their players committee and invite, via the newsletter, all orchestras to send a representative to the meeting. As I recall, the orchestras represented at the meeting were: New York Philharmonic; Metropolitan Opera; Boston Symphony; Indianapolis Symphony; Cincinnati Symphony; Chicago; Philadelphia and maybe Los Angeles. I may have left some out but it was a long time ago.

At that meeting ICSOM was born.

Richard Lottridge
Chicago Symphony bassoonist 1958-1965
rwlottri@facstaff.wisc.edu

[Also present at the May 1962 meeting in Chicago, in addition to the orchestras listed above, were Cleveland, Pittsburgh, St. Louis, and Toronto. - Ed.]



“ . . . On the union – let me just tell you – when I came to Cleveland the job paid \$4,000 for the year, no security, no benefits. Today the job pays \$80,000 a year, complete and full benefits, and security. None of this would have been possible without a union presence. Therefore, the musician must comply with the rules and regulations we all live under . . . and has to join the union and abide by the laws. It's not very difficult, and is still needed to continue advancements in our American society.”

David Zauder
Cleveland Orchestra trumpeter and personnel manager, retired
(from a panel discussion on “Orchestra Life Beyond the Music”
presented for students at the Cleveland Institute of Music)

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

Florida Phil Settles Under Duress (The Conclusion)

The Florida Philharmonic went on strike on September 25, 2000. The previous issue of Senza presented the situation that the strikers faced at the beginning. In this concluding report, Committee Co-Chair and ICSOM Delegate Geoffrey Hale describes the strike's ignominious end.

Act Three (Finale)

In the final week of the strike the musicians met almost daily. The management announced the cancellation of the season. With that announcement, some musicians became very nervous and vocal. Reporters were lined up ready to talk to any musician who would be willing to undermine the Orchestra Committee. The press was very anxious to portray the negotiating team as not representing the musicians of the orchestra, so we found ourselves in a position of taking strike votes almost daily to show management, the press, and the community that we were united.

Our management team of Elizabeth Hare (executive director) and Susan Norton (lawyer) refused to sit down and negotiate anything. Whenever our proposal was put on the table, they continually rejected all of it. Management's negotiating team was very good at keeping our proposal a secret to the Governing Council, which makes the final decisions.

On October 21 the Philharmonic said they would dissolve the orchestra if we didn't accept their last offer by the next day. We called an emergency meeting with management to try and reach a compromise. When we showed up to meet, Elizabeth stated she had no power to make any decisions and was not interested in taking our compromised proposal back to the board.

Management went to the press and said if the musicians don't give in to EVERY demand on the table, they would start dissolving the orchestra in 24 hours.

The Orchestra Committee decided to give one last attempt to reach a fair deal that would save face for both sides. We proposed accepting the wages that were on the table and that in the first two weeks of the season we would sit down and try to reach an agreement on the other issues. If no agreement could be reached, then those issues would be handed over to an arbitrator. This would have given management a signed document and the season could have started. The musicians met that night and actually pre-ratified this proposal so all management had to do was agree to it. Unfortunately, the Governing Council refused, much to the amazement of the musicians as well as the press. As was always the case with our management, it was take it or leave it.

The Orchestra Committee found itself forced to call a meeting just hours before the deadline. Not only was the Committee



Florida Phil clarinetist David Pharris and baby

forced by management down this road to destruction, but also some musicians were helping management on this dreadful journey.

I had set up an e-mail group for the musicians (much like Orchestra-L) so the Committee could disperse information on a continual basis. It was a very productive thing to do at first. What happened toward the end of the strike was that other musicians made his or her own e-mail group and it turned into an open forum for venting frustration. Some of my colleagues actually shared this forum with the press. It turned into an e-mail war zone.

To make matters worse, an anonymous musician shared this e-mail list with management. As a result of that, musicians were getting messages from Elizabeth Hare telling them the orchestra was going to fold if they didn't overturn what the Committee was doing. We then started getting mass mailings from board members, which were always threats.

Just when we thought we had seen it all, someone supplied the Philharmonic Chorus with our e-mail list. Our chorus, all volunteers, had no other vested interest other than they just wanted to sing. We were flooded with e-mails from chorus members telling us to basically shut up and settle to "SAVE THE CHORUS." Their message to us, "Would you all stop the strike so we can pursue our hobby," started another fueled e-mail forum between the musicians and the chorus.

There was a meeting set up by the dissenting musicians without the Committee present to have a mutiny, but it proved unsuccessful. One musician actually set up a web site where musicians could log on and vote to end the strike. I might point out that management could also log on to view the results. Some musicians were doing TV interviews with the message that the union negotiating team was being unreasonable.

(continued on next page)



Violinist Bruce Wethey speaks at a community concert during the strike.

With no other alternative possible, the Committee called the final meeting with only a couple of hours left on the clock. The Committee was mixed as to their beliefs regarding how serious management was about dissolving the orchestra, so we decided to let each of the eight members of the Committee speak as individuals to the orchestra.

This was the most solemn meeting imaginable. We were witnessing the robbery of major clauses in our contract. Not one item from our proposal was on the table, only concessions. The room was filled with tears and with anger at our management. We had been disrespected in the most horrible way imaginable. When it was over, the musicians accepted all the concessions and ratified the last and final offer. It was a very dark night for the FPO musicians, but in my view, it was even a darker night for the Governing Council and management. Rather than treating the musicians with a meaningful, respectful negotiation, they resorted to assaults on the musicians and the institution with no regard for the community. It was evident to many that the Governing Council wanted to close the orchestra and blame it on the musicians. You could see musicians taking the Philharmonic license plates off their cars and throwing them on the street. You could see musicians hugging each other in tears. There was no joy anywhere.

Our insensitive CEO, Elizabeth Hare, had the nerve to immediately send out an e-mail to the musicians congratulating them on the wonderful settlement and hoping they'd be excited at making wonderful music again. My response back to her was, "There will be no joy on stage," and "If anything good comes from this settlement, I'll be talking to a new CEO soon." As of December 9th, the musicians were given an early Christmas present. Elizabeth Hare is leaving at the end of the year.

As the dust clears from the war between the musicians and management, only corpses are left on stage. We shall try and regroup to figure out what went wrong and what we can do better next time. Where we go now is the big question. The musicians have been robbed of major contract protections. Do we now sit down with the people who robbed us to "make nice?" If someone comes into your house and takes your five most beloved art works, and then wants to be your friend but refuses to give you back what they have taken, what would you do? Only time will tell.



Henry Skolnick, bassoon; and Andy Lewinter, hornist and Florida Philharmonic Committee Co-Chair



Orchestra Musicians Speak

The following are excerpts from open letters to the Florida Philharmonic and the South Florida press in response to the strike:

I urge the politicians of South Florida to realize that the value of this institution to your community is far more than dollars and cents. It is a basic infrastructure which the community cannot live without. I urge the management of the Florida Philharmonic to sit down with the musicians, to hear not just the numbers, but the reasons behind the numbers, and to find the money that it takes to bring this orchestra back to the people of South Florida.

Richard Graef
Indianapolis Symphony ICSOM Delegate



Does anyone EVER expect Michael Jordan to play an eight-hour basketball game? Of course not! Why? Because a professional basketball game is extremely stressful and draining for the players. The concentration and physical rigors the player goes through would put you in the hospital for a month. Same thing with a musical performance. . . . We musicians know that if we do one thing wrong that people like you will make snide remarks about it in the newspaper the following day.

Virginia Barnes, violinist and Chair of the Palm Beach Opera Orchestra Committee, teacher of future violinists, and

Timothy Barnes, violist of The Palm Beach Opera, member of the Executive Board of the AFM Local #655, and alumnus of the New World Symphony



The musicians have now waited two years for a decent salary increase. It is time to show your commitment to the musicians who gave you the room to balance the budget on their backs for two years.

Susan E. Pardue, Jacksonville Symphony Orchestra Committee Chair



As a professional orchestral musician I found myself disturbed by James Roos' October 2 article . . .

Myth #1 *Board members work on behalf of musicians, so that the musicians can make a living doing something they love.* We are not charity cases requiring philanthropy. Board members and musicians should see themselves as working together on behalf of the cultural, even spiritual life of our communities. This means that when conflicts occur, they are between partners, not between benefactor and (ungrateful) beneficiary.

Myth #2: *Orchestra playing is a part-time job.* In the final sentence of Mr. Roos' article, he wrote that Florida Philharmonic musicians make about \$36,000/year for a 22 and 1/2 hour work week. This is extremely misleading. While it's true that musicians spend about that much time together in the hall, rehearsing with a conductor, that is by no means the extent of their work week. Orchestra contracts require musicians to come to every rehearsal fully prepared to play their individual parts with no errors. With four to ten different pieces to learn each week, that adds up to another 15-20 hours a week of home practice. In addition, most musicians are at the hall, warming up, twenty to thirty minutes before rehearsals and up to an hour before concerts. Many musicians serve on committees as well. All in all, I'd say that an orchestra player's work week is closer to 45 hours than 22. And the majority of those hours are spent at the kind of concentration level expected of athletes and surgeons, both of whom earn vastly more per hour.

Laura Leigh Roelofs

Violinist and Orchestra Committee Co-Chair, Richmond Symphony



Dear Florida Philharmonic Orchestra Musicians,

We offer our support as you stand up for recognition of your true value in your community! Now that your orchestra is financially stabilized, it is clearly time for your salaries to rise to compensate for lagging behind for so many years.

It is always a temptation for an orchestra management to "balance the budget" on the backs of the musicians—but when it happens, it must be a very short-term solution. Now it is time for true balance, when the musicians of FPO must be fairly compensated for their years of sacrifice.

In strength and solidarity,

Musicians of the St. Paul Chamber Orchestra

Brenda Mickens, Secretary



Mr. Roos:

I read with some sadness your article on October 2. I fear that your misleading reference to the musicians' "22.5-hour week" could further erode support for what has become an important cultural institution in South Florida. A comment like that shows a blatant partiality that should be abhorred in your business. Certainly Elizabeth Hare and the management of the FPO would like you and your readers to think that the musicians only have to work part-time for their salary. Incomplete facts are misleading and damaging to the parties involved.

... If you choose to write another article about the negotiation between the musicians and management of the Florida Philharmonic, I hope that you will apply your education and talent and prepare your facts before you publish it. Even if it means doing so "off the clock."

Jonathan Parrish

Honolulu Symphony Orchestra Committee Vice-Chair



To the South Florida audiences of the Philharmonic:

Now it is too late. The damage has been done.

The Florida Philharmonic Council and management have certainly taught the musicians a lesson. They now know the low esteem in which they are held. The musicians' opinions have been stepped upon for the purpose of control, not progress.

Hopefully the community will strengthen support of the orchestra, and help provide a better contract in the future, with better health coverage, working conditions, and job security.

The negotiating policies and rhetoric of killing the Philharmonic are a blot on the record of the current Council. Ms. Hare [executive director] should be ashamed of what she has done to the orchestra on behalf of Mr. Ibarguen [board chairman]. May your musicians find a way to forgive them and begin to make music in spite of these reprehensible actions.

The musicians saved the orchestra that Mr. Ibarguen and Ms. Hare threatened to kill. Now they must breathe life into it. May the love of music help them; this contract will not.

Robert K. Anderson

North Carolina Symphony Committee Chairman



Laszlo Pap, violin, and Bob Moore, cello

*The pain isn't over yet in South Florida
(and we haven't even begun to talk about the election):*

Theater Musicians Strike SFX in South Florida

December 20, 2000 - South Florida Musicians Association, Local 655, is on strike against SFX/PTG - Florida, Inc. Musicians in Local 655 have been attempting to obtain a new collective bargaining agreement that brings their substandard wages more into line with wages in other comparable areas of the country. SFX/PTG - Florida, Inc. has been placed on the International Unfair List for productions it presents in the jurisdiction of Local 655.

The help of every AFM member is needed to prevent the successful hiring of scab orchestras to replace the striking union members and prolong the dispute. **Please inform Local 655 or Assistant to the President Mark Heter at the Federation if you have any information regarding musicians being asked to work for *Fosse, Cabaret, Swing, Copacabana* or for "some unnamed musical" in the greater Miami area.** Local 655's jurisdiction is all of the following counties in Florida: Monroe, Dade, Broward, Palm Beach, Indian River, Okeechobee, Saint Lucie, Martin, Glades, and Hendry (except the town of La Belle which is in the jurisdiction of Local 427-721).

from AFM President Steve Young

(COMMITTEES – continued from page 3)

Eight of the orchestras were without dismissal committees and only five had the right to ratify their contracts. Only one (the New York Philharmonic) had a paid vacation. Only three had any kind of health insurance paid by management. Seven had a pension plan. Fewer than half had unemployment insurance.

When we returned the compilation of answers to all those who had sent in information, we said “the information compiled here has already been helpful to us in preparing contract proposals for next year and presenting our case to management. We hope it will be similarly helpful to other orchestras.”

“It was gratifying,” we continued, “to receive answers from other cities which were not only complete and interesting, but expressive of enthusiasm for the idea of inter-orchestra communication and further cooperation.”

Clearly our initiative had been timely. As Tom Hall put it in his history of ICSOM’s first twenty-five years:

ICSOM was the logical and inevitable outcome of a wave of militancy that swept through the ranks of orchestra musicians in the 1950’s, characterized by anger and frustration growing from inadequate wages, exploitative working conditions, and tenuous job security long a part of orchestra careers. . . .

After several informal inter-orchestra meetings, representatives of fifteen orchestras (including St. Louis) met in Cleveland, September 6-8, 1962 and set up ICSOM. George Zazofsky of the Boston Symphony was elected chairman. By 1968 membership had doubled to thirty orchestras, an annual tabulation of pay and conditions similar to what we had initiated in St. Louis was being produced and distributed, and a publication was appearing several times a year with the appropriate title *Senza Sordino* (Without Mute).

Most musicians never intended for ICSOM to be a separate and competing organization to the union, but in the early years, especially, relations were strained. In 1969, ICSOM was granted conference status within the Federation, which it still retains. Annual conferences bring International AFM officers and presidents of locals representing symphony musicians together with ICSOM officers and elected representatives of all member orchestras, which numbered fifty in 2000.

ICSOM has had a major effect in improving the pay and conditions of musicians in symphony and opera. That history, however, is beyond the scope of this memoir. While ICSOM was getting under way, there was drama enough on the St. Louis stage. . . .

The story goes on in Fiddle and Fight, Mr. Brodine’s autobiography, scheduled for publication in 2001 by International Publishers. Mr. Brodine can be reached at Box 197, Roslyn WA 98941.

The St. Louis Symphony Orchestra Committee survey described by Mr. Brodine can be found on pages 6 and 7 of this issue of Senza Sordino.

**HAPPY NEW MILLENNIUM !!!
(This year we really mean it.)**

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