

Senza Sordino

Official Publication of the International Conference of Symphony and Opera Musicians

VOLUME 40 NO. 5

Online Edition

December 2002

ICSOM Holds 40th Anniversary Conference

ICSOM delegates gathered in the Ottawa Marriott Hotel August 14–17 for ICSOM’s annual conference, held in conjunction with the annual meetings of the Regional Orchestra Players’ Association (ROPA) and the Organization of Canadian Symphony Musicians (OCSM). This was the second such Unity conference in recent years, and 45 of ICSOM’s 51 orchestras were represented.

The 2002 conference marked the fortieth anniversary of the founding of ICSOM in 1962 and was dedicated to the memory of ICSOM’s first chairman, George Zazofsky. Several delegates who attended the formative meetings in 1962 and 1963 were present on this historic occasion: Wayne Barrington from Chicago, George Rhodes from Indianapolis (attending with his wife, Olive, later a delegate from Indianapolis), and Gino Raffaelli from Cleveland (ICSOM’s first treasurer). Also attending were former chairman Brad Buckley (St. Louis Symphony), former secretary Nancy Griffin (Seattle Symphony), and former treasurers Florence Nelson and Penny Anderson Brill (Pittsburgh Symphony). A preliminary copy of a review of ICSOM’s forty years, prepared by Tom Hall (Chicago Symphony), was available for attendees to examine.

Regrettably absent for the first time in many decades was ICSOM legal counsel Leonard Leibowitz, unable to attend because of illness.

Plenary Sessions

AFM President Tom Lee, Vice–President from Canada David Jandrisch, Secretary–Treasurer Florence Nelson, Symphonic Services Division (SSD) Director Janice Galassi, and SSD Canada Supervisor Laura Brownell addressed the delegates. American Symphony Orchestra League (ASOL) President Charles Olton and Orchestras Canada Executive Director Elisabeth Whitlock reported on their respective organizations. Karen Schnackenberg spoke about the activities of the Major Orchestra Librarians’ Association (MOLA).

Plenary sessions featured panel discussions on important issues. One panel addressed artistic issues and the roles played by musicians, conductors, executive directors, and union personnel. Another panel looked at orchestras in financial trouble. St. Louis faced a massive deficit and had to find a solution, San Jose faced bankruptcy under Chapter 11

(reorganization) or Chapter 7 (dissolution), and Toronto continued to confront problems caused by changes in government funding.

Members of the Electronic Media Forum (EMF) reported on the fact-finding report and survey that the EMF is distributing to solicit input from orchestras about the field of electronic media. This was a major concern, since ICSOM orchestras have differing ideas about how to deal with media. Some want to explore new ways to generate additional income, while others oppose local autonomy and want everything to be set on a national level.

Penny Anderson Brill presented a workshop on “Music and Wellness” as part of one plenary session, and delegates were also able to attend smaller breakout sessions on hearing loss, playing with injuries and pain, and reading financial audits.

ICSOM Conference Sessions

ICSOM chairman Robert Levine reported his activities during the past season. He reviewed travels, cited accomplishments, and spoke about contacts with the ASOL and other organizations. Reports by the other ICSOM officers were presented in writing and are contained in the *ICSOM Delegate Manual*.

Resolutions passed by delegates addressed:

- distribution of the EMF survey and collection of input;
- formation of a joint union–management task force to examine rising costs of health insurance;
- participation in a study of the impact of musical activity on certain illnesses associated with aging;
- institution and implementation of a program to collect and analyze orchestras’ financial data;
- increasing ICSOM officers’ honoraria;
- amendment of the ICSOM bylaws to transfer all authority from the Executive Committee to the entire Governing Board;
- recognition of the founders of ICSOM, especially George Zazofsky;
- player conference input to the appointment of the director of the AFM Symphonic Services Division;
- appointment of a rank–and–file orchestra musician to the board of the AFM–Employers’ Pension Fund;
- exploration of the feasibility of the creation of an ICSOM financial network; and
- location of the 2003 conference.

The full texts of resolutions are published elsewhere in this issue.

In This Issue

Conference Report.....	1
Officer Reports.....	2
Member–at–Large Reports.....	4
Conference Resolutions.....	6
Counsel Report.....	11

(continued on back page)

Chairperson's Report

Jan Gippo



It has been difficult for the new ICSOM officers to get up to speed with the daily functions and tasks of the Governing Board, but we have been coping very well indeed.

After the August conference and one week of vacation, I arrived home to find a letter of resignation from our treasurer, Scott Weber, of the Cleveland Orchestra. Almost all other business was stopped so we could look for a replacement. We were fortunate to have Member-at-Large Michael Moore, from the Atlanta Symphony, volunteer to fill the position. Michael immediately took control, filed all the federal forms on deadline, set up accounts, and made improvements in our telephone service. He has done an outstanding job.

We then needed to find someone to take Michael's member-at-large post, and we asked Richard Levine, of the San Diego Symphony, to do so. Richard graciously accepted, and he has done a stellar job and provided excellent counsel.

Two months into getting a handle on the resolutions passed at the 2002 conference, all the new suggested activities, and the flow of information, *Senza Sordino* Editor Marsha Schweitzer resigned. We were fortunate to get former editor Tom Hall to serve for one year.

We were now ready to start the new course. It was apparent that there was quite a bit of anger, tension, and disillusionment at the 2002 conference. The Governing Board believed that its first and most urgent job was to try to heal the wounds and answer the questions of the membership about the direction of ICSOM and the leadership of the Governing Board. First, I sought to improve communications among Governing Board members by instituting conference calls every two weeks, and this has proved to be very effective. Every Governing Board member has important responsibilities, and such communication among all of us is vital. Second, we have been contacting ICSOM delegates and asking *them* to be involved all the time, not just once a year at the conference. The work of ICSOM needs everyone's help, so there will be much more information flowing to ICSOM orchestra members this year, and we hope to hear back from each orchestra about its needs and concerns.

It was my judgment that the chairman needed to talk to the committees of the orchestras most vocal about the past dysfunction. I was invited to attend the Recording Musicians Association (RMA) conference in Los Angeles, and I took that opportunity to talk with the Los Angeles Philharmonic's committee. Two weeks later I met with the committees of the Cleveland Orchestra and Chicago Symphony. We discussed media, communication, and orchestra participation in ICSOM. The discussions were very positive, with all three committees being assured that communications will be significantly improved and that all points of view will be considered before any final decisions are reached. I mentioned to each committee the possibility of convening the President's Council, a meeting of all the committee chairs or appointed spokespersons, to be able to speak to each other face to face about all the questions that were raised with our conversations. I also met with the New York Philharmonic in early December. Each orchestra was interested in the President's

Council and willing to participate. Because it is a President's Council meeting, I will leave the rest of the story to ICSOM President Brian Rood.

I then began to look at some of the broader issues that affect all of ICSOM. The Houston Symphony is in a quandary not knowing whom to bargain with and who can make decisions for management. I have offered ICSOM's help in any way the orchestra might want it. We will keep a close eye on their situation.

Each ICSOM chairman has had projects that he or she has championed. I have chosen TEMPO, the political action arm of the Federation. By federal law, no union can use dues for political action. Money must be donated to a specific fund and not commingled with operational funds. The Federation needs money to effectively lobby Senators and Representatives to support legislation that will benefit our industry. Two areas that we are working on are health care and copyright protection, specifically the Digital Millennium Copyright Act (DMCA) and Copyright Arbitration Royalty Panel (CARP). These matters directly affect us and our management's ability to limit costs and make money. I will be writing more on these issues in the near future, but for now please talk among yourselves about the need for a lobbying effort on Capitol Hill. With the shape of the new government, we need all the presence we can muster. It is said that one person can make a difference. Just think what 5,000 musicians in unison could sound like!

I have made it clear to the Governing Board that I would like to see the 2003 conference agenda be delegate-driven. That means that we want to discuss what our musicians think is important. We want to implement programs and initiatives that are presented by the orchestras through their delegates. Now is the time to make union democracy work, and democracy works best when every person is engaged and participates. I am confident that ICSOM is effective and will become even more influential in the future. It is up to you, the musicians, to monitor and empower your delegate to participate in the debate. With true open dialogue we will, at least, know each other's position. At best, we will compromise, agree, and move toward solutions acceptable to us all.



President's Report

Brian Rood



The past four months have proven to be both exciting and challenging for me as I began my new role with ICSOM. I have enjoyed meeting and working with new people, re-establishing old friendships and learning more about the many important issues facing ICSOM orchestras. As president, I am responsible for supervising the internal programs of our organization. One important theme you will continue to hear from the Governing Board is that we are here to serve you, the musicians of ICSOM. In return, we ask that you let us know what your concerns and issues are. The opportunities for communication with us include the officers and members-at-large as well as your delegates. We look forward to hearing from you.

(continued on page 3)

(continued from page 2)

Secretary's Report

Laura Ross

Electronic Media and President's Council Meeting

An electronic media summit meeting in partnership with the AFM is scheduled for January 13 in Chicago. Representatives from orchestras most affected by recording and by AFM agreements will meet to discuss media issues. AFM President Tom Lee and ICSOM Chairperson Jan Gippo have worked together on the structure of this symposium. A meeting of the President's Council—orchestra representatives, Governing Board members, and ICSOM counsel Leonard Leibowitz—will convene in the morning. An afternoon session, led by AFM President Tom Lee, will include local officers of those orchestras present, AFM General Counsel George Cohen, and other AFM officers and staff. This meeting will be an opportunity for all participants to learn yet more about the direction our orchestras wish to take regarding recording opportunities in the future.

Sphinx Competition

Since 1976 ICSOM has been involved in programs that provide assistance to minority-group musicians, notably the Music Assistance Fund. The New York Philharmonic established the Music Assistance Fund in 1965 to provide scholarship support to minority-group classical musicians. The program later came under the supervision of the American Symphony Orchestra League, and last winter the League and the Sphinx Organization created a partnership to establish what is now the Sphinx Music Assistance Fund.

The Sphinx Organization sponsors the Sphinx Competition, which promotes the development of string performance experience among African-American and Latino youths. The competition is open to all junior high, high school, and college-age Latino and African-American string players. Unlike many competitions, Sphinx strives to provide a nurturing education environment for these talented young players by offering audition and performance experience, various training activities, and mentoring opportunities with jury members. They also work with the Sphinx Symphony, composed of African-American and Latino musicians from top professional orchestras around the country. All competition participants receive scholarships towards their educational pursuits through the Sphinx Music Assistance Fund, and those demonstrating need are eligible to receive the use of a quality instrument through the Sphinx Instrument Fund.

This year ICSOM provided scholarship awards in the amount of \$500 to each of the 2002 senior semi-finalists. These awards may be applied only for music education expenses during the 2002–2003 year, including school tuition, private lessons, summer music school expenses, and acquisition and maintenance of a primary string instrument.

The ICSOM scholarship recipients for 2002 are:

- Mariana Green, 23, of New York City (violin)
- Bryan Hernandez-Luch, 24, of West Valley City, Utah (violin)
- Patrice Jackson, 19, of New Haven, Connecticut (cello)
- Shelby Latin, 20, of Bloomington, Indiana (violin)
- Jessie Montgomery, 19, of New York City (violin)
- Aristides Rivas, 22, of Waco, Texas (cello)
- Carl St. Jacques, 21, of Bloomington, Indiana (viola)
- Naria Underwood, 20, of Pensacola, Florida (violin)



Serving as the secretary of ICSOM is an awesome task, but, as many of you may be aware, I do have some experience: I spent six years serving as ROPA's secretary. I have been a member of the Nashville Symphony violin section since 1984. I am currently the union steward of the orchestra, and I also serve on Local 257's executive board. I have served on numerous AFM committees over the years: the AFM Public Relations Committee, the AFM Restructure Committee, and secretary of the Measures and Benefits Committee at the 2001 AFM Convention. I was also the ROPA Electronic Media Committee chair from 1989 to 2000, and I served on the Electronic Media Forum (EMF) from 1998 to 2002.

Since August, I have built a new database for ICSOM mailings and will maintain the Senza Sordino mailing list. I've constructed a new ICSOM officer and delegate roster that was sent out in the second delegate mailing in October. (Updates will be sent out periodically and complete rosters will be distributed 2–3 times a year.) I've produced seven orchestra settlement bulletins and hope to have more for distribution very soon. I've been sending out letters of welcome to new orchestra delegates and have begun putting together a policy book that will keep all policies of ICSOM and the Governing Board in one place to be given to all incoming officers. I have been working with Tom Hall to update the ICSOM Delegate Manual.

I am also in the process of updating the ICSOM bylaws to bring them in accord with resolutions passed at the 2002 conference. Two such resolutions (numbers 5 and 7) required orchestra ratification. I have recently tallied ballots for 41 orchestras, and both of these resolutions have been ratified, with 40 votes in favor and one abstention.

I have been working with the AFM to get the EMF Fact Report and Survey out to ICSOM orchestras. The results of these surveys will be collated by orchestra committees and returned to me by January 6, 2003, so I can make copies for the Governing Board and the ICSOM Electronic Media Committee. The originals will then be sent on to the AFM to be included in the complete survey results.

One of the Governing Board's first decisions was to post the minutes of its conference calls on the ICSOM website. I hope to have minutes approved and posted within a week or two of each conversation. Please check out <http://www.ICSOM.org> and click on "2002–2003 Governing Board Minutes."

The minutes of the 2002 conference are currently undergoing review. Thanks to former secretary Cindy Lewis for keeping excellent notes during the conference—I could not have done it without her! I'd also like to thank Cindy for her years of hard work and dedication to ICSOM. She has always been a wonderful resource for information over the years.

Our greatest asset is being able to share information, histories, and ideas. It's my task to pass on as much information as I receive in a timely manner. ICSOM delegates are our link to that information. Please encourage your delegate to keep in touch when changes occur and when you need our help getting the word out.

I'd like to thank those of you who have sent kind thoughts our way. Some know how much I have missed being as involved as I was when I was ROPA secretary, and I thank you all for the opportunity to serve once again.

Treasurer's Report

Michael Moore



I did not seek the position of treasurer at the past ICSOM conference. Circumstances have led me to accept this monumental job on your behalf, and I am grateful for the opportunity to serve ICSOM in this capacity. The past two months have been very educational and rewarding for me.

Here is a summary of the activity of the treasurer's office to date.

New accounts have been opened at SouthTrust Bank for the General Fund, Secretary's Fund, Chairman's Fund and *Senza Sordino* Fund. This is a departure from past practice, because the funds are now all linked together at the same bank. Previously, the secretary and *Senza Sordino* editor maintained their own accounts, reporting periodically to the treasurer, who would provide "draws." Our new system is designed to streamline the reimbursement process and enable instant transfers from the General Fund to any of the sub-accounts. The treasurer, secretary, chairman and *Senza Sordino* editor have check-writing privileges and their own check cards. The treasurer is the central comptroller and pays bills not directly related to the aforementioned posts, makes sure money is in all the accounts, collects dues, and submits reports. In addition to the SouthTrust funds, ICSOM has kept three accounts with A.G. Edwards: the AGE General Fund, the Mendelson Fund, and the Emergency Relief Fund.

Asset allocation is overwhelmingly in cash and money funds, with some taxable bonds in the mix. With interest rates presently low, our investment income is modest. We rely on dues in order to operate. The Syracuse Symphony gets the prize for being the first orchestra to pay its dues. Congratulations, Syracuse!

As of December 5, 2002, our balances were:

A.G. Edwards General erf Fund	227,452.62
A.G. Edwards General Fund	23,937.80
A.G. Edwards Mendelson Fund	30,657.20
SouthTrust General Fund	10,071.64
SouthTrust Chairman's Fund	2,573.20
SouthTrust Secretary's Fund	1,883.89
<i>Senza Sordino</i> Fund	8,982.04
Total Cash and Bank Accounts	305,558.39

The treasurer's office is now also billing subscribers to *Senza Sordino*. The job of billing for anything belongs with the treasurer, which allows the other officers to work for ICSOM without quite so much paperwork.

I am also the new administrator of the ICSOM Conductor Evaluation Program. Together with President Rood and the Conductor Evaluation Task Force, we will be bringing recommendations for this program to the 2003 ICSOM conference in Vail.

Editor's Report

Tom Hall

Pursuant to Marsha Schweitzer's resignation, the ICSOM Governing Board has asked me to serve as editor of *Senza Sordino* until the 2003 conference. Robert Levine, another former *Senza Sordino* editor, will handle production and mailing. Secretary Laura Ross will maintain the *Senza Sordino* mailing list, and Treasurer Michael Moore will handle subscription billing. The entire Governing Board will be actively contributing to each issue.

My primary duty will be to edit, and I hereby encourage ICSOM delegates and members of ICSOM orchestras to submit material for publication. All material submitted must come directly from, or with the knowledge and approval of, the ICSOM delegate, with the exception of letters to the editor, which may come from anyone.

Articles, letters, photos and graphics may be submitted in printed form by mail, or in digital form by e-mail or on disk. Digital text should be submitted in Word or imported directly as .txt or .rtf files. Photographs submitted should be black and white glossies as large as possible (up to 8" x 10"). Digital photos and graphics should be provided as .tif files, scanned at 300 dpi.

I look forward to working with the Governing Board and to serving ICSOM once again as *Senza Sordino* editor.

Member-at-Large Reports

~~~~~  
**Jay Blumenthal**

Much is happening in our ICSOM orchestras that is of interest to our membership. Tours, media projects and new contracts are but a few of the items reported by the delegates. Below are some newsworthy items, some good and some disturbing, to keep us up to date on what is happening with our member orchestras.

### *Chicago Lyric Opera*

Delegate Linda Baker reports that, due to a loss of sponsorship, the Lyric Opera is no longer broadcasting its opening night performances live on WFMT radio. Unless the sponsorship crisis can be addressed, Lyric broadcasts will no longer follow the Met's Saturday afternoon series in May and June.

On a lighter note, the orchestra's resident barbershop quartet, the Quarter Tones, is rehearsing for an upcoming benefit performance. The group has performed at numerous functions, including Lyric's annual "Fantasy of the Opera" fundraiser.

### *Milwaukee Symphony*

Delegate Helen Reich says representatives from the musicians, board, and management have formed a task force addressing the MSO's financial and artistic challenges and have been meeting since last spring. The task force met twice this fall with Paul Boulian and Fred Zenone of the Symphony

(continued on page 5)

(continued from page 4)

Orchestra Institute and have plans for further meetings. Paul and Fred have facilitated discussions about the orchestra's short-term financial viability and have focused discussions towards prioritizing other areas.

The orchestra recently ratified a new health insurance plan which offers benefits substantially equivalent to the previous plan. Prescription co-pays are higher because lower ones are no longer offered. Premium costs have risen 18.5%, but the expected rise in cost was closer to 28%. It is less because the MSO is self-insuring the differences in deductibles and out-of-pocket maximums between the previous and current plans.

MSO musicians are developing their own web site.

### **San Francisco Ballet Orchestra**

Delegate Brian Lee mentions that the SFBO's protracted search for a new music director continues, with a number of new candidates being brought in during the upcoming season. Management is also looking at a new recording project, details of which are unknown at this time.

### **North Carolina Symphony**

Newly elected delegate Beth Lunsford reports that the North Carolina Symphony is currently engaged in a search for a new music director, and the musicians are actively involved. Last season a search committee was convened, with a novel structure consisting of four musicians elected by the orchestra, and four representatives of the board and management. The chairperson of the search committee is a musician. The search committee is assessing opinions through orchestra surveys and audience emails to the NCS website. Guest conductors are booked through 2003.

### **New York City Opera Orchestra**

Bruce Revesz notes changes in membership: New to the orchestra are principal violist Daniel Panner, cellist Elizabeth Anderson, principal trombonist Thomas Hutchinson, and second trumpet (currently acting principal) Donald Batchelder. Robert Hauck (principal trombone) and John Wion (principal flute) have retired.

The NYCO has operated with no deficit for over five years, but a deficit is projected for this season, due to the high cost of security. Attendance seems to be very good at most performances. The idea of a new opera house is still alive in newspaper articles, but the location is still unresolved.

### **Syracuse Symphony**

SSO committee chair Rose MacArthur reports that New York State Senator Nancy Lorraine Hoffman paid a surprise visit to a rehearsal October 23 to announce a grant of \$100,000 to help reduce the orchestra's deficit, and to announce an additional \$100,000 to be contributed to the musicians' pension fund. A committee is being formed to study the Symphony's pension plan and determine the best means to improve what is presently a woefully inadequate pension.

### **New York City Ballet Orchestra**

New York City Ballet Orchestra contract negotiations have concluded. An orchestra meeting took place on November 7, 2002, to discuss the results of the negotiation. The new contract was ratified two full weeks before the beginning of the season. This is a most unusual occurrence: negotiations

usually conclude at the eleventh hour and fifty-ninth minute. The NYCB fall/winter season began on November 26 with a gala opening-night performance, followed by a six-week run of the *The Nutcracker*. This will be followed by eight weeks of repertoire performances.

### **Metropolitan Opera Orchestra**

Long-time delegate Marvin Topolsky mentioned a recent Carnegie Hall concert with a program of Mahler's First Symphony and the Nielsen Flute Concerto, featuring Michael Parloff. Marvin also mentioned an upcoming Met tour to St. Petersburg next spring.

### **Houston Symphony**

Delegate Dave Waters provides the following update since the flooding of the orchestra's concert hall last year:

"Since the day after the flood, massive work has been underway to save and restore Jones Hall, which is owned by the city. We were able to start the season in the hall in September 2001. Below the stage level, all offices areas have been redesigned and rebuilt, and the staff moved back in a few months ago. The dressing rooms have been rebuilt as well. Most of our music library was sent to a company that froze and treated it, and most of it has come back dry and unstuck but not very useful to play concerts with. Most parts can be copied, but they do not lie flat—and they all still smell. For the past year and a half, the library and work has been at the home of the HSO librarian, Tom Takaro. Meanwhile, the HSO and the city found a place far above ground level to build a new library—mostly above the Green Room—and it will be finished in about two months. Our rehearsal room will be ready this month.

"We want to thank all the orchestras and individuals who helped us throughout this ordeal, with money, music, and other valuable support. We feel very moved to be in such a wonderful and close organization of fellow orchestra musicians."

### **San Francisco Opera Orchestra**

Delegate David Ridge reports that the Opera is currently busy playing the fall season. The repertoire this year includes *Turandot*, *Ariadne auf Naxos*, *Otello*, *The Abduction from the Seraglio*, *Kát'a Kabanová*, *Hansel and Gretel*, *Alcina*, *Madama Butterfly*, *il Trovatore*, and *la Damnation de Faust*. The highlight of the season has been the American stage premiere of Olivier Messiaen's five-hour opera, *Saint Francois d'Assise*.

In an effort to cut production costs in the face of a \$7.7 million budget shortfall, the Opera has cut one production from the company's 2003–2004 season and replaced another with a less expensive project. The changes will save the Opera approximately \$2 million. Even with the changes, the coming season still includes a sizable proportion of unusual and challenging repertoire. There are no changes planned to the repertoire for the current season. The changes will not completely close the projected financial gap for next year. General Director Pamela Rosenberg has said it will take several years to return the company to financial health.

The orchestra has recorded its first all-orchestral CD, featuring entr'actes from Shostakovich's *Lady Macbeth of Mtsensk*, the *Four Sea Interludes* and *Passacaglia* from Britten's *Peter Grimes*, and the *Symphonic Dances* from Bernstein's *West Side Story*. The CD will soon be released on the Arabesque

(continued on page 8)

## Resolutions

### ***The following resolutions were passed at the 2002 ICSOM conference.***

Whereas, ICSOM has always depended on orchestra committees to represent the views of individual orchestras; and

Whereas, The ICSOM Media Committee—in consultation with ROPA, OCSM, and the AFM—has decided to meet the requirement for “input from the field,” contained in Motion #17 of the 2001 ICSOM Conference by producing and distributing a survey on the relevant topics; therefore, be it

**Resolved,** That the delegates to the 2002 Conference direct the ICSOM Media Committee to distribute the survey to the orchestra committees of all ICSOM orchestras, with instruction to the orchestra committees to fill out the survey on behalf of their orchestra, after consultation with their orchestra.

*Submitted by the Governing Board*



Whereas, Health insurance premiums for employers in the United States have been rising rapidly and are projected to continue to do so; and

Whereas, Such increases inevitably impact local collective bargaining to the detriment of the musicians; and

Whereas, The leadership of ICSOM, ROPA, Local 802, and the AFM have met with representatives of orchestral employers to discuss forming a joint union-management task force to investigate the problem and explore the possibility of an industry-wide initiative to ameliorate the increases, as was done during the 1980s; therefore, be it

**Resolved,** That the delegates to the 2002 ICSOM Conference authorize and direct the Governing Board to appoint ICSOM representatives to such a task force, with the goal of providing a report on the problem and proposals for possible solutions to the 2003 ICSOM Conference.

*Submitted by the Governing Board*



Whereas, ICSOM has been approached by Dr. Mark Grant, a specialist in the fields of geriatrics and epidemiology, who wishes to study the impact of musical activity on the development and incidence of certain illnesses associated with aging; and

Whereas, Dr. Grant's proposal includes standard protocols, required by the US government and all reputable medical research institutions, governing the study of human subjects, including stringent privacy protections for volunteer participants, and

Whereas, Dr. Grant's proposal requires a pool of volunteer participants who will agree to provide answers to a survey and to be interviewed by him or his assistants; and

Whereas, It is the interests of ICSOM, its member orchestras, and their member musicians to more fully understand the impact of a lifetime spent in the performance of music on musicians' health and well-being; therefore, be it

**Resolved,** That the delegates to the 2002 ICSOM Conference authorize the Governing Board to assist Dr. Grant in locating musicians who might wish to participate in his study.

*Submitted by the Governing Board*



Whereas, Ongoing collection and analysis of data regarding individual orchestras' financial and organizational condition are essential if musicians are to be able to prevent their employers' financial and organizational problems from threatening gains in compensation and working conditions achieved by musicians through collective bargaining; and

Whereas, The proper organization and funding of a project to collect and analyze such data for all AFM orchestras is beyond the resources of the three Symphonic Player Conferences; and

Whereas, Prevention of situations of financial crisis, such as those described in plenary sessions of the Unity 2 Conference held in August 2002 in Ottawa, is far cheaper for the union and better for the musicians' well-being than is dealing with those situations once they have become full-blown crises threatening musicians' livelihoods; therefore, be it

**Resolved,** That the delegates to the 2002 ICSOM Conference urge the AFM to institute such a comprehensive program under the auspices of the Symphonic Services Division; and be it further

**Resolved,** That the AFM be urged to involve Ronald Bauers in the design and implementation of such a program; and be it further

**Resolved,** That the delegates to the 2002 ICSOM Conference authorize the Governing Board to work with AFM leadership to ensure that such a program is fully implemented.

*Submitted by the Governing Board*



Whereas, The honoraria for ICSOM officers have not increased for many years; and

Whereas, Most other ICSOM expenses, as well as the Consumer Price Index, have risen substantially since the last increase in officers' honoraria; therefore, be it

**Resolved,** That the following amendments to the ICSOM Bylaws be adopted by the 2002 ICSOM Conference and referred to ICSOM member orchestras for ratification as required by Article XI, Section 2, of the ICSOM Bylaws.

### ARTICLE VIII – DUES AND FINANCES

Section 7. The Chairperson, President, Secretary, Treasurer, and Editor of *Senza Sordino* shall each receive a yearly honorarium of ~~\$1,500~~ \$2,000. The Secretary shall also receive an additional ~~\$500~~ \$700 in recognition of his/her efforts in compiling, preparing, and distributing the minutes of the Annual Conference. The Editor of *Senza Sordino* shall also receive an additional honorarium of ~~\$100~~ \$150 per edition of *Senza Sordino* in recognition of his/her efforts in the preparation and distribution of said publication.

*Submitted by David Angus (Rochester) and Robert Levine*



Whereas, ICSOM Bylaws specify a more active role in the governance of ICSOM for the Executive Committee than for the Governing Board as a whole; and

Whereas, It is in the interests of ICSOM that Members-at-Large participate in all governance decisions made by ICSOM's elected leadership; therefore, be it

**Resolved,** That the following amendments to the ICSOM Bylaws be adopted by the 2002 ICSOM Conference; and be it further

**Resolved,** That the ICSOM Governing Board be directed to bring to the 2003 ICSOM Conference any further amendments to the Bylaws necessary to expunge all references to the Executive Committee and to transfer any remaining authority of the Executive Committee to the Governing Board.

*Submitted by David Angus (Rochester) and Robert Levine*

[The amendments referred to were presented in a form too long to be printed here. All of the changes involved substituting “Governing Board” for “Executive Committee” and similar modifications.]



Whereas, It is in the interests of ICSOM that Members-at-Large participate in all governance decisions made by ICSOM's elected leadership; therefore, be it

*(continued on page 7)*

(continued from page 6)

**Resolved,** That the following amendments to the ICSOM Bylaws be adopted by the 2002 ICSOM Conference and referred to ICSOM member orchestras for ratification as required by Article XI, Section 2, of the ICSOM bylaws.

**ARTICLE VIII – DUES AND FINANCES**

Section 4.(d) The ICSOM Executive Committee Governing Board may borrow from the ERF such amount as it deems necessary. It shall repay such loan(s) on the same terms and conditions as any ICSOM orchestra, except that the term of the loan shall be no longer than one year from the date it is made.

*Submitted by David Angus (Rochester) and Robert Levine*



Whereas, The grassroots musicians' movement which became ICSOM was formed to demand basic union rights, including ratification, committee recognition, and representation; and

Whereas, The networking organization that became ICSOM transformed the symphony profession and is unique in labor history; therefore, be it

**Resolved,** That the founding members of ICSOM be honored at this 40<sup>th</sup> Anniversary ICSOM Conference and recognized for their vision and determination in empowering themselves by establishing a network of communication and mutual support.

*Submitted by Julie Ayer (Minnesota)*



Whereas, The 2002 Conference of the International Conference of Symphony and Opera Musicians marks the fortieth anniversary of ICSOM, a meeting distinguished by the presence of persons present at the formative conferences in 1962 and 1963 and by the publication of materials related to the history of ICSOM; and

Whereas, It is especially appropriate on this occasion to remember and honor the founders of ICSOM; and

Whereas, One of the most dynamic forces in the formation and success of ICSOM was ICSOM's first chairman, George Zazofsky, now deceased; and

Whereas, No memorial currently exists in the name of George Zazofsky; therefore, be it

**Resolved,** That the 2002 ICSOM Conference be dedicated to the memory of George Zazofsky; and, be it further

**Resolved,** That the ICSOM Governing Board explore, and be prepared to recommend to the delegates to the 2003 ICSOM conference, ways to more permanently honor the memory of George Zazofsky.

*Submitted by David Angus (Rochester) for Tom Hall*



Whereas, The International Executive Board adopted elements of the Roehl Report in 1989; and

Whereas, That action established a Symphonic Services Division (SSD) Steering Committee and the principle of consultation by the AFM President with the heads of the three symphonic player conferences on issues of SSD direction and policy; and

Whereas, The most important issue of SSD direction is who is to serve as Director of SSD; therefore, be it

**Resolved,** That the 2002 ICSOM Conference urges the AFM President to consult with the heads of the three symphonic player conferences prior to making future appointments to the position of Director of SSD; and be it further

**Resolved,** That the 2002 ICSOM Conference urges the AFM President not to appoint individuals to the position of Director of SSD who are not acceptable to the heads of the three symphonic player conferences.

*Submitted by John Koen (Philadelphia)*

Whereas, A significant and growing number of ICSOM orchestras have the AFM-EP Fund as their primary pension plan; and

Whereas, The AFM-EP Fund is also the primary pension plan for numerous ROPA orchestras; and

Whereas, The AFM-EP Fund also serves symphonic musicians who do electronic media work under AFM collective bargaining agreements; and

Whereas, The interests of symphonic musicians would be better addressed by the inclusion of a rank-and-file symphonic musician as one of the Trustees of the Board of the AFM-EP Fund appointed by the AFM President; therefore, be it

**Resolved,** That the 2002 ICSOM Conference directs the Governing Board to submit legislation to the 2003 AFM Convention that establishes, as a new policy of the AFM, the inclusion of a rank-and-file symphonic musician, selected in consultation with the Players' Conference Council, among the Trustees appointed by the AFM President to the Boards of the American Federation of Musicians and Employers' Pension Fund.

*Submitted by Nancy Agres (Indianapolis)*

*AFM bylaws, Article 27, Section 11 (Current language, for reference)*

As a matter of policy, at least one rank-and-file musician, selected in consultation with the Players' Conferences Council, shall be included among the Trustees appointed by the President to the Board of the American Federation of Musicians' and Employers' Pension fund (U.S.).



Whereas, Robert Grossman, Master Homebrewer and ICSOM delegate from the Philadelphia Orchestra, discharged with great distinction the commission given him by the 2001 ICSOM Conference by creating the 40th Anniversary Commemorative Beer, *Esprit de boire* (Spirit of Drink); and

Whereas, Robert Grossman spent a great amount of personal time, from November 2001 to June 2002, crafting, blending and bottling *Esprit de boire*; and

Whereas, Robert Grossman was unable to attend the conference in person to receive the congratulations of the conference; therefore, be it

**Resolved,** That the delegates of the 2002 ICSOM Conference express its gratitude and appreciation to Robert Grossman and bestow upon him the title "ICSOM Bräumeister."

*Submitted by John Koen (Philadelphia)*



Whereas, The financial strength and security of ICSOM is paramount to the overall health of our industry; and

Whereas, Communication among ICSOM member orchestras is essential in this period of extreme economic uncertainty; therefore, be it

**Resolved,** That the ICSOM Governing Board appoint a committee to explore the feasibility of the creation of a financial network within ICSOM to assist member orchestras during times of labor unrest and to identify new areas in which symphonic musicians may interact to create new economic opportunities for their mutual benefit.

*Submitted by John Paul Lindberg (Virginia)*



Whereas, The annual ICSOM conference is a valuable tool for sharing, organizing, and experiencing trade union values; and

Whereas, Recent hosted conferences have proved valuable to the host orchestra; therefore, be it

**Resolved,** That the delegates to the 2002 ICSOM Conference authorize the ICSOM Governing Board to appoint a committee to identify all member orchestras interested in hosting the 2003 ICSOM conference and to submit such information to the Governing Board by mid-October, 2002; and be it further

**Resolved,** That if no orchestra is interested in hosting the 2003 ICSOM conference, or if such proposals are deemed unacceptable to the Governing Board, the 2003 ICSOM conference will be held in Vail, Colorado.

*Submitted by the Governing Board*

(continued from page 6)

label. The San Francisco Opera does not have a recording contract with any one label; recording is done on a project-by-project basis. Over the last several years the company has released performances on Sony, Teldec, Deutsche Grammophon, and Erato. The company's production of *The Merry Widow* was recorded by PBS and will be broadcast on Christmas night locally and during the holiday season nationally.

The San Francisco Opera Orchestra is in the fifth year of a five-year contract. The current contract runs through August 17, 2003.



## Richard Levine

### Indianapolis Symphony

Indianapolis is in the final year of a four-year agreement. They are working with their new music director, Mario Venzago, who will conduct only three weeks this season due to prior commitments.

### Alabama Symphony

This orchestra is also in a negotiation year. The current executive director, Kathy Yarbrough, will be leaving at the end of December. No replacement or interim has been named at this time.

### Colorado Symphony

Having already performed *Hell's Angels* (1998-99), *Route 66* (1998), and *Sunset Strip* (1999) this season, the Colorado Symphony and its music director, Marin Alsop, are now recording an album that includes two other compositions by Michael Daugherty. *Philadelphia Stories*, commissioned and given its premiere performance by the Philadelphia Orchestra in 2001, will be coupled with *UFO for Solo Percussion and Orchestra* (1999), with percussionist Evelyn Glennie.

### Buffalo Philharmonic

Only briefly into their new contract, the Buffalo musicians continue to closely monitor their orchestra's financial situation. Their management is already talking of cash flow problems.

### Columbus Symphony

Columbus is in the first year of a five-year contract that adds additional weeks of employment, culminating in the fifth year with a fifty-two week season. They are in the beginning stages of a music director search, with four musicians representing the orchestra on the sixteen-member search committee. Their agreement requires a vote of approval from the musicians of the final candidates. A local fine-arts critic has seized on these provisions as proof that, in her words, "the inmates are running the asylum," that the symphony board is under the musicians' thumbs, and that musicians conspired to get rid of their present music director, Alessandro Siciliani. This is certainly not the case, as their relations with management and the board are the best they've been in years. The public relations battle is heating up.

### Charlotte Symphony

In a novel turn of events, the Charlotte Musicians' Association, AFM Local 342, has been charged by the management of the Charlotte Symphony Orchestra with filing frivolous grievances. SSD's Nathan Kahn's recent "Dog and Pony" show was well-received by the musicians of the orchestra. They expect to begin contract negotiations this summer.

### Atlanta Symphony

Atlanta ended last season in the black. Unlike 1996, when the orchestra endured a 10½-week strike, there seems to be a good feeling of cooperation among board, management, and musicians at this time. Maestros Robert Spano and Donald Runnicles have just had their contracts extended, and the orchestra is on track for a new Symphony Center.

### Florida Philharmonic

The Florida Philharmonic is in the third year of a five-year contract. Their newly hired executive director, Trey Devey, is getting acclimated to his new surroundings as he begins the task of guiding the FPO on a new and improved track. Their recording of selected works of Bernstein (*Symphonic Dances* from *West Side Story*, *Overture to Candide*, and *Symphony No. 2* ["*The Age of Anxiety*"]) has just been released on the Naxos label. They are searching for a new music director, whom they hope to name by the end of the current season. They recently completed a brief tour to Daytona Beach. With mostly new management, musician participation in artistic decision making, and a pending new music director, the FPO feels it is heading in the right direction.

---

*This report was prepared with the assistance of delegates Nancy Agres, Lisa Wienhold, Paul Naslund, Robert Prokes, Andy Millat, Bob Rydel, Michael Moore, and Jay Bertolet (in order of the entries above).*

---



## Mary Plaine

The following mini-reports from orchestras have been compiled with the assistance of the ICSOM delegates of those orchestras. Apologies to those orchestras whose information was not included below due to time or space constraints.

### Baltimore Symphony

The Baltimore Symphony is in year three of a five-year agreement. After several seasons with balanced budgets, the FY 2002 season ended with a deficit of \$616,000; future seasons will have increasingly larger annual deficits if income does not rise dramatically and expenses are not reduced. Since the spring of 2002 our orchestra committee has been involved in a joint planning committee that also includes senior staff and board and volunteer leaders. Discussions are facilitated by Paul Boulian and Fred Zenone of the Symphony Orchestra Institute. Auditions are scheduled this season for double bass and harp.

### Cincinnati Symphony

Cincinnati ratified a two-year contract agreement on September 28, 2002. The first year's weekly scale will be the same as the going-out rate of the

(continued on page 9)

(continued from page 8)

previous year (\$1,605) and the second year's weekly scale will be \$1,630 for 26 weeks and \$1,655 for 26 weeks. A \$1,000 bonus will be paid in March 2003. Musicians will continue to receive a \$70/week EMG. Management continues to cover 100% of the health insurance premiums; if the premium increases beyond 15% in the next season, cost-cutting measures will be negotiated. Same-sex domestic partners will be fully covered in the medical plan. Grievance procedure language was incorporated into the CBA for the first time.

In other news, there are plans for four recordings with Telarc, an East Coast tour, and a tour of Japan in the fall of 2003. The orchestra will be inducted into the Classical Music Hall of Fame later this season.

### ***Kennedy Center Opera House and Washington Opera Orchestra***

The musicians of the Kennedy Center Opera House Orchestra and Washington Opera Orchestra reached settlement on a three-year contract on September 6, 2002. The Kennedy Center Opera House will be closed from December 12, 2002, until December 1, 2003; during that time performances will take place at Washington's Constitution Hall. Plans call for ballet performances to take place in the other halls in the Kennedy Center. The Washington Opera will be hiring its own personnel manager and music administrator. The Kennedy Center will continue to use the person who is currently personnel manager.

Auditions for second trumpet will be held in January.

### ***New Jersey Symphony***

The New Jersey Symphony Orchestra is in the final year of a three-year contract. Two out of four auditions previously announced have been postponed. The NJSO is in an ongoing search for a new music director.

### ***Phoenix Symphony***

The Phoenix Symphony is now in year two of a four-year agreement in which the orchestra gave up five weeks. Following is a timeline of recent events in this orchestra.

The PSO began negotiating a new contract in May 2001. When the CBA expired on October 31, 2001, the orchestra agreed to extend the agreement until December 31, 2001. During this interim period the musicians asked for and received a "peer review" of the institution. An industry consultant (Bob Jones, formerly of the Indianapolis and National symphonies) met with all of the constituencies and formulated recommendations regarding the PSO's challenges with respect to its strengths and weaknesses.

Pending the Association's attempt to find additional funding from local foundations and government, the musicians agreed to an additional extension of the contract until February 4, 2002.

The Association presented its offer, which included pay cuts amounting to a 15% reduction in scale retroactive to the expiration date of the contract. The 15% cut included suspension of pension payments and per diem, which are to be restored in the third and fourth year of the contract. Faced with the choice of having the the orchestra fold immediately and come back

as a two-tier orchestra, or for the PSO to remain a full-time orchestra, the musicians reluctantly accepted the concessions.

In April 2002 the orchestra's CEO and president resigned. In May the Association and the musicians asked for the services of the Symphony Orchestra Institute, and in July 2002 agreed to include the PSO in their work. The search process for a new CEO began in August.

### ***Florida Orchestra***

During the 1980's and 1990's the Florida Orchestra, which serves Tampa, St. Petersburg, and Clearwater, was consistently among the most financially troubled orchestras and often on the edge of bankruptcy. In recent years the orchestra has been able to achieve relative financial stability and to grow from a core orchestra into a full-time orchestra with 80 players. There are two main challenges currently facing the orchestra: significantly increasing endowment funds to insure future stability, and solving the problem of being displaced by Broadway touring shows in its only viable performance space in Tampa. Demographically, the Tampa Bay region (population 2.2 million) is capable of supporting the orchestra at a much higher level. It is the orchestra's goal to realize that potential.

### ***Virginia Symphony***

The orchestra has been playing and talking since their CBA expired in August, in part because a few key staff positions, including executive director, have been only recently filled. The orchestra has operated in the red for a number of years, and the board intends to balance the budget this season. The Virginia Symphony also plays for the opera company, which creates additional issues for the new management to understand.

### ***Kansas City Symphony***

The Kansas City Symphony is currently in year five of its nine-year collective bargaining agreement. Main economic terms are negotiated every three years. The eight orchestras whose expense budgets are closest to Kansas City's are identified as the peer-group orchestra index. Averages of this index's minimum annual salary and benefits serve as benchmarks and as starting points for bargaining. In January 2003 the KCS will begin negotiations for years 7-9, having already successfully negotiated years 4-6 in November 1999. One of the orchestra's chief goals this year, besides increasing annual salary, will be to reduce the cost of musician health insurance, particularly for musicians with families.

The orchestra is currently looking for a new music director to succeed Anne Manson. Five musicians elected by the orchestra serve on the Music Director Search Committee.

The KCS general manager was appointed executive director last summer. As is the case with many orchestras, the KCS continues to be affected by the downturn in the economy. Staff salaries were frozen this year, and the general manager position remains unfilled.

Despite financial uncertainty there is much optimism in Kansas City. Plans are underway for a new performing arts center, scheduled to open in 2006. The board of trustees remains steadfast in its commitment to the artistic success of the KCS.

(continued on page 10)

(continued from page 9)

### **St. Louis Symphony**

Last January the musicians of the St. Louis Symphony agreed to a concessionary modification and extension of their contract. Following that, the SLSO received cash and short-term commitments of \$31 million. This extraordinary support from the St. Louis community will sustain a moderately reduced salary level for the remainder of this contract and will also cover diminishing losses over the next several years.

This good news was tempered by the debilitating illness and subsequent resignation of Music Director Hans Vonk. Maestro Vonk's sudden departure left the SLSO without a conductor for eleven subscription weeks. In less than a month, the artistic staff engaged replacements, and Itzhak Perlman was named music advisor soon thereafter.

The campaign to match the \$40 million Taylor family gift is ahead of schedule, with over \$24 million already committed.

The SLSO Forum, a discussion group composed of the Musicians' Council, board members, and senior staff formed during the financial crisis in September 2001, shows great potential for articulating a vision and creating strategic plans for the SLSO. The financial effect of this concessionary contract will begin to be felt in January 2003, when the musicians' wage structure changes. Although the weekly pay rate has increased, musicians now have ten fewer weeks in their season, resulting in a yearly wage reduction of 8% (more for musicians who earn overscale and/or seniority pay). This level of compensation was the direct result of \$2 million from two local civic leaders designated for "musicians only."

At the end of the current contract in December 2004 the compensation rate may drop unless an additional \$80 million of endowment can be raised in addition to the Taylor gift and matching funds. Clearly, while the orchestra has been saved from imminent bankruptcy, there are still many challenges ahead. Community support has been remarkable, and the orchestra is hopeful that the SLSO will not only survive but also continue to be a world-class symphony orchestra.



### **Fred Sautter**

#### **Los Angeles Philharmonic**

The Philharmonic is midway in a six-year contract. Meredith Snow, on sabbatical, is continuing to serve as ICSOM delegate. There is strong feeling in the orchestra about fundamental union principles and basic democratic processes: votes and surveys should be conducted with each musician's participation and results tabulated as one-musician—one-vote. LA has voiced its support for national media contracts with upfront payments.

#### **Detroit Symphony**

Detroit is in the second of a four-year contract. There is a small deficit. They are looking forward to the potential of the upcoming President's Council meeting in solving some of ICSOM's media issues. Detroit has an LIOC (Local Internet Oversight Committee) which is looking into some issues to be reported in a future issue of *Senza Sordino*.

### **San Antonio Symphony**

This orchestra is in the first year of a three-year contract that resulted in large cuts in the season length and in salaries. Musicians are performing at a high level artistically but are having to piece together incomes with outside activities. There have been payroll problems. One positive note is the announcement of a new music director, much anticipated and, one hopes, a boost to the financial picture.

### **Utah Symphony and Opera**

Utah's next negotiation is in 2004. The LIOC is working on an agreement with management about the broadcasting and streaming of concerts. Younger members are becoming involved on the orchestra committee. Delegate Lynn Rosen spoke highly of Penny Anderson Brill's presentation at the 2002 ICSOM Conference.

### **Chicago Symphony**

The Chicago Symphony's contract is up in September 2004. They are looking for an executive director, and there is a deficit. They voice solidarity and call for strong unionism to be renewed in ICSOM. Input from all voices is a necessity for this, and they look forward to the upcoming President's Council meeting on media. Chicago voices support for upfront payments and national contracts with guaranteed minimums for media activities.

### **San Francisco Symphony**

The San Francisco Symphony CBA expires in November of 2005. The orchestra is involved in various media projects: CD's, public television, and the Internet. There is a feeling that media issues could have been handled better and that the President's Council should serve well to that end.

### **Oregon Symphony**

Oregon will soon begin negotiations for a new contract; the current contract expires in August. Relations with management are generally good, especially since the large deficit influences so many things. A Strategic Plan drives the organization and its finances. Oregon has been recording regularly under SRLA and voices support for upfront payments and national media contracts. The orchestra does not have an LIOC, and streaming is turned off during radio broadcasts.

### **Cleveland Orchestra**

Cleveland's last year under the current contract is 2003–2004. Strong union principals are adhered to in Cleveland. Cleveland delegate Scott Weber found the last few ICSOM conferences needing improvement and suggested sessions on basic unionism and issues specific to current events in the symphonic industry. Cleveland is no longer broadcast on the radio. The LIOC found issue with the lack of "new use" payments with simultaneous Internet streaming. When payment was not forthcoming for streaming, broadcasts ceased, and the musicians' loss in payments has been substantial.

Cleveland reminds us that we ICSOM orchestras need to revisit our union roots, look at why we stand together, and remember the history of how

(continued on page 11)

## **Counsel's Report**

### **Leonard Leibowitz**

### **Yeshiva Revisited**

In an article I recently wrote for the *International Musician* entitled "Beware of the Music Police," and in a subsequent exchange of letters with the *IM* editor, I referred to the U.S. Supreme Court's decision in the case of *NLRB vs. Yeshiva University Faculty Association*, 444 U.S. 572, 100 S. Ct. 856, 103 LRRM 2526 (1980). Because it has been some time since I've discussed this case and its implications for symphony orchestras, a brief review and update are in order.

The full-time faculty at Yeshiva University in New York City sought to be represented by the Faculty Association. A petition for certification by the National Labor Relations Board had been filed seeking confirmation that the Association was indeed the exclusive bargaining agent of the faculty.

After an election, the NLRB certified the Union despite the University's position that the faculty was "supervisory and managerial," that faculty members were therefore not "employees" under the National Labor Relations Act, and that the Board could not certify a union of supervisors and managers.

Thus, if the Supreme Court agreed with the University, the certification would be null and void, and the University would have no obligation to recognize or bargain with the Union, effectively denying the faculty the right to be unionized.

After oral argument, the Supreme Court held that

a private university's full-time faculty members whose authority in academic matters was absolute, who decided what courses would be offered, when they would be scheduled, and to whom they would be taught, who determined teaching methods, grading policies, and matriculation standards, and who effectively decided which students would be admitted, retained and graduated, exercised supervisory and managerial functions and were therefore excluded from the category of employees entitled to benefits of collective bargaining under the National Labor Relations Act.

Further, the Court noted:

The controlling consideration is that the faculty exercises authority which in any other context unquestionably would be managerial, its authority in academic matters being absolute. The faculty's professional interests—as applied to governance at a university like Yeshiva which depends on the professional judgment of its faculty to formulate and apply policies—cannot be separated from those of the institution, and thus it cannot be said that a faculty member exercising independent judgment acts primarily in his own interest and does not represent the interest of his employer.

Although the impact of *Yeshiva* has been somewhat diluted by later decisions, the basic proposition that the "exercise of authority which in any other context unquestionably would be managerial" is still applicable.

Members of many ICSOM orchestras already exercise some of that authority. Musicians are intimately involved in the hiring of musicians through their participation in audition committees. Peer review committees have

significant input in the non-renewal process including, in many cases, the ability to make a final and binding decision overruling the music director. In many of our institutions musicians sit as full voting members of the orchestra board, in some cases on the executive committee, and they serve on other standing and *ad hoc* committees, like music director search committees.

While I do not believe that the exercise of these functions in orchestras approaches the extent of the *Yeshiva* situation, the more we assume these kinds of functions the greater the risk of one day losing one of our greatest assets: the right to organize and be represented by a union.

## **Directory Update**

The 2003–2004 *ICSOM Directory* is being co-produced this year by Robert Levine and Mary Plaine. By the time this issue of *Senza Sordino* reaches its readers, each orchestra delegate will have used a web-based data system to make corrections, additions, and deletions to his or her orchestra's personnel list. The plan is to have the book to our members by the beginning of February. Delegates will receive updates as necessary on the progress of the directories if there are any unforeseen problems.

*Mary Plaine*

*(continued from page 10)*

we won the pay and conditions we have. National media agreements, with all their benefits, are the result of intense past negotiations. We also need to open our eyes to management's practiced approach of diffusing solidarity through "inclusion," "facilitation," and other "divide and conquer" approaches.

### **Rochester Philharmonic**

Rochester has just begun negotiations for a new contract; their current agreement expires in August 2003.

### **Boston Symphony**

Boston is in the first year of a four-year contract. In the new contract, there are some new audition procedures after many years of no changes. Boston will be without a music director for the next two seasons. Their LIOC is developing a task force to look into creative uses of the Internet for the BSO. The ICSOM President's Council meeting is much anticipated.

(continued from page 1)

Officers were elected: Chairperson Jan Gippo (St. Louis Symphony), President Brian Rood (Kansas City Symphony), Secretary Laura Ross (Nashville Symphony), Treasurer Scott Weber (Cleveland Orchestra), and *Senza Sordino* Editor Marsha Schweitzer (Honolulu Symphony). Gratitude was expressed to officers leaving their posts after many years of service: Robert Levine (chairman since 1996), David Angus (president since 1990), Lucinda-Lewis (secretary since 1990), and Stephanie Treck (treasurer since 1994).

Following the conference, Scott Weber and Marsha Schweitzer chose to resign their positions. Michael Moore has been appointed to serve as treasurer and Tom Hall as editor of *Senza Sordino* until elections are held at the 2003 conference. Richard Levine has been appointed to serve Michael Moore's unexpired term as member-at-large.

Brad Buckley, ICSOM chairperson emeritus, also stepped down as chair of the ICSOM Electronic Media Committee, paving the way for the new Governing Board to appoint a successor. Brad first served on the Media Committee in the negotiation of the Symphony-Opera-Ballet Audio-Visual Agreement in 1982 and has served on every media negotiating team since. His knowledge and insight will be missed.

Unity II was expertly planned and coordinated by OCSM's Francine Schutzman (National Arts Centre Orchestra), to whom many thanks are due. The social highlight was a party for all attendees on the terrace of the National Arts Centre. Tom Hall served once again as conference coordinator for ICSOM.

The 2003 ICSOM conference will be held August 20-23 at the Antlers at Vail, in Vail, Colorado.

*This report was compiled by ICSOM Secretary Laura Ross and Senza Sordino Editor Tom Hall.*

## A Reminder from the Treasurer

ICSOM dues are now due. The deadline for payment is December 31, 2002.

Please remember that members of ICSOM are orchestras, not individuals. The calculation of dues is based on the number of contracted musicians in each orchestra, but ICSOM does not assess individual orchestra members. Each orchestra is free to determine the method of collecting its ICSOM dues.

Michael Moore



*Senza Sordino* is the official voice of ICSOM and reflects ICSOM policy. However, there are many topics discussed in *Senza Sordino* on which ICSOM has no official policy; the opinions thus expressed in *Senza Sordino* are those of the author(s) and not necessarily of ICSOM, its officers or members. Articles and letters expressing differing viewpoints are welcomed.

## International Conference of Symphony & Opera Musicians (ICSOM)

A Conference of the American Federation of Musicians — AFL—CIO

### ICSOM Governing Board

**Chairperson**  
Jan Gippo  
St. Louis Symphony  
1620 Horseshoe Ride Road  
Chesterfield MO 63005  
(314) 537-5374 (Voice/FAX)  
janguippo@earthlink.net

**President**  
Brian Rood  
Kansas City Symphony  
9919 Rosewood Lane  
Overland Park KS 66207  
(913) 649-9919, cell (913) 706-4164  
BrianFRood@aol.com

**Secretary**  
Laura Ross  
Nashville Symphony  
1609 Tammany Drive  
Nashville TN 37206  
(615) 227-2379  
FAX (615) 259-9140  
lar2vln@comcast.net

**Treasurer**  
Michael Moore  
Atlanta Symphony  
953 Rosedale Road NE  
Atlanta GA 30306  
(404) 875-TUBA (Voice/FAX)  
michael@atlantabross.com

**Editor, Senza Sordino**  
Tom Hall  
Chicago Symphony  
2800 N Lake Shore Drive  
Chicago IL 60657  
(773) 327-6939 (Voice/FAX)  
TomMHall@aol.com

### MEMBERS AT LARGE

Jay Blumenthal  
New York City Ballet  
484 W 43rd Street #24M  
New York NY 10036  
(212) 695-5895  
blujay@rcn.com

Richard Levine  
San Diego Symphony  
6304 Radio Drive  
San Diego CA 92114  
(619) 263-2545  
rlevine@richlevine.com

Mary Plaine  
Baltimore Symphony  
630 Deepdene Road  
Baltimore MD 21210  
(410) 433-6063  
mcplaine@worldnet.att.net

Fred Sautter  
Oregon Symphony  
8520 SW Brentwood Street  
Portland OR 97225  
(503) 292-0279 / FAX 292-7460  
fsautter@attbi.com

**ICSOM Counsel**  
Leonard Leibowitz  
322 West 48th Street  
New York NY 10036  
(212) 765-4300 / FAX 765-2775  
LLlaborlaw@aol.com

**ICSOM Emeritus Program**  
Abe Torchinsky  
777 W. Germantown Pike #1028  
Plymouth Meeting PA 19462  
Phone: (610) 277-3981  
AbeT825844@aol.com

**Orchestra-L and WebMaestro:** Robert Levine (rtl@ICSOM.org)

**Subscriptions:** \$10 per year, payable to *Senza Sordino*  
c/o Michael Moore, 953 Rosedale Road NE, Atlanta GA 30306

### ICSOM Orchestras

Alabama Symphony Orchestra  
Atlanta Symphony Orchestra  
Baltimore Symphony Orchestra  
Boston Symphony Orchestra  
Buffalo Philharmonic Orchestra  
Charlotte Symphony Orchestra  
Chicago Lyric Opera Orchestra  
Chicago Symphony Orchestra  
Cincinnati Symphony Orchestra  
Cleveland Orchestra  
Colorado Symphony Orchestra  
Columbus Symphony Orchestra  
Dallas Symphony Orchestra  
Detroit Symphony Orchestra  
Florida Orchestra  
Florida Philharmonic Orchestra  
Fort Worth Symphony Orchestra  
Grant Park Symphony Orchestra  
Honolulu Symphony Orchestra  
Houston Symphony Orchestra  
Indianapolis Symphony Orchestra  
Jacksonville Symphony Orchestra  
Kansas City Symphony  
Kennedy Center Opera House Orchestra  
Los Angeles Philharmonic  
Louisville Orchestra  
Metropolitan Opera Orchestra  
Milwaukee Symphony Orchestra  
Minnesota Orchestra  
Nashville Symphony Orchestra  
National Symphony Orchestra  
New Jersey Symphony Orchestra  
New York City Ballet Orchestra  
New York City Opera Orchestra  
New York Philharmonic  
North Carolina Symphony  
Oregon Symphony Orchestra  
Philadelphia Orchestra  
Phoenix Symphony Orchestra  
Pittsburgh Symphony Orchestra  
Rochester Philharmonic Orchestra  
Saint Louis Symphony Orchestra  
Saint Paul Chamber Orchestra  
San Antonio Symphony  
San Diego Symphony Orchestra  
San Francisco Ballet Orchestra  
San Francisco Opera Orchestra  
San Francisco Symphony Orchestra  
Syracuse Symphony Orchestra  
Utah Symphony Orchestra  
Virginia Symphony



[www.ICSOM.org](http://www.ICSOM.org)

*Senza Sordino* is the official publication of the International Conference of Symphony and Opera Musicians, Inc., and is published four to six times a year. ICSOM is a conference of the American Federation of Musicians of the United States and Canada, AFL-CIO. Unauthorized reproduction of any part of *Senza Sordino* is strictly forbidden. Copyright ©2002. All rights reserved. ISSN 1074-7850