

Senza Sordino

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The 2004 ICSOM Conference

by Laura Ross, ICSOM Secretary

The 2004 ICSOM Conference—held in Salt Lake City and dedicated to the memory of Lew Waldeck, the first director of the AFM Symphonic Services Division from 1983 to 1994—was by all accounts an extraordinarily busy one. Breaking with recent tradition, the conference began early in the morning, with a 7:30AM breakfast for new delegates followed by the first session at 9:00AM. Typical of the heavy scheduling, the last session that day ended at 10:00PM. As busy as it was, attendees were still able to meet and hear our hosts, the members of the Utah Symphony, at a mixer and at their final season concert at Deer Valley.

The conference packed in many reports and presentations, including addresses by AFM President Tom Lee, AFM Secretary-Treasurer Florence Nelson, and AFM-SSD's new director, Laura Brownell. ASOL President & CEO Henry Fogel gave the keynote address. Paul McCarthy's presentation on leadership and negotiation preparations was engaging. Patricia Polach explained the intricacies of artist payments for digitally transmitted electronic media. Len Leibowitz spoke about the finer points of the duty of fair representation and also involved the delegates in some lively breakout sessions. Two important sessions of currently negotiating orchestras allowed them to discuss their individual situations and to exchange ideas about strikingly similar management proposals to roll back wages, benefits, and working conditions.

Numerous resolutions were adopted [see the complete list of adopted resolutions starting on p. 4—Editor]. The delegates honored Tom Hall (Chicago Symphony), Jay Blumenthal (New York City Ballet), Paul Ganson (Detroit Symphony), and Janice Galassi (former AFM-SSD director) for their past service. The Lew Waldeck Memorial Fund was established as a joint endeavor of ICSOM, ROPA, and OCSM. Two more resolutions encouraged orchestras to negotiate language into their CBAs covering delegate attendance at conferences without loss of pay and prohibiting EMG use for non-symphonic work. Other resolutions dealt with internal communication and programs, encouraged cooperation and

liaison among ICSOM, the Sphinx Competition, and the AFM Diversity Committee, directed ICSOM to resubmit the AFM bylaw change that would prohibit contractors from serving on Local boards, encouraged voter registration, and joined with the AFM-IEB in endorsing John Kerry for the U.S. presidency. ICSOM also adopted a resolution that applauded Local 802 and its president David Lennon for the very successful campaign to achieve contracts that prohibit the use of virtual orchestra machines.

A major conference topic was governance, including the increased roles some musicians are assuming in their orchestras. Much discussion centered on the Saint Paul Chamber Orchestra, with presentations by musicians Carole Mason Smith, Gary Bordner, and Leslie Shank, SPCO president Bruce Coppock, and SPCO board chairman Lowell Noteboom. Additional panelists who spoke about their own experiences and observations included Bruce Ridge (North Carolina Symphony), Ken Harper (Colorado Symphony), Tina Ward (St. Louis Symphony), Robert Wagner (New Jersey Symphony), and Paul Ganson (Detroit Symphony). From these discussions came a resolution urging orchestras to clearly state, either in their CBA or bylaws, that musicians who serve on management committees and boards do so as musician representatives who must voice the collective opinion of their colleagues. Such language should also require good communication between musician representatives and their colleagues. The potential impact of the U.S. Supreme Court's *NLRB v. Yeshiva University* decision on new forms of internal governance, including that of the Saint Paul Chamber Orchestra, also evoked interesting discussion.

Another resolution called for nationwide support of our colleagues in the Chicago Symphony, the New York Philharmonic, the Cleveland Orchestra, and the Philadelphia Orchestra, all of whom are currently engaged in very difficult negotiations. Since the outcome of their negotiations will have nationwide impact on our industry, the resolution “deplore[s] the attack by those managements, wish[es] our colleagues in these cities well, and urge[s] the AFM, its Local unions and the members of all professional orchestras in the nation to write letters, send e-mails and engage in any other form of protest in an effort to protect and preserve the quality of life of all symphonic musicians in the United States.”

Re-elected to office were Chairman Jan Gippo (St. Louis Symphony), President Brian Rood (Kansas City Symphony), Secretary Laura Ross (Nashville Symphony), and Treasurer Michael Moore (Atlanta Symphony). Richard Levine (San Diego Symphony) was elected as the editor of *Senza Sordino*. Member-at-Large Bruce Ridge (North Carolina

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Chairperson's Report

Jan Gippo



Our ICSOM Conference held in Salt Lake City was a great success. A true highlight of the conference was the impeccable organization and good humor of the conference coordinator, Lynn Rosen (Utah Symphony). With the help of Robert Levine (Milwaukee Symphony), Lynn ensured that each meeting started on time with all the materials essential for the presentations. Sometimes our language doesn't seem to have the words needed to convey the true sentiment, so "thank you" must suffice. Lynn, you are a gem, and ICSOM is extremely fortunate to have you on the Governing Board.

The theme of the conference was *We Have Seen the Future, and It Could Be Us*. The delegates heard an address given by the president of the American Symphony Orchestra League. That was followed by the executive director of an ICSOM orchestra, and that was followed by the board chair of that orchestra. It was, of course, the Saint Paul Chamber Orchestra, and we were looking at the experimental contract one year after its signing. There were many complaints from the delegates about so much management input, but I still believe it was necessary, and I would like to tell you why.

If we are to take a more dramatic, hands-on approach to the management of our orchestras, we at least need to know the pitfalls, the successes, and the thinking of managers who are also trying to solve the problems. The delegates saw the PowerPoint presentation of Saint Paul Chamber Orchestra executive director Bruce Coppock, and they were stunned at the content. From the discussion we had with the musicians in the morning session, the presentation did not seem to answer any of the concerns of the musicians, but it did show a "Pleasantville" smile to all the problems that we have identified. If there is a controversy, it is to our benefit to get all the information before we make a judgment. Knowledge is power. Ignorance will help us self-destruct.

In the morning session we heard from Tina Ward (St. Louis Symphony) and Robert Wagner (New Jersey Symphony) about their research into how some European orchestras are trying to solve the inherent problems of music, money, and personnel. The Berlin Philharmonic has a very complicated formula, but I don't believe that it solves any of the problems we see in our symphony orchestras. Berlin takes care of these problems in a tradition of self-governance that it has had for over a hundred years. We heard from Bruce Ridge (North Carolina Symphony) about North Carolina Symphony's very successful conductor search committee, which he chaired. That project worked so well that it might well serve as a model for other orchestras. We heard from Ken Harper (Colorado Symphony) how an overly zealous conductor can circumvent an artistic advisory committee; also that a musician, even with the backing of the orchestra, can still be denied tenure—obviously a situation that must be changed. Paul Ganson (Detroit Symphony) took us through the history of how musicians had to take some hands-on leadership in Detroit to ensure that there would even be an orchestra, because their management was so poor.

Although these panel presentations are sometimes boring, these discussions are very important. The insights shared are essential for the delegates to understand, and the ideas presented are important enough that the delegates need to relate them to all

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A Conference of the American Federation of Musicians, AFL-CIO

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ICSOM Orchestras

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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



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The Myth of the “Structural Deficit”

by Leonard Leibowitz, ICSOM Counsel



A new “virus” referred to as the “structural deficit” is rampant in symphony orchestras throughout the nation. This insidious infection poses a severe threat to musicians everywhere in their never-ending quest for the growth of their institution and the improvement in the quality of their lives and the lives of their families. The severity of the problem is exacerbated by the fact that the “virus” is a myth created for the purpose of

stopping the aforementioned “quest” dead in its tracks.

Simply put, the so-called structural deficit is just another variation on management’s tired old claim of “inability to pay.” Lately, management alleges that it cannot meet our demands for wage and benefits increases because it claims it cannot raise any more money in the community. A “glass ceiling” on fund-raising? Nonsense! Allow me to explain.

As you all know, the boards of our institutions are comprised of men and women who serve thereon for a number of reasons—some good and generous, some less good and less generous. But none of these reasons include making a direct profit from their service as trustees of the institution. Thus, whether they serve because they are music lovers, married to music lovers, or businessmen and businesswomen seeking to meet other businessmen and businesswomen in order to do business, etc., their incentives do not normally include merely improving the quality of life of the members of the orchestra.

I rush to explain that this is not intended as an assault on the motives of these good men and women. Most of them have no objection to the advancement of the musicians—but for the board, the bottom line is the maintenance, at least, and, surely in many cases, the improvement of the quality of the orchestra. Most of these folks are quite generous with their own giving, and some even spend a good deal of their time attempting to persuade others to give as well. But for virtually all of them, the symphony is not their primary vocation. Their willingness to serve is often limited to only that amount of time and energy which is “comfortable” for them. Too often they withdraw from their board membership because they are unable or refuse to spend the time and energy necessary to do a proper job of fundraising.

One of the major causes of the increasing call on their time is raising money to fund the musicians’ wage and benefit increases which cannot possibly be paid for by earned income alone. Moreover, those additional costs, understandable as they may be, can also not always be met by asking the same sources for greater and greater levels of contribution. This is particularly true when the economy is perilous, and those sources have actually cut back or eliminated their contributions altogether.

Nevertheless, the musicians of the orchestra, like working people everywhere, continue to need increases in compensation to keep pace with the ever-increasing costs of simply living in North America, and raising that money often places the board in that “uncomfortable” position, as

compared to the far easier job of merely holding on to current contributors at the same level of giving.

Our goal in symphony negotiations is to persuade these good people that it is part of their fiduciary obligation to find and cultivate new sources of revenue in all areas, earned, contributed, etc. For the most part, it works. Often, at the conclusion of a symphony negotiation, I am approached by a board member or executive who, while happy about reaching a settlement, will express his or her concerns about the future. “I’m delighted we’ve gotten an agreement for the next three years, but I don’t know where we will find the money to pay for it.” Nevertheless, a few years later, the money has been raised—because it had to be.

Usually, in the course of these very same negotiations, the board, through their representatives, often reject our economic proposals by saying that they simply don’t have the money to pay for them. Our response is to point out that of course they don’t have the money now, but it is their job to find it. That’s what the negotiations are all about!

Now, someone, somewhere, has come up with an answer that is designed to trump such a response: they will not be able to find the additional revenue because they have run into an invisible ceiling which is external and out of their control. There simply is no more money to be raised in their community! Thus, if the musicians’ proposals will increase the budget, it is not possible to pay for it, and it is not a failure of will or motivation—it is a “structural deficit” (the word “structural,” of course, meaning “built-in,” “unchangeable,” simply the “reality of life in the city”). What is even more remarkable is that although this “structural deficit” was only recently discovered, once found in one city, it is now found in city after city throughout the U.S. and Canada!

If it were not so tragic, it might be comical. The logical extension of this argument is that symphony, opera, and ballet musicians (as well as dancers, singers, stage hands, clericals, etc.) are all either frozen at their current salaries, or worse, into a reduced level of compensation, at which they are left after making the concomitant concessions necessary to get the budget down below the “ceiling.” As ingenious as this argument is, and as appealing it must be to boards and managements, we must reject it for the sake of the future of each musician, the other employees of the organizations, and the institution itself.

In the past there have been downturns in the economy which have had adverse impacts on our ability to make gains. Indeed, we have often been forced to accept concessions in order to allow our boards and managements some breathing room within which to devise and implement a plan for recovery.

But just as we are asked to help solve the problem, we must insist on being part of the recovery as well. The recent Detroit reopener settlement reported in a recent issue of *Senza* [Goldman, J. “Once more unto the breach, Detroit, once more!” (July 2004)] represents a classic case of such a plan. It is the only way we should be willing to participate in being part of the solution. The alternative is to perpetuate the downward spiral to oblivion, just as is the acceptance of this canard of “structural deficit.”

Resolutions Adopted by the 2004 ICSOM Conference

The following resolutions were adopted by the 2004 ICSOM Conference

Whereas, Lew Waldeck was a pioneer in the orchestral field, as well as a mentor, negotiator, teacher, guru, and the first head of what is now the Symphonic Services Division of the American Federation of Musicians, and

Whereas, He touched the lives of thousands of symphony, opera and ballet musicians profoundly in so many ways; and

Whereas, Those who were privileged to know him and to work with him will never forget his wisdom, his fighting spirit, and his dedication to the cause of improving the working lives of classical musicians in the U.S. and Canada; and

Whereas, His passing has left a void in the hearts of so many who benefited from his teachings, his leadership, and most of all, his love, therefore, be it

Resolved, That the 2004 ICSOM Conference in Salt Lake City be, and the same hereby is, dedicated to the memory of Lew Waldeck as just a small token of the admiration, respect and affection in which Lew is held by the delegates to the Conference, as well as the thousands of musicians those delegates represent.

Submitted by the Governing Board



Whereas, Article VI, Section 2(a), of the ICSOM bylaws mandate a specific procedure which may not be the procedure by which member orchestras elect their delegates; and

Whereas, ICSOM bylaws make no reference to "alternate delegates," a term used with frequency and ambiguity; therefore, be it

Resolved, That Article VI, Section 2(a), of the ICSOM Bylaws be amended as follows:

~~Section 2(a) ICSOM delegates shall be selected by secret ballot by AFM members in each member orchestra. A member orchestra may send more than one delegate to meetings of ICSOM, but only one delegate shall be the voting delegate. The voting delegate shall be a member of AFM. Each member orchestra will determine for itself the authority its voting delegate may assume.~~

ICSOM Delegates shall be elected by AFM members in each Member Orchestra in accordance with each orchestra's established procedure. Delegates must be members of the AFM. Each Member Orchestra shall elect one primary ICSOM Delegate. A Member Orchestra may elect additional delegates ("alternate delegates") to send to annual conferences in addition to, or in lieu of, the primary ICSOM Delegate. Regardless of the number of delegates from a Member Orchestra who attend an annual conference, each Member Orchestra shall have only one vote. Each member orchestra shall notify the ICSOM Secretary in writing of the identity of the Delegate and, if there is an Alternate Delegate(s), the identity and voting rights of each. Said notification shall be made as soon as feasible after the election.

Submitted by the Governing Board



Whereas, The Recording Musicians Association is a Player Conference representing colleagues in the commercial recording area who make their living working under AFM national agreements including those for motion pictures; and

Whereas, There is growing concern that symphony orchestras with Electronic Media Guarantees in their collective bargaining agreements could be asked to do electronic media work traditionally done by RMA musicians and that work would be subsidized by the Orchestral Association using EMG resources; and

Whereas, Such work may be in non-standard symphonic areas outside those delineated and defined in the Sound Recording Labor Agreement and the Symphony/Opera/Ballet Audio-Visual Agreement, and would, therefore, undercut our colleagues who make their income solely from this type of work; therefore, be it

Resolved, That all ICSOM orchestras with Electronic Media Guarantees or Electronic Media Guarantee equivalents in their collective bargaining agreements be urged to negotiate the following language (or language to the following effect) which will prohibit their managements from selling their services for non-standard symphonic work, e.g. motion picture soundtracks, using EMG resources, or EMG equivalent resources, to subsidize it:

"The Association agrees that EMG may not be used to contract out, or otherwise sell the services of the musicians to an outside entity for the purpose of performing any non-standard media work, including, without limitation, motion

picture or television sound tracks, or other similar musical genre, the performance and/or recording of which would tend to deprive other non-symphonic musicians of employment."

Submitted by the Electronic Media Committee



Whereas, The ICSOM Bylaws provide that the only circumstance which allows an orchestra to designate another orchestra's delegate to cast a proxy vote at the annual Conference in their absence is if that orchestra will be on a foreign tour during the period of the Conference; and

Whereas, The reasons for such allowance apply in many respects to domestic tours as well; therefore, be it

Resolved, That Section 2(b) of Article VI, "Meetings" of the ICSOM Bylaws be amended by adding the words "or domestic" between the words "foreign" and "tour" in the first sentence.

Section 2(b) In the event a member orchestra is unable to send one of its own members as a delegate to a regular or special meeting of ICSOM because it will be engaged in a foreign or domestic tour at the time of such meeting, it may, ~~by secret ballot~~, designate a member of another member orchestra to act as its proxy delegate, with all rights and privileges. The chairperson of such member orchestra shall notify its proxy delegate and the Secretary of ICSOM of such designation in writing.

Submitted by the Governing Board



Whereas, The recent passing of Lew Waldeck has occasioned an outpouring of love and affection for him, as well as long overdue recognition of his contributions to the quality of life of symphony, opera and ballet musicians throughout the United States and Canada; and

Whereas, The members of the symphonic player conferences, ICSOM, ROPA and OCSM, are forever affected by his loss, and wish to establish a permanent memorial in his name; and

Whereas, It is their collective belief that Lew would have appreciated a memorial which continued in some small, but important ways, his lifelong work of helping orchestral musicians; therefore, be it

Resolved, That the Governing Board and Delegates to the 2004 Conference of ICSOM hereby agree to establish, in conjunction with ROPA and OCSM, the Lew Waldeck Memorial Fund, the purpose of which will be to receive contributions from many sources, to invest said monies prudently, and to make grants to orchestras, orchestra members, AFM local unions, music schools, etc. for the purpose of facilitating projects which are deemed to be in keeping with Lew's philosophy of trade unionism and/or with his general philosophy of life. Be it further

Resolved, That the details of the administration and governance of the Fund, the application process, and the amounts and recipients of the grants, will be worked out by a committee appointed by the Governing Boards of the three Symphonic Player Conferences as soon as practicable, with a report on their progress to be made no later than the 2005 Conferences.

Submitted by the Governing Board.



Whereas, Some years ago an agreement was reached by and between ICSOM and a group of orchestra executives known as the "Major Managers" that the elected ICSOM Conference delegate in each orchestra should be granted time off without loss of compensation to attend the annual Conference; and

Whereas, Most constituent ICSOM orchestra managements have adhered to that policy, whether or not it was expressed in the collective bargaining agreement; and

Whereas, In recent times there have been some problems in some orchestras whose managements have failed or refused to adhere to that policy; and

Whereas, The importance of full compliance of all ICSOM orchestras to abide by this policy cannot be overstated; and

Whereas, Time off without loss of compensation should also be granted to Governing Board members, and delegates to the AFM Convention; Therefore, be it

(continued on page 5—see RESOLUTIONS)

Resolutions

(continued from page 4)

Resolved, That the delegates of each ICSOM orchestra are urged to relate to their negotiators the need to include the following language, or language to the following effect, in the collective bargaining agreement:

The [Employer] agrees that the duly elected delegate to the annual ICSOM Conference, any member of the Governing Board of ICSOM, and any delegate to the AFM Convention shall be granted the time off necessary to attend the Conference and/or AFM Convention, and shall suffer no loss of income or attendance credit, or reduction of paid time off, for said period.

Submitted by the Governing Board



Whereas, Janice Galassi has served as the Executive Director of Symphonic Services Division of the AFM from 2001 through July of 2004; and

Whereas, She has now become the Director of Organizing and Education for the AFM and will no longer be directly affiliated with the SSD; and

Whereas, Janice has been a true and devoted friend of ICSOM, its Governing Board, and the members of the constituent orchestras, in maintaining a close working relationship therewith; and

Whereas, The delegates to the 2004 ICSOM Conference appreciate her efforts on their behalf during her stewardship of SSD; therefore, be it

Resolved, That the Governing Board and the Delegates to the 2004 ICSOM Conference express their gratitude and good wishes to Janice Galassi for her outstanding leadership of SSD, and for her future endeavors as Director of Organizing at the AFM.

Submitted by the Governing Board



Whereas, Tom Hall has served ICSOM in numerous capacities; and

Whereas, Those capacities include, without limitation, delegate from the Chicago Symphony, Editor of *Senza Sordino*, member of the Governing Board, Conference Coordinator, Historian, and author of the "History of ICSOM," etcetera, etcetera, etcetera; and

Whereas, His contributions to ICSOM and the field cannot be truly measured by merely listing the positions held; and

Whereas, It is difficult to conceive of an ICSOM Conference without him; and

Whereas, No resolution or other material thing can fully convey the debt of gratitude owed to him; nevertheless, be it

Resolved, That the current Governing Board, and those that have preceded it over the years, as well as the delegates to the 2004 ICSOM Conference, and the delegates to the many prior conferences to which Tom Hall gave so much of his time and himself, wish to express their gratitude and awe of the enormous gifts to them, of the time, talent, intelligence and love from Tom Hall over these many years; and, be it further

Resolved, That Tom Hall be given the honorary title of ICSOM Governing Board Member Emeritus.

Submitted by the Governing Board



Whereas, Jay Blumenthal has served ICSOM as the delegate from the New York City Ballet Orchestra, and as a Member-at-Large of the Governing Board; and

Whereas, He has now been elected to the position of Vice President of Local 802, AFM in New York; and

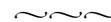
Whereas, The Vice Presidency is a full time position and required that he give up his tenure at the New York City Ballet Orchestra, and thus his eligibility for membership on the ICSOM Governing Board; and

Whereas, The Governing Board and the Delegates to the 2004 ICSOM Conference wish to recognize his very valuable service over the years; Therefore, be it

Resolved, That the Governing Board and the Delegates to the 2004 ICSOM Conference congratulate Jay Blumenthal on his election as Vice President of Local 802, and expresses their gratitude for his contributions to ICSOM and to the field in general. Be it further

Resolved, That the Governing Board and Delegates congratulate Local 802 and its members for their good sense and good fortune in electing Jay, who will surely carry on, and even improve, the great work of Local 802.

Submitted by the Governing Board



Whereas, Paul Ganson has been a revered leader in his own orchestra, the Detroit Symphony, for his musical, administrative and trade union contributions; and

Whereas, Paul has been likewise admired by the members of other ICSOM orchestras for his work in Detroit, as well as his contributions to the field as a Member-at-Large of the ICSOM Governing board; and

Whereas, Paul has announced his retirement from the DSO, and his position on the ICSOM Governing Board; and

Whereas, The Governing Board and the delegates to the 2004 ICSOM Conference wish to join with his colleagues in Detroit in expressing their gratitude to him; therefore, be it

Resolved, That the 2004 ICSOM Conference hereby extends to Paul Ganson, their admiration and affection, in recognition of his incredible contributions to the entire field of symphonic music in the US, and especially to the Detroit Symphony Orchestra, and to the members of the constituent orchestras of the International Conference of Symphony and Opera Musicians; and, be it further

Resolved, That the entire Governing Board and delegates assembled at the 2004 ICSOM Conference wish for him and his family a healthy, productive and fulfilling retirement.

Submitted by the Governing Board



Whereas, In this century all electronic transmission has become a primary source of communication for business and social intercourse; and

Whereas, ICSOM business is conducted from cities through the nation; and

Whereas, It is essential that ICSOM delegates have access to, and be accessible by electronic mail in order to function properly; therefore, be it

Resolved, That a prerequisite to becoming and remaining an ICSOM delegate is having the ability to send and receive e-mail; and, be it further

Resolved, That each such delegate must subscribe to the list known as "Delegate-L" and when appropriate shall respond to requests, questions, etc., on said list in a timely fashion.

Submitted by the Governing Board



Whereas, The achievement of ethnic and racial diversity in the symphonic workplace is of the utmost importance, as it is in every musical field; and

Whereas, To that end, ICSOM has participated in numerous projects, committees and programs over the years such as the Music Assistance Fund of the New York Philharmonic, the Mendelson Fund, and currently the Sphinx Competition; and

Whereas, The AFM Diversity Committee is aggressively pursuing the same goals in other areas of musical employment; and

Whereas, ICSOM believes that the achievement of the goals of said AFM committee and ICSOM would be hastened by cooperation and liaison between the AFM Committee and the Sphinx Organization; therefore, be it

Resolved, That the delegates to the 2004 ICSOM Conference endorse the cooperation and sharing of resources by and between ICSOM, the AFM Diversity Committee and the Sphinx Organization as a way of hastening the achievement of ethnic and racial diversity throughout the music industry; and, be it further

Resolved, That the Governing Board take all appropriate steps to bring the three organizations, and any other like-minded entities, together for the stated purposes.

Submitted by the Governing Board



Whereas, The use of the virtual orchestra machine to replace live musicians is an abomination to the art form and a threat to the livelihood of working musicians; and

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Resolutions

(continued from page 5)

Whereas, All musicians and music lovers should deplore the machine's use in all venues for any purpose; and

Whereas, There are those whose love of money and fear of unions lead them to welcome this machine and seek to promote the widespread use thereof; and

Whereas, In recent months David Lennon as President of AFM Local 802 of New York City has waged an enormously successful campaign in the New York City area in achieving contracts with music presenters and music venues which contain specific prohibitions against the use of virtual orchestra machines; and

Whereas, Legal attacks on the validity of such contracts have been repelled, and those prohibitions have been found to be valid and enforceable by the National Labor Relations Board; therefore, be it

Resolved, That the delegates to the 2004 ICSOM Conference applaud and congratulate David Lennon, his staff and fellow officers on their valiant efforts; and, be it further

Resolved, That the AFM, its locals, and all musicians deplore the use of the machine and take whatever steps available to them to impede the spread of this threat to music and musicians.

Submitted by the Governing Board

Whereas, The ICSOM Conductor Evaluation Program was founded in the 1960s to help give orchestras a voice in the engagement of conductors; and

Whereas, The success of the ICEP has spawned numerous internal single-orchestra conductor evaluations; and

Whereas, Other orchestras do not have access obtained in this manner; and

Whereas, Usage of the ICEP has waned in recent years; and

Whereas, This valuable program deserves the attention and support of all ICSOM members; therefore, be it

Resolved, That all ICSOM delegates are urged to encourage their orchestras to evaluate at least one conductor during the 2004-05 season through the ICEP and to encourage full participation by the members of their orchestras.

Submitted by the Governing Board

Whereas, Communication is the core value of ICSOM; and

Whereas, Communication between the Members-at-Large of the Governing Board and each of their assigned delegates is one of the most important means of interaction between the Board and the constituent orchestras; and

Whereas, It is a primary obligation of each Member-at-Large to initiate the contact with the delegates from his/her assigned orchestras; therefore, be it

Resolved, That the delegates to the 2004 ICSOM Conference urge the Members-at-Large to communicate by phone or e-mail on a regular basis throughout the year, with a goal of at least one contact per month; and, be it further

Resolved, That the delegates are urged to initiate contact with their respective Member-at-Large as well.

Submitted by the Governing Board

Whereas, Cooperative models and elements of participatory governance are increasingly being adopted by ICSOM orchestras; and

Whereas, Those orchestras are asking their musicians to take on managerial roles and one of the legal underpinnings of the *Yeshiva University* case is that employers have a right to the unswerving loyalty of the management; and

Whereas, The goal of cooperative models is to make decisions with musician participation and by consensus; and

Whereas, Musician participation in governance must be representative of the musicians as a whole in order to attain a true consensus and to avoid discord when decisions are implemented; therefore, be it

Resolved, That the delegates to the 2004 ICSOM Conference urge the member orchestras to attempt to negotiate language into their collective bargaining agreements and/or adopt such language into their player association bylaws that clearly define the roles of musicians who serve on management committees and Boards. Said language shall make clear that musicians serve as representatives of their colleagues and that the musicians who serve shall continuously communicate with their fellow musicians to represent their views responsibly and vigorously.

Submitted by Ken Harper, Colorado Symphony delegate

Whereas, It is a long-standing ICSOM policy that the AFM bylaws should prohibit union officers from serving as contractors or in any other supervisory capacity over other AFM members; and

Whereas, ICSOM submitted a resolution on the subject to the AFM 2003 Convention (designated as Resolution #40) which received grossly inadequate consideration by the Law Committee, leading to its late presentation to the delegates and its withdrawal by its proponents; therefore, be it

Resolved, That the ICSOM Governing Board be directed to re-submit Resolution #40 to the 2005 AFM Convention; and, be it further

Resolved, That the ICSOM Governing Board actively seek the support of the other Player Conferences for such legislation.

Resolution #40

Whereas, There are many Locals in which the Officers also work as Contractors, Personnel Managers, or Booking Agents, creating a clear, inherent conflict of interest that has a chilling effect on a member's ability to receive fair and impartial representation; therefore, be it

Resolved, That Article 5, Section 7(d) of the Bylaws be amended, as follows:

No Local Officer shall (1) serve in the position of a Personnel Manager or a Contractor for an employer of musicians in the Local's jurisdiction[. Beginning with a Local's next election on or after August 1, 2001, no Local Officer, except in Canada, shall serve in the position of a contractor of musicians in the musical theater field.]; (2) work in any position where s/he receives any remuneration from contracting or booking musical units (other than a regularly organized one of which s/he is a leader or member) in the Local's jurisdiction, except in his/her capacity as a Local officer administering an employment referral or booking program on behalf of the Local.

Submitted by Robert Levine, Milwaukee Symphony alternate delegate

Whereas, The annual ICSOM Conference requires an enormous amount of planning; and Whereas, The selection of a site on only an annual basis does not allow enough time for proper presentation; therefore, be it

Resolved, That the delegates to the 2004 ICSOM conference urge the Governing Board to attempt to secure sites for the annual conference on a multi-year basis to provide sufficient time for proper preparation.

Submitted by Lynn Rosen, Utah Symphony delegate

[Adoption of this resolution changes language in ICSOM Bylaws Article VI. Section 7, #9, Agenda to read: Future Meetings]

Whereas, The AFM-IEB has endorsed John Kerry for President; and

Whereas, An overwhelming majority of the delegates to the 2004 ICSOM Conference are in accord with said endorsement; therefore, be it

Resolved, That the delegates to the 2004 ICSOM Conference join with the AFM-IEB in endorsing the Kerry/Edwards ticket in the upcoming Presidential election.

Submitted by Nancy Agres, Indianapolis Symphony delegate

Whereas, The 2004 ICSOM conference and the American Federation of Musicians International Executive Board have endorsed the Kerry/Edwards ticket in the upcoming presidential election; and

(continued on page 8—see RESOLUTIONS)

The Decision Is In Your Hands

Remember to Vote on November 2, 2004

by Lynn Rosen, Utah Symphony

At the 2004 ICSOM conference in Salt Lake City, delegate Nancy Agres (Indianapolis Symphony) presented a resolution from the floor to join the AFM International Executive Board (IEB) in endorsing the Kerry/Edwards presidential ticket. The resolution passed unanimously. In an age when politics and music have not always crossed paths, now is the time to be active.

Echoing the words of Tom Lee, President of the AFM, John Kerry's policies reflect those of the AFM. His interest in the arts, concern over outsourcing jobs to overseas markets, advocacy of universal health care, and support of labor unions are all consistent with the interests of the AFM and ICSOM. "John Kerry believes in securing a bright future for working families who are currently struggling under failed health care policies," Lee said. The IEB noted in its endorsement that "Kerry's focus on the arts, copyright piracy, middle class tax relief, job creation, fair trade, prescription drug coverage, and social security protection" were important factors for their support. The AFM is offering "Musicians for Kerry" buttons that have a photo of John Kerry playing the guitar. They are available online for three dollars at www.afm.org (click on AFM GEAR).

In regard to outsourcing, research at UC Berkeley suggests that as many as fourteen million jobs will be affected in the near future. That means people without the benefit of union contracts stand to lose jobs—gone, nada, out of work—unless work forces are unified. A recent *Los Angeles Times* article (August 29, 2004) describes the backwardness of outsourced jobs: "Where else can you find workers who will say, 'For three years I didn't go on vacation; I didn't feel like it.'" The article goes on to describe the workplace as high-tech, with rooms accessible only by electronic swipe cards, and office chairs that would "flunk any ergonomic test." There are three shifts, so no one can personalize his or her desk, and no natural light—not many clocks, either. It's like a casino, a place without "distractions."

The Bush administration was expected to create 200,000 jobs in July, but payroll growth only totaled 32,000. Economic analysts are attributing this slow economic growth in large part to outsourcing. Both houses in the California legislature passed legislation recently to prevent the state from hiring outsourced workers. (*Governor Arnold Schwarzenegger vetoed the measure on September 29—Editor.*)

The AFL-CIO came out with a whole-hearted endorsement of Kerry in February 2004. The General Board's endorsement states that "America has a job crisis. We've lost 2.8 million good manufacturing jobs over the past three years, more than in the preceding 22 years. Today we are unified in our support of a presidential candidate, one who not only can take on President Bush, defeat him and turn our nation around, but who is all of the best things America has to offer."

Kerry's platform calls for leading the fight to protect workers' overtime pay, increasing the minimum wage, and extending unemployment

benefits. As president, he will crack down on corporations hiding money overseas, roll back Bush's tax cuts for the wealthy, and create ten million new jobs. He is committed to a health care plan that will expand health care coverage to 96% of all Americans, including nearly all children. He will also propose a real prescription drug benefit for seniors in his first 100 days.

It is important for everyone to register and to vote. It is also important for people to consider the need for union solidarity in this election. You may be surprised that one out of four voters in 2000 was from a union household. Wear the Kerry buttons distributed by the AFM that depict Kerry playing the guitar. Make your vote represent the working class vote, not the special corporate interests of the wealthiest Americans. And for a bit of nostalgia, remember the initials "JFK."

Chairperson's Report

(continued from page 2)

the musicians of ICSOM. With the great body of information and creative solutions found in our members, we needn't recreate the wheel each time a new problem arises.

We now can move on to other issues that are pressing for our profession. And, once again, I ask musicians who are interested to send their ideas along; we will make every effort to incorporate them into the agenda of a future conference.

The time has come, however, when the Governing Board must look at the format of the ICSOM Conference and streamline it to fit the times. We need more time to talk amongst ourselves so that the ideas generated can then be used as discussion material in the general sessions. Some of the reports could be streamlined, and much of the pro forma agenda might be eliminated.

This is the time for all of us to generate ideas, analyze problems, and proffer solutions. Write us, talk to your delegate, and get involved. ICSOM is no longer just for August.

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.

Conference Report

(continued from page 1)

Symphony), who had been serving on the Governing Board by appointment, was elected to his first full term. Elected as new Members-at-Large were Steve Lester (Chicago Symphony) and Lynn Rosen (Utah Symphony). Member-at-Large Henry Peyrebrune (Cleveland Orchestra), whose position was not open for re-election, completes the current nine-person Governing Board.

Resolutions

(continued from page 6)

Whereas, There are undoubtedly musicians in our member orchestras who are not yet registered to vote; therefore, be it

Resolved, That the delegates to the 2004 ICSOM conference encourage all ICSOM delegates to make available to all their constituent members appropriate voter registration forms, encourage completion of same, and remind them to vote in the November 2nd Presidential election.

Submitted by Bob Wagner, New Jersey Symphony delegate

Reminders

from ICSOM Treasurer Michael Moore

Please help ICSOM's cash flow by sending us your membership dues as soon as you can collect them. We thank the Minnesota Orchestra, the Saint Paul Chamber Orchestra, and Local 30-73 for being the first to send in this year's dues.

from ICSOM Secretary Laura Ross

As decided at our recent conference, we are now trying to plan future ICSOM Conference sites years in advance. Orchestras are therefore encouraged to consider hosting a future Conference. It is a great way to help your musicians see firsthand what goes on at a Conference and to help develop an involved, unified orchestra. Please contact Laura Ross to investigate how you might proceed with this project.

International Conference of Symphony & Opera Musicians (ICSOM)

Laura Ross, Secretary
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