



UNA VOCE

October 2000 Vol. 8 No. 1

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Message from the President

By all reports we had a great conference this year in Calgary. Many people could be credited with its success but certainly a key player was the Calgary Local and its President, Mark Johnson. I am looking forward to working with Mark as OCSM/OMOSC and the AFM Canada continue to fine-tune guidelines for an Internet agreement that works for Canadian symphonic musicians.

You will notice a number of changes this year arising out of resolutions and discussions at the conference. Please take time to read and understand the reasoning behind the changes.

One of the recurring themes of the conference was education, and I would like to emphasize one of the recommendations that the conference arrived at for your Players' Associations to consider. Time and again problems have arisen during negotiations or with wage undercutting because we do not know our histories. Newer members of orchestras need to know about the battles that have been fought to bring their orchestra contract to where it is today in order to improve it for the future. As teachers, we need to educate emerging professionals about what it means to be a union member, why there are local minimums and why we must not undercut other musicians. Only through understanding our history will we, and future musicians, be able to make informed decisions.

If you set yourselves one project this year, write your history, recognizing that it is constantly evolving. It will be a great tool to introduce yourselves to new musicians in the orchestra, to your public, board and staff.

- Rob McCosh

OCSM/OMOSC 2000 - 2001

DELEGATES

Calgary Philharmonic – Mark Johnson
COC Orchestra – Elaine Thompson
Edmonton Symphony – Andrew Bacon
Kitchener-Waterloo Symphony – Tony Christie
NAC Orchestra – Francine Schutzman
National Ballet Orchestra – Shelley Brown
Hamilton Philharmonic – Ken MacDonald
Orchestra London – Karen Kjeldson
O.S. de Montréal – Marc Béliveau
O.S. de Québec – Simon Jacobs
Regina Symphony – Gary Borton
Saskatoon Symphony – Don Schmidt
(Hamish Gordon)*
Symphony Nova Scotia – Shimon Walt
(Ivor Rothwell)*
Thunder Bay Symphony – Jeff Gibson
Toronto Symphony – Susan Lipchak
Vancouver Symphony – Ron Milne
Victoria Symphony – Bob Fraser
Windsor Symphony – Peter Voisey
Winnipeg Symphony – Arlene Dahl

* alternate attended the 2000 Conference
- no delegate from Hamilton or Windsor attended

EXECUTIVE

President – Rob McCosh (Nova Scotia)
1st Vice President – Edie Stacey (Edmonton)
2nd Vice President – Steve Mosher (National Ballet)
Secretary – Francine Schutzman (NACO)
Treasurer – Jeff Gibson (Thunder Bay)

four groups which make up the attendee list. First, the delegates. A conference cannot be successful without high-quality representation from the orchestras and this year's group certainly fit the bill. These delegates are responsible for making informed decisions on behalf of the 1000+ membership of OCSM and this year had some tough issues to grapple with.

Second, the 'guests' from the AFM. We should not make any mistake about our mandate. OCSM was formed to address the problems of symphonic musicians in Canada and to work towards improving conditions within the AFM so that we are better equipped at the table with management. The best way to deal with those concerns is to have solid representation from the Locals and stirring the pot this year were the AFM Vice-President from Canada Dave Jandrisch; President of the AFM Canadian Conference Eddy Bayens; Edmonton Secretary-Manager Bill Dimmer; Regina Secretary Brian Dojack; Montréal President Emile Subirana; and Toronto Business Rep. Jim Biros. Local Officers or Board members who are also OCSM Delegates are Mark Johnson, Bob Fraser and Francine Schutzman. Doug Kuss, Secretary-Treasurer of the Calgary Local deserves special mention for his contributions to the success of the conference.

Third, the AFM Symphonic Services Division. Laura Brownell has attended OCSM Conferences as SSD Canada Supervisor since 1994 and along with Florence Nelson, SSD Director in New York, they are a formidable combination of experience and wisdom. Laura and Florence, along with AFM Canada legal counsel Michael Wright conduct NOW – the Negotiating Orchestras Workshop – the day before the conference begins. This is a very useful session where delegates can ask/give advice concerning negotiations and have their situation scrutinized by the group.

This year's OCSM Conference dealt with many of the usual issues - conflicts with management and symphony boards, alternative bargaining methods, and the age-old discussion of musicians being employees or self-employed. The fourth group at the OCSM Conference, guest speakers, touched on some new issues. Barbara Haig delivered a dynamic seminar on dealing with the media; Patti Pon is a Calgary-based administrator for the Alberta Performing Arts Stabilization Fund (APASF) and she talked us through the basics of arts stabilization; and Michael Wright led a conflict of interest panel. (For a brief account of these three topics, please see the International Musician, October 2000.) Following are the Resolutions that were passed by the delegation this year.

Resolution No. 1

Whereas, Orchestras Canada has twice distributed memos to member orchestras concerning the tax status of orchestral musicians without consulting the OCSM/OMOSC Executive Board; and

Whereas, The memos contained opinions which have had a negative impact on negotiations across the country; therefore be it

Resolved, That OCSM/OMOSC remove itself from the Orchestras Canada Board but continue its involvement in special projects through the Joint Industry Task Force with the AFM.

We have been drifting away from Orchestras Canada (OC, formerly ACO) for a number of years. Our relationship with OC is unique in the industry. We sit as a non-voting member on their Board of Directors, attend meetings, and consult on various issues. Until a few years ago, we had a day-long session at the OCSM Conference called DIALOGUE. That meeting brought together OCSM, AFM and OC along with representatives from the CBC and various agencies and we heard reports on the state of these relationships. On one hand, a yearly forum with these groups is beneficial; on the other hand, lobbying by OCSM and the AFM has solidified to the point where the formal relationship with Orchestras Canada is no longer essential. The AFM will remain on the OC Board and we trust that our decision will not have a negative effect on our ability to participate in future projects.

Resolution No. 2

Resolved, That OCSM/OMOSC appoint the firm of Grant Thornton, Winnipeg, as Auditor for the 2000-2001 year of operations.

Resolution No. 3

Whereas, Interested third parties going through their Orchestra Committees can avoid paying the fee for the OCSM/OMOSC conductor evaluations from other orchestras; and

Whereas, OCSM/OMOSC has been unable to recoup the costs of compiling, printing and mailing the evaluations; therefore be it

Resolved, That OCSM/OMOSC charge each applicant \$5.00 for all evaluations on a specific conductor, and implement a sliding scale for additional evaluations.

For as long as anyone can remember, Dave Otto has compiled OCSM conductor evaluations and been the Data Bank Operator. He has done a magnificent job in handling the information and making sense of it, as well as revising the evaluation form to keep it current. Dave

has turned over those duties to Stefan Jungkind of the Edmonton Symphony Orchestra. Stefan reported to the Conference and is working with the OCSM Executive to ensure that the information gathered from conductor evaluations is secure, and we are revising the guidelines for that purpose. In addition, there are costs associated with operating such a data bank and according to the guidelines already in place (1983), the results of an evaluation are available at a fee of \$5.00. We will now be enforcing the guidelines.

Resolution No. 4

Whereas, OCSM/OMOSC is a national organization working for the general welfare of symphonic musicians; and

Whereas, The cost of doing that work has steadily increased; and

Whereas, The OCSM/OMOSC Emergency Relief Fund has been used to assist musicians in Hamilton, Toronto and Montreal; therefore be it

Resolved, That OCSM/OMOSC increase its annual per capita dues by \$6.00 beginning with the 2000-2001 year of operations; and, be it further

Resolved, That the dues increase be distributed as follows: in 2000-2001, \$4.00 to the OCSM/OMOSC ERF and \$2.00 to general operations; thereafter, \$3.00 per year to the OCSM/OMOSC ERF; and, be it further

Resolved, That the OCSM/OMOSC ERF maintain a minimum balance of \$1,000.00 until OCSM/OMOSC determines otherwise; and, be it further

Resolved, That OCSM/OMOSC lobby the AFM for matching funds for the OCSM/OMOSC ERF in the 2000-2001 year of operations only.

The Emergency Relief Fund is a concept that was proposed a few years ago by then-OCSM Secretary (now Secretary Emeritus) Steve Wilkes. We feel that it is long overdue and the delegates voted to start up the fund this year. We trust that your OCSM delegate has offered adequate explanation of the dues increase at an orchestra meeting.

Resolution No. 5

Whereas, Article 20, Section 13, of the AFM Bylaws requires "a two-thirds vote of the beneficiary musicians..." for entry into the AFM Symphony-Opera Orchestra Strike Fund; and

Whereas, Article 28(1) B.2 of the AFM Bylaws provides for entry into another AFM strike fund called the Theatre Defense Fund with a "majority vote of those members voting by secret ballot"; and

Whereas, Prior to the 1997 AFM Convention, Article 20, Section 13, required only a "majority vote on secret ballot," for entry into the AFM Symphony-Opera Orchestra Strike Fund; and

Whereas, The vast majority of orchestras in the AFM Symphony-Opera Orchestra Strike Fund were permitted to enter the Fund under the pre-1997 rules; and

Whereas, Participation in a union strike fund is an integral part of union membership and therefore automatic in virtually every other trade union; and

Whereas, The post-1997 2/3 requirement has an unfair and inequitable chilling effect on opportunities for AFM/S-OO membership for orchestras that were previously denied access to the Fund; therefore, be it

Resolved, That OCSM/OMOSC actively promote an amendment to Article 20, Section 13.A as follows: "Participation in the Fund shall be on a voluntary basis by those eligible groups whose players, by a majority vote of the beneficiary musicians..."

This past season, four orchestras in Canada voted on entry into the AFM Symphony-Opera Orchestra Strike Fund and only one attained the requisite two-thirds majority. This resolution will go to the other conferences and we will continue discussion as to whether there is any chance that we can get this passed at the next AFM Convention in 2001.

Atlanta Ballet Strike Is Over

Probably the worst problem ROPA (the Regional Orchestra Players Association), and the AFM, has faced in recent memory is the strike at the Atlanta Ballet and the subsequent replacement of their orchestra with scab workers. The AFM vowed to provide whatever resources were required to win this fight. It's a complex problem that is complicated by the existence of "right to work" states such as Georgia, and while current labour laws in Canada mean that such a scenario could not play out here, who knows what is in the future if the conservative agenda continues to tamper with the gains we've made. Atlanta Ballet Orchestra (ABO) delegate to ROPA, Mark McConnell, suggests that "we must begin educating young musicians to learn the value of collective bargaining, and somehow let them know of the struggles that so many of us have fought over the years."

During the 1999-2000 season, the Atlanta Ballet performed with a scab orchestra made up of students and teachers and a few AFM members who chose to cross the picket line. The main issue was pension – the Atlanta Ballet Orchestra had proposed entry into the AFM-EP and management refused. No one at the Atlanta Ballet is covered by employer-contributed pension.

After a number of attempts to re-start negotiations, the AB management informed the musicians on August 14, that they had decided to

"eliminate the musician class of employees and move to a complete outsource of orchestra services". A few days later they produced a signed contract with an orchestra from the Czech Republic to provide orchestra services this year. Mark McConnell explains the latest:

"Last night (Sept. 19), in an amazing turn of events, the members of the Atlanta Ballet Orchestra ratified a new 3 year master agreement. This surprising turnaround was brought about by many things. Probably the pivotal issue was management's failure to engage the orchestra from the Czech Republic. The Czechs were unaware that there was an ongoing labor dispute here in Atlanta, and they had no desire to walk into the middle of it. Management suddenly found itself facing the prospect of using tape for their season opener of 'Romeo and Juliet'.

"Many thanks are due to all of you, especially Florence Nelson and Chris Durham. They flew into Atlanta last week and met with the ballet's Artistic Director, John McFall. At the end of an entire day of negotiations, they emerged with a memorandum of understanding in which the ballet conceded all the major issues. We now have pension, guaranteed services for each individual musician, and a fair dismissal clause. Management stated over and over the last year that as soon as anyone got a pension they would have to give it to all employees. I now assume that we have managed to get a pension for not just for ourselves, but for everyone who works for the ballet. How's that for collective action?"

NOTE DROPPINGS

After a hiatus, it was a pleasure to see Richard Totusek back at OCSM. Richard is the Vice-President of Los Angeles Local 47 and OCSM Parliamentarian. Aside from his regular duties of making sure that procedure is followed and that Resolutions are correctly worded, Richard took us through a crash course on cleaning up your collective agreement. The most important ingredient in an agreement is clarity and Richard recommends that existing agreements should be cleaned up *before* you begin negotiations on a successor agreement. If there has been confusion over a particular section or clause, make sure it says what you mean it to say and that both parties agree on what is meant. Then organize the agreement into a logical order. Once you've done that, you can get down to bargaining. As President Rob McCosh says in his message, problems have arisen during negotiations because we do not know our

histories. Richard's method is a good way to get two things done at once.

<www.ocsm-omosc.ca> The OCSM Web Site is much improved this year. You will find that we have links to every orchestra web site, plus links to those player committees that have web sites. The main "links" is in four sections: Player Conferences; The Union; Public Sector and; Resources. In the future, we will be uploading UNA VOCE and OCSM-recommended guidelines and procedures (i.e. health and safety, conductor evaluation, bylaws).

Please take a few minutes to check out the web site and to register for the Forum. The eGroup sign-up declares "To Access, get a username and password from your orchestra's OCSM representative", however, that is a ruse. Anyone can sign up immediately to join the OCSM Group. Obviously, there is no security so be careful what you post. If the Forum users feel that the eGroup should be password-protected, then we'll look into going that route. Once you have signed up, you will be able to choose between reading postings on the Web, or having them automatically e-mailed to you.

Tromboning Section? - Discussing a proposed smoking ban in restaurants in Anchorage Alaska's Assembly, Chairwoman Fay Von Gemmingen explained that "Someone said that having a smoking section in a restaurant is like having a peeing section in a swimming pool." The Anchorage Assembly then passed its ban on smoking in restaurants.

--reprinted from *ACTS FACTS*, the monthly newsletter from Arts, Crafts and Theater Safety (ACTS) in New York. Monona Rossol, Editor www.caseweb.com/ACTS

NOTICE TO DELEGATES – Orchestra lists are due November 1. Jim Ewen needs two copies of each list - one for the 2000-2001 OCSM Directory, and the second for HED, the OCSM insurance company. Don't make him come to your house. He has a contrabassoon and he knows how to use it.

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