

Minutes
2011 ROPA Conference
Portland, Maine

Tuesday, August 2, 2011 – Thursday, August 4, 2011

Attendees

Akron Symphony Orchestra
Albany Symphony
Allentown Symphony
Ann Arbor Symphony
Arizona Opera Orchestra
Atlanta Ballet Orchestra
Atlanta Opera Orchestra
Austin Symphony Orchestra
Boulder Philharmonic
California Philharmonic
Canton Symphony Orchestra
Charleston Symphony Orchestra
Chattanooga Symphony & Opera Orchestra
Colorado Springs Philharmonic Orchestra
Dallas Opera Orchestra
Dayton Philharmonic
Delaware Symphony Orchestra
Duluth Superior Symphony Orchestra
East Texas Symphony Orchestra
El Paso Symphony
Elgin Symphony Orchestra
Erie Philharmonic Orchestra
Eugene Symphony
Fort Wayne Philharmonic
Fresno Philharmonic Orchestra
Grand Rapids Symphony
Harrisburg Symphony Orchestra
Hartford Symphony Orchestra
Hollywood Bowl Orchestra
Houston Ballet Orchestra
Houston Grand Opera Orchestra
Huntsville Symphony Orchestra
Illinois Philharmonic Orchestra
Kalamazoo Symphony Orchestra
Las Vegas Philharmonic
Lexington Philharmonic
Long Beach Symphony Orchestra
Long Island Philharmonic
Memphis Symphony Orchestra
Michigan Opera Theatre Orchestra
Minnesota Opera Orchestra
Mississippi Symphony Orchestra
Monterey Symphony
Napa Valley Symphony
New Haven Symphony Orchestra
New Mexico Symphony Orchestra

New West Symphony
Oakland East Bay Symphony
Omaha Symphony Orchestra
Opera Cleveland
Pacific Symphony
Palm Beach Opera Orchestra
Pasadena Symphony
Pittsburgh Ballet Orchestra
Pittsburgh Opera Orchestra
Portland Opera Orchestra
Portland Symphony Orchestra
Reading Symphony Orchestra
Rhode Island Philharmonic
Richmond Symphony
Santa Barbara Symphony
Santa Rosa Symphony
Sarasota Orchestra
South Bend Symphony
Southwest Florida Symphony Orchestra
Spokane Symphony Orchestra
Symphony Silicon Valley
Toledo Symphony Orchestra
Tucson Symphony Orchestra
West Virginia Symphony
Wichita Symphony Orchestra
Wisconsin Chamber Orchestra

Associate Members

Eastern Connecticut Symphony Orchestra
Flint Symphony Orchestra
Green Bay Symphony Orchestra
Lincoln Symphony Orchestra
Milwaukee Ballet Orchestra
Tulsa Opera Orchestra

Member Orchestras Not Represented

California Symphony
Hudson Valley Philharmonic
Knoxville Symphony Orchestra
Los Angeles Chamber Orchestra
Los Angeles Opera Orchestra
Orchestra Iowa
Shreveport Symphony Orchestra
none

August 2, 2011

Proceedings

ROPA President Carla Lehmeier-Tatum warmly welcomed the Delegates and attendees and called the Conference to order at 9:12 a.m., Tuesday, August 2, 2011. President Lehmeier-Tatum introduced the ROPA Executive Board: Vice-President Paul Austin, Secretary Larry Gardner, Treasurer Dennis Danders, Members-at-Large Dwight Anderson, Karen Barker, Tim Judd, Nancy Nelson, Karen Sandene and Greg Youmans, and Delegate-at-Large to the AFM Convention Gary Lasley. Also introduced were Conference Host Richard Kelly and Conference Coordinator Tim Dickmeyer.

Quorum

Secretary Gardner performed the Roll Call, and determined that there was a quorum, with 78 orchestras represented; 72 Full Members and six Associate Members.

Welcoming Addresses

Patrick Hollenbeck, President of Local 9-535 addressed the conference welcomed the delegates to the conference and gave a quick lesson on the pronunciation of "LAHBstah"

Conference host, Richard Kelly welcomed delegates

Portland Symphony Board Chair Gordon Gayer addressed the conference, welcoming the delegates and describing the good working relationship with the musicians;

Tim Dickmeyer, conf coordinator gave conference details to the delegates;

Officer Reports

President Lehmeier-Tatum delivered the President's Report.

Vice President Paul Austin gave his Vice President's report.

Secretary Larry Gardner delivered the Secretary report

Treasurer Dennis Danders delivered the Treasurer's report.

Motion to accept proposed budget for 2011-12 by Andy Malloy, M/S/C

President Hair

Ray Hair, AFM International President addressed the conference. He spoke of the need for the different constituencies in the AFM to work with the spirit of unity and common purpose; there is strength in our diversity. He addressed the assaults on the orchestra industry; in particular, the attack on the pension fund, calling it an attack on the AFM. The financial health of the AFM was also discussed. President Hair introduced Jay Blumenthal as new SSD Executive Director.

SSD Director Jay Blumenthal

Jay Blumenthal spoke about current challenges being faced by symphony musicians in many orchestras, with managements and boards at odds with musicians and labor.

MAL Breakout Sessions

The ROPA Delegates met with their Member-at-Large and SSD representatives to discuss their orchestra's situations and their members' concerns. They also addressed several topics that were sent out by the ROPA Executive Board prior to the conference.

New Delegate Orientation

The new Delegates attended an orientation hosted by VP Paul Austin

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Symphonic Services Presentation

Joel LeFevre and Joe Goldman presented examples of how a wide variety of media was implemented during the Detroit Symphony strike. Promotional activities were also described.

Presentation - Grievance & Arbitration

Rochelle Skolnick spoke on the Grievance and Arbitration process.

Presentation - Bankruptcies in the Symphonic World

AFM Attorney Jennifer Garner gave a presentation about how bankruptcy is being used in the symphonic world, leading to institutional damage as well as undermining Union solidarity. Garner illustrated the differences of Chapter 7 vs. Chapter 11 bankruptcies. Also discussed were warning signs to look when orchestras are under financial distress. Orchestra members' rights when an orchestra enters bankruptcy were also pointed out.

Presentation - The Orchestra Turn Around: Colorado Springs and New Mexico

A panel discussion entitled *The Orchestra Turnaround* featured representatives from the Colorado Springs and New Mexico Philharmonic orchestras who spoke of their challenging institutional journeys. Participating in the discussion were Mary Ann Lemoine, Diane Merrill and Nathan Kahn, representing the Colorado Springs Philharmonic, and Linda Boivin and Carla Lehmeier-Tatum, representing the New Mexico Philharmonic orchestras.

Presentation - The History of the AFM, Part 1

AFM President Ray Hair presented a PowerPoint presentation charting the early history of the AFM.

Nominations

ROPA President Carla Lehmeier-Tatum ceded the floor to Vice President Paul Austin. Mike Smith nominated Nancy Nelson, Houston Grand Opera and Houston Ballet, for the office of Vice President. The Conference then elected Nelson by acclamation.

Larry Gardner nominated Karen Sandene, Omaha Symphony, for the office of Secretary, and she was elected by acclamation.

The following people were nominated for 5 open ROPA Member-at-Large positions:

- Dynell Weber, Long Beach Symphony, by Tim Judd
- John Michael Smith, Minnesota Opera Orchestra, by Ann Gilbert
- Mary Anne Lemoine, Colorado Springs Philharmonic, by Larry Gardner
- Donna Loomis, El Paso Symphony, by Richard Kelly
- Richard Kelly, Portland Symphony, by Donna Loomis
- Greg Youmans, Spokane Symphony, by Tim Judd
- Ann Gilbert, Opera Cleveland Orchestra, by Dwight Anderson (declined nomination)

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Presentation - When Talks Break Down

Harvey S. Mars, Esq. discussed the different forms that arbitration can take when talks break down. Several examples of arbitration types from the world of professional sports were explained. How musicians can use social media to plead their case to the public were mentioned.

Presentation - George Cohen

George Cohen, Director of the Federal Mediation and Conciliation Services Department gave a presentation on negotiation alternatives. He stressed the importance of transparency, and that if you can't agree across the table on facts you will never be able to have a meaningful discussion on the solutions. Having mutual respect with the parties on the other side of the table is important, even when these parties hold strongly competing views. The role of a mediator in keeping momentum going during negotiations was discussed, as was the importance of having a broad base of your membership participating on committees.

Presentation - Conductor Database report

ROPA Vice President Paul Austin reported on the Conductor Evaluation Bank and stressed the duty of ROPA Delegates to encourage our orchestra musicians to evaluate conductors on a regular basis, including Resident Conductors as well as Guest Conductors.

Presentation - Electronic Media Opportunities

Debbie Newmark spoke about the Integrated Media Agreement, and highlighted several ROPA orchestras that have signed off on it and have created media projects.

Auction

An auction was held for the benefit of the Lew Waldeck Fund

Audit Committee Report

The Audit committee reported that the books were found to be in good order.

Resolutions

The following Resolutions were approved by the ROPA Conference.

Resolution No. 1 – Conductor Evaluation Administrator

Whereas, The ROPA Vice President maintains a vast collection of conductor evaluations known as the ROPA Conductor Evaluation Bank (the "Bank"); and

Whereas, The Bank contains sensitive information that must be faithfully guarded; and

Whereas, The ROPA Vice President has many other important duties; and

Whereas, Maintaining the Bank and other tasks associated with the Bank can be performed by an administrator or Adjunct Officer; therefore, be it

Resolved, That the following Articles of the ROPA Bylaws be amended as follows:

1. Article IV

Section 3. Vice President- The Vice President shall:

- (a) Preside at meetings in the absence of the President or when the President so requests;
- (b) Assist prospective member orchestras with membership information;
- (c) Make official announcements of new ROPA member orchestras;
- (d) Process all ROPA membership applications;
- (e) [~~Process, supervise and maintain the ROPA conductor evaluations;~~]
- (f) [~~Promptly transmit all ROPA conductor evaluations to his/her successor upon leaving office;~~]
- (g) Set up three or four MAL calls per year, stating the deadline for entering the reports online and suggesting questions for the MAL call, with input from the ROPA Executive Board;
- (h) Help with the MAL calls, when necessary;
- (i) Submit a written report of his or her official activities to each General Conference and at the mid-year meeting of the ROPA Executive Board;
- (j) Be, by virtue of office, the first alternate elected representative to the AFM Player Conference Council;
- (k) Be, by virtue of office, Second Delegate to the AFM International Convention;
- (l) Promote any proposed ROPA legislation, or any Players Conference Council's legislation that ROPA sponsors or co-sponsors at the AFM Convention;
- (m) Send appropriate documents for archiving to the ROPA Historian;
- (n) serve as ex-officio member of the Legislative Committee;
- (o) Be responsible for duties listed under Article VI Executive Board.

2. Article VII

Section 1. Enumeration: The Adjunct Officers shall include an Editor of *The Leading Tone*, a Historian, [~~and~~] a Webmaster, **and a Conductor Evaluation Administrator** who shall serve subject to an appointment by the President with the approval of the Executive Board.

NEW SECTION

Section 5 Conductor Evaluation Administrator: The Conductor Evaluation Administrator shall:

- (a) be responsible for housing the ROPA Conductor Evaluation Bank (the "Bank");**
- (b) electronically scan new evaluations in order to maintain electronic archives of the evaluations;**
- (c) field questions regarding the Bank from delegates and managers;**
- (d) fulfill requests to view a file in accordance with the procedures set forth in the ROPA Delegate Handbook;**
- (e) serve as liaison for requests from ROPA orchestras for files from the ICSOM and OCSM banks;**
- (f) maintain the Bank in a secure manner to ensure the confidentiality of its contents and protect ROPA from legal exposure.**

Resolution No. 1A – ROPA Conference Coordinator

Whereas, The ROPA Bylaws make reference to a “ROPA Conference Coordinator” but do not provide for a selection process for the coordinator; and

Whereas, ROPA has historically utilized a coordinator for its annual conferences; and

Whereas, The ROPA Conference Coordinator works with the ROPA President and Executive Board, as well as the ROPA Conference Committee; and

Whereas, those coordinators were often appointed by the ROPA President and approved by Executive Board; therefore, be it

Resolved, That Article VII of the ROPA Bylaws be amended as follows:

1. **Article VII. Adjunct Officers and Standing Committees**

2. Section 1. **Enumeration:** The Adjunct Officers shall include an Editor of *The Leading Tone*, a Historian, ~~and~~ a Webmaster, **and a Conference Coordinator.**~~who~~ **Adjunct Officers** shall serve subject to an appointment by the President with the approval of the Executive Board.

3. Section 9. **Conference Committee:** The ROPA Conference Committee shall have the purpose of assisting the ROPA Conference Coordinator with Conference details; and to supervise Conference scheduling, content, logistics, CFP_s (calls for presentations). ~~[The Conference Coordinator shall be, ex officio, the chairman of the Conference Committee.]~~ The ROPA Treasurer shall be, ex officio, a member of the Conference Committee. The ROPA President shall appoint up to three additional members to the Conference Committee.

4. NEW SECTION

ROPA Conference Coordinator: The ROPA Conference Coordinator shall work at the direction of the President, or the President’s designee, on all matters concerning the ROPA annual conference. The Conference Coordinator shall be, ex officio, the chairman of the Conference Committee.

Resolution No. 1B – Housekeeping For Non-gender Specific References to Committee Chairs

Whereas, Article 22 of the AFM Bylaws promulgates the use of non-gender references “...in all AFM and Local Constitutions and Bylaws, wage scale sheets (price lists), contracts, CBAs, correspondence, and office memos.” when referring to musicians and members; and

Whereas, The ROPA Bylaws – specifically in Article VII – references “chairman” for the committee chairs; therefore, be it

Resolved, That references to “chairman” shall be changed to “chair” throughout the ROPA Bylaws.

Resolution No. 2 – Orchestra Bankruptcies

Whereas, The attempts that occurred this year in Wisconsin, Michigan, Ohio, New Mexico, and other states to deprive workers of the right to bargain collectively- and in good faith- displayed an egregious contempt for workers who seek a fair bargain, thereby threatening the entire American Labor Movement; and

Whereas, The attempts have established clear evidence that there are those who will stop at nothing to deprive workers of their rights; and

Whereas, The number of bankruptcy filings by orchestra employers has been increasing at an alarming rate; and

Whereas, The consequences of those filings have in some cases been the loss of employment and benefits for musicians; and

Whereas, In some cases, employers have taken advantage of bankruptcy rights in an effort to diminish the wages, benefits and/or working conditions in collective bargaining agreements covering musicians' employment by filing for bankruptcy; and

Whereas, The loss or diminishment of wages and benefits sought by employers by filing for bankruptcy is an injustice to all musicians and must be opposed at every opportunity; and

Whereas, Such injustices constitute – with horrendous effect - an egregious contempt for musicians seeking a fair bargain; therefore, be it

Resolved, That ROPA considers the misuse of the bankruptcy process to deprive musicians of benefits and negotiated wages and working conditions as an exploitation of musicians; and be it

Resolved, That ROPA condemns any use of the bankruptcy process to circumvent the employers' obligations to deal in good faith, or to obstruct the musicians' right to a fair bargain; and be it

Resolved, That ROPA urges the American Federation of Musicians, AFL-CIO (the "AFM") to vigorously oppose any use of the bankruptcy process that could result in the diminishment of a fair bargain for musicians or an exploitation of and injustice to musicians; and be it

Resolved, That a copy of this Resolution shall be sent to each member of the AFM International Executive Board; and be it further

Resolved, That a copy of this Resolution shall be sent to the AFL-CIO.

Resolution No. 3 – Arts Advocacy

Whereas, The Arts are fundamental to human society; and

Whereas, Studies have shown that the Arts enhance educational and child development – thereby providing enrichment; and

Whereas, Studies have shown that the Arts have a positive economic impact in society and in communities; and

Whereas, Cuts in funding for the Arts historically have been among the first cuts as a cost-saving measure by local, state and federal governments; and

Whereas, Such cuts have always resulted in a diminished quality of life; and

Whereas, Recently funding for the National Endowment for the Arts (the "NEA") has been cut by the U.S. Congress as a budget-balancing measure; and

Whereas, Even further cuts to the NEA were recently attempted; and

Whereas, The most recent efforts to cut NEA funding were defeated by Arts advocacy efforts; therefore, be it

Resolved, That the Regional Orchestra Players' Association ("ROPA") supports Arts advocacy at all local, state and federal levels; and be it

Resolved, That ROPA urges all ROPA musicians to become advocates for the Arts at every opportunity; and be it

Resolved, That ROPA opposes all efforts to cut funding for the Arts; and be it further

Resolved, That ROPA urges the American Federation of Musicians, AFL-CIO to continue to vigorously endorse Arts funding and to vigorously oppose funding cuts for the Arts.

Resolution No. 4 – New Mexico Orchestral Musicians

Whereas, The New Mexico Symphony Orchestra is a charter member of the Regional Orchestra Players' Association ("ROPA"); and

Whereas; It is the musicians who constitute the orchestra; and

Whereas, The spirit of ROPA is that ROPA musicians help each other; and

Whereas, Earlier this year the board of directors for the New Mexico Symphony Orchestra voted and subsequently filed for Chapter 7 Bankruptcy – which will result in a dissolution of the organization; and

Whereas, The New Mexico orchestral musicians have nevertheless been able to pull together community resources, and intend to provide concerts for the community they serve; and

Whereas, The orchestral musicians have obtained office space and announced a "Build the Future" campaign; and

Whereas, An announcement has been made on the formation of the New Mexico Philharmonic; therefore, be it

Resolved, That the Regional Orchestra Players' Association stands in solidarity with the New Mexico orchestral musicians and applauds their efforts in providing an orchestra for their community; and be it further

Resolved, That ROPA supports the New Mexico orchestral musicians in their courageous efforts to create an orchestra.

Resolution No. 5 – Honoring Amy Morris

Whereas, Amy Morris was Editor of *The Leading Tone* from 2006 until 2011; and

Whereas, Amy Morris never missed a publication; and

Whereas, Amy Morris set and maintained high journalistic standards; and

Whereas, The content of *The Leading Tone* under her leadership was timely, informative and enlightening; therefore, be it

Resolved, That the Delegates of the 2011 ROPA Conference of the American Federation of Musicians honor the accomplishments of Amy Morris and express their sincere appreciation for her many years of service to ROPA musicians as *The Leading Tone* Editor.

Resolution No. 6 – Honoring Patricia Polach

Whereas, Patricia Polach has been ROPA General Counsel for 13 years; and

Whereas, Patricia Polach has been a staunch advocate for musicians; and

Whereas, ROPA has greatly benefited from her wisdom and advocacy; and

Whereas, Patricia Polach has guided ROPA through challenging and difficult times; and
Whereas, Patricia Polach's service and support to ROPA will be profoundly missed; therefore, be it
Resolved, That the Delegates of the 2011 ROPA Conference of the American Federation of Musicians honor Patricia Polach and express their sincerest gratitude for her many years of service to ROPA musicians as ROPA General Counsel.

Emergency Resolution No. 1 – Honoring Paul Austin

Whereas, Paul Austin has faithfully served ROPA for 5 years as Member-at-Large and Vice-President; and

Whereas, Paul Austin worked tirelessly as an advocate for and on behalf of ROPA musicians - both internally and across the AFM; and

Whereas, Paul Austin served the needs of the ROPA Delegates and performed his duties consistently well; and

Whereas, Paul Austin focused much of his energy on recruitment; and

Whereas, twelve new orchestras joined ROPA while Paul Austin was Vice-President; and

Whereas, Paul Austin's dedication and energy will be missed; therefore, be it

Resolved, That the Delegates of the 2011 ROPA Conference of the American Federation of Musicians honor the service of Paul Austin to ROPA musicians and express their sincere appreciation for his many years of service to ROPA as Member-at-Large and Vice President; be it further

Resolved, That the Delegates of the 2011 ROPA Conference of the American Federation of Musicians bestow upon Paul Austin the title of Vice President Emeritus.

Emergency Resolution No. 2 – Honoring Larry Gardner

Whereas, Larry Gardner has served ROPA since 2003 as Member-at-Large, Vice President, and Secretary; and

Whereas, Larry Gardner has been a vocal advocate for free unionism across the AFM and across the national labor fabric; and

Whereas, Larry Gardner has faithfully recorded the official proceedings of ROPA for its legacy; and

Whereas, Larry Gardner has represented ROPA at AFM Conferences and meetings with distinction; and

Whereas, Larry Gardner has worked tirelessly on behalf of ROPA; and

Whereas, ROPA has greatly benefited Larry Gardner's vision and leadership; therefore, be it

Resolved, That the Delegates of the 2011 ROPA Conference of the American Federation of Musicians honor the accomplishments of Larry Gardner and express their sincere appreciation for his many years of service to ROPA musicians as Member-at-Large, Vice President, and Secretary; be it further

Resolved, That the Delegates of the 2011 ROPA Conference of the American Federation of Musicians bestow upon Larry Gardner the title of Secretary Emeritus.

Election Results

Election Committee Chair Anthony Scelba delivered the election results--there were no problems.

*Richard Kelly	62
*John Michael Smith	60
*Donna Loomis	56

*Greg Youmans 53
**Mary Anne Lemoine 45
Dynell Weber 44

* *Elected 2 year term*

***Elected 1 year term*

Oath of Office

ROPA President Emeritus Nathan Kahn administered the oath of office to the newly elected ROPA Board.

Adjourned

ROPA President Carla Lehmeier-Tatum adjourned the 2011 ROPA Conference at 1:30 p.m. on Thursday, August 4, 2011.

Respectfully submitted,

Karen Sandene, ROPA Secretary

Approved date 3/4/2012