

## **Resolution N°. 1**

*July 26, 2023*

**Subject:** *Resolution in Solidarity with Striking Members of the WGA and SAG-AFTRA*

### **Solidarity Resolution**

Whereas, On May 2, 2023, the Writers Guild of America (“WGA”) declared a nationwide strike, where streaming residuals and the invasion of artificial intelligence into their work are at the forefront of their dispute; and

Whereas, On July 14, 2023, the Screen Actors Guild-American Federation of Television and Radio Artists (“SAG-AFTRA”) declared a nationwide strike, where the same issues are in dispute; and

Whereas, WGA and SAG-AFTRA are on strike because of an assault on their wages and working conditions which makes it more and more difficult to earn a living; and

Whereas, These same issues deeply affect the American Federation of Musicians of the United States and Canada (“AFM”) who also bargain with the Alliance of Motion Picture and Television Producers (“AMPTP”) over wages and terms and conditions of work and are affected by the same issues that the WGA and SAG-AFTRA are facing; and

Whereas, The Regional Orchestra Players’ Association (“ROPA”) encourages its members to seek the same goals of fair pay, fair working conditions, and a sustainable living from their employers; therefore, be it

*Resolved*, That the Regional Orchestra Players’ Association (“ROPA”) stands in solidarity with the members of the Writers Guild of America (“WGA”) and the Screen Actors Guild-American Federation of Television and Radio Artists

("SAG-AFTRA") and wishes them a swift and positive resolution to their strikes.

**Submitted by:** The ROPA Executive Board

## **Resolution N°. 2**

*July 26, 2023*

**Subject:** *Resolution Condemning the Use of Artificial Intelligence to Replace Artists and Musicians*

### AI Resolution

Whereas, In recent years, the use of Artificial Intelligence (“AI”) and computer-generated creative material has threatened the livelihoods of musicians, artists and creators; and

Whereas, Electronic Replacement Technologies and Software, such as KeyComp, diminish the experience of live music; and

Whereas, Musicians who are members of orchestras that belong to the Regional Orchestra Players’ Association (“ROPA”) increasingly face the threat of replacement from such technologies; and

Whereas, The delegates to the 102nd Convention of the American Federation of Musicians of the United States and Canada (“AFM”) passed Resolutions 2 and 4, put forth by ROPA’s player conference colleagues, the Theatre Musicians’ Association (“TMA”), in opposition to the use of such replacement technologies and establishing a Fund to combat their use; and

Whereas, members of the Writers Guild of America (“WGA”) and the Screen Actors Guild-American Federation of Television and Radio Artists (“SAG-AFTRA”) are currently on strike in opposition to the use of AI to replicate their creative work and reduce their pay and benefits; and

Whereas, ROPA stands with the members of the WGA and SAG-AFTRA<sup>1</sup> in solidarity as we all seek a common goal; therefore, be it

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<sup>1</sup> See Resolution Number 1

*Resolved*, That the Regional Orchestra Players' Association ("ROPA") strongly opposes the use of Artificial Intelligence ("AI") and Electronic Replacement Technologies in the performing arts; and be it further

*Resolved*, That ROPA supports the work of the American Federation of Musicians of the United States and Canada ("AFM") to combat the use of these technologies by the producers of performing arts, including but not limited to the Alliance of Motion Picture and Television Producers ("AMPTP"), and other producers of live music, film, television, theater, and streaming services; and be it further

*Resolved*, That ROPA encourages its members to seek to bargain protections against the use of AI and Electronic Replacement Technologies in their workplaces.

**Submitted by:** The ROPA Executive Board

## **Resolution N°. 3**

*July 26, 2023*

**Subject:** *Resolution in Support of the Fair Share for Musicians Campaign*

### Fair Share for Musicians Resolution

Whereas, In recent years, the importance of gaining revenue from streaming products has become more and more important to artists and creators; and

Whereas, The American Federation of Musicians of the United States and Canada (“AFM”) has worked tirelessly and bargained fiercely in order to negotiate increased streaming revenue into AFM Media Agreements; and

Whereas, Many musicians, including musicians who are members of orchestras that belong to the Regional Orchestra Players’ Association (“ROPA”), rely on revenue from media projects, which is increasingly taking the form of streaming revenue, as a portion of their income; and

Whereas, This fall, the AFM will begin bargaining with the Alliance of Motion Picture and Television Producers (“AMPTP”) over streaming revenues for musicians who play on Film and Television scores; and

Whereas, The wealthy executives of the AMPTP are the same Employers who are currently being struck by the Writers Guild of America (“WGA”) and the Screen Actors Guild-American Federation of Television and Radio Artists (“SAG-AFTRA”), where streaming revenue is at issue; and

Whereas, ROPA stands with the members of the WGA and SAG-AFTRA<sup>1</sup> in solidarity as we all seek common goals; and

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<sup>1</sup> See Resolution Number 1

Whereas, Rank and file members of the AFM have launched a campaign to bring awareness to the demands of musicians for fair pay for streaming, the “Fair Share for Musicians” Campaign;<sup>2</sup> therefore, be it

*Resolved*, That the Regional Orchestra Players’ Association (“ROPA”) wholeheartedly supports the Fair Share for Musicians Campaign; and be it further

*Resolved*, That ROPA urges all delegates to sign the petition in support of the Fair Share for Musicians Campaign at <https://fairshareformusicians.org/petition/> and to encourage all of their colleagues in their home orchestras to do the same; and be it further

*Resolved*, That ROPA pledges to spread the word about the Fair Share for Musicians Campaign through its website and social media channels and to take additional similar actions in solidarity with all American Federation of Musicians of the United States and Canada (“AFM”) members who work on media projects.

**Submitted by:** The ROPA Executive Board

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<sup>2</sup> <https://fairshareformusicians.org>

## **Resolution N°. 4**

*July 26, 2023*

**Subject:** *Resolution in Support of the American Music Fairness Act*

### AMFA Resolution

Whereas, On June 21, 2021, Representative Theodore Deutch (D-FL) introduced the American Music Fairness Act (“AMFA”) to the United States House of Representatives; and

Whereas, If passed, AMFA will<sup>1</sup>:

- Ensure performers are compensated when their songs are played on terrestrial radio;
- Treat competing music platforms the same and create a fair market value for music performance royalties by including terrestrial broadcasts in the existing Section 114(d)(1) of title 17 of United States Code;
- Protect small, local radio broadcasters through an exemption for stations with less than \$1.5 million in annual revenue and whose parent companies make less than \$10 million in overall annual revenue. For less than \$2 per day (\$500 annually), small and local stations can play unlimited music;
- Exempt qualified public, college, and other noncommercial stations (who would only pay \$100 a year), and super small stations;
- Support American artists when foreign stations play their music, recognizing American artists’ performance right; and
- Protect songwriters and publishers, ensuring no harmful impact on the public performance rights and royalties payable to songwriters, musical work copyright owners, and publishers; and

Whereas, The American Federation of Musicians of the United States and Canada (“AFM”), through its Legislative, Political, and Diversity Director, Alfonso

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<sup>1</sup> <https://www.afm.org/what-we-are-doing/american-music-fairness-act/>

Pollard, has worked tirelessly to pass legislation which grants terrestrial radio rights to American performers; and

Whereas, AMFA is currently being considered by the House Judiciary Committee; and

Whereas, A show of support for AMFA is needed to help push this important bill forward to a vote and eventual passage; and

Whereas, The AFM has a petition that members may sign to show support, which can be found at: <https://actionnetwork.org/petitions/support-the-american-music-fairness-act-amfa>; therefore, be it

*Resolved*, That the Regional Orchestra Players' Association ("ROPA") wholeheartedly supports the passage of the American Music Fairness Act ("AMFA"); and be it further

*Resolved*, That ROPA urges all delegates to sign the petition in support of AMFA, and to encourage all of their colleagues in their home orchestras to do the same.

**Submitted by:** The ROPA Executive Board



## **Resolution N°. 5**

*July 26, 2023*

**Subject:** *Resolution in Support of the Performing Artist Tax Parity Act of 2023*

### **Tax Parity Act Resolution**

Whereas, The Performing Artist Tax Parity Act (“PATPA”), was introduced in the U.S. House of Representatives during the 116th Congress, and again in both the House and U.S. Senate in the 117th Congress; and

Whereas, The bill was originally co-sponsored by Reps. Judy Chu (D-CA), a long time ally of the American Federation of Musicians of the United States and Canada (“AFM”), Vern Buchanan (R-FL) in 2019 and 2021, and Sens. Mark Warner (D-VA) and Bill Hagerty (R-TN) in 2021; and

Whereas, PATPA seeks to reform the United States Tax Code so that the Qualified Performing Artist (“QPA”) tax deduction will apply to a larger group of taxpayers who make their living as performing artists; and

Whereas, If passed, PATPA will have a profound and positive impact on musicians who play in member orchestras of the Regional Orchestra Players’ Association (“ROPA”) - namely, it would raise the income threshold under which individuals could take advantage of certain tax deductions from \$16,000 annually to \$100,000 annually; and

Whereas, ROPA strongly supports legislation such as PATPA and is grateful to AFM Legislative, Political, and Diversity Director, Alfonso Pollard, for his assistance in bringing PATPA to the attention of Congress; and

Whereas, PATPA is currently being considered by the House Ways and Means Committee; and

Whereas, A show of support for PATPA is needed to help push this important bill forward to a vote and eventual passage; therefore, be it

*Resolved*, That the Regional Orchestra Players' Association ("ROPA") wholeheartedly supports the passage of The Performing Artist Tax Parity Act of 2023 ("PATPA"), H.R. 2871; and be it further

*Resolved*, That ROPA endorses the introduction of a companion bill in the U.S. Senate; and be it further

*Resolved*, That ROPA urges all delegates to contact their legislators (especially their Senators); take any and all appropriate action to endorse and support PATPA; to encourage its passage; and to encourage all of their colleagues in their home orchestras to do the same.

**Submitted by:** The ROPA Executive Board

## **Resolution N<sup>o</sup>. 6**

*July 26, 2023*

**Subject:** *Resolution in Support of Preserving Local Wage Scales*

### Local Wage Scale Resolution

Whereas, The American Federation of Musicians of the United States and Canada (“AFM”) gives the power to its geographic locals to set wage scales for single engagement symphonic services; and

Whereas, Each member orchestra of the Regional Orchestra Players’ Association (“ROPA”) is represented by a geographic local of the AFM; and

Whereas, Because ROPA orchestras have collective bargaining agreements, which allow the local to bargain specific wage scales with the orchestral employer on behalf of the musicians who are part of the orchestra’s bargaining unit; and

Whereas, Sometimes the bargained-for wages are different than the single engagement rates, and those rates are only available to the symphonic employer; and

Whereas, If an employer other than the symphonic employer wishes to contract the services of the ROPA orchestra for a production in a geographic local’s jurisdiction, it is in the best interest of all Union musicians to maintain the geographic local’s minimum scales; therefore, be it

*Resolved*, That the Regional Orchestra Players’ Association (“ROPA”) supports the preservation of local wage scales; and be it further

*Resolved*, That ROPA encourages its member orchestras, in conjunction with their geographic locals, to bargain with their employers for terms and conditions

of employment that do not undercut the geographic local's wage scales for single engagements; and be it further

*Resolved*, That such sample language may be “When the orchestra performs as a back-up unit to an artist or in a commercial venture that is not self-produced (i.e., “fee engagements”), in the jurisdiction of any geographic local where the symphonic employer is not the primary presenter, (is a co-presenter), then the musicians will be compensated the greater of either the rates in this agreement for the work in question or the wage scales for such work in the jurisdiction where the work is performed.”

**Submitted by:** Marjorie Goldberg, Harrisburg Symphony Orchestra

**Resolution N°. 7**

*July 26, 2023*

**Subject:** *Resolution Encouraging the AFM to Invest in Organizing*

**Organizing Resolution**

Whereas, The membership of the American Federation of Musicians of the United States and Canada (“AFM”) has been trending downwards over the past several years; and

Whereas, As the Delegates to the 102<sup>nd</sup> Convention of the AFM repeatedly stated and emphasized, our Union exists to bargain and to organize; and

Whereas, Musicians in the United States are being exploited on a daily basis and many do not have access to the benefits of membership in the AFM; and

Whereas, Organizing non-union musicians and helping them join the Union benefits those musicians and makes the AFM stronger and better able to provide support to all musicians; and

Whereas, Many musicians must make a living by taking non-union work when no Union work is available; and

Whereas, When new members join, what benefits one benefits us all; and

Whereas, The AFM has been without an organizing department for several months; and

Whereas, New AFM officers and International Executive Board (“IEB”) members will take office in August, 2023; therefore, be it

*Resolved*, That the Regional Orchestra Players’ Association (“ROPA”)

wholeheartedly supports aggressive organizing actions by the American Federation of Musicians of the United States and Canada (“AFM”); and be it further

*Resolved*, That ROPA urges the new International Executive Board to set aside a significant budget for organizing.

**Submitted by:** The ROPA Executive Board

## **Resolution N<sup>o</sup>. 8**

*July 26, 2023*

**Subject:** *Resolution Encouraging the Use of the Multi-Card Rebate*

### **Multi-Card Rebate Resolution**

Whereas, Musicians who play with orchestras which belong to the Regional Orchestra Players' Association ("ROPA") often perform in more than one local of the American Federation of Musicians of the United States and Canada ("AFM"); and

Whereas, The AFM bylaws, at Article 9, Section 16, state: "A member may petition the Secretary-Treasurer for a rebate equal to the Per Capita dues received by the AFM by virtue of that member's membership throughout the entire prior year in each AFM local in excess of two"; and

Whereas, The AFM Per Capita rebate, when a member belongs to more than one local, is called the "multi-card rebate"; and

Whereas, ROPA believes that approximately 3,000 members of the AFM qualify for the multi-card rebate; and

Whereas, Fewer than 100 members apply for this rebate each year; and

Whereas, Because of the nature of ROPA musicians' work lives, sometimes known as "driving for dollars," ROPA believes that most of the AFM members who qualify for the multi-card rebate are members of at least one ROPA orchestra; and

Whereas, The ability to avoid the cost of multiple annual Per Capita dues payments would be a great benefit to musicians who have to cobble together a living from multiple sources, as many ROPA orchestra musicians do; and

Whereas, Imposing multiple payments of Per Capita dues on ROPA musicians creates an inequity in our Union where members who earn the least pay the most for membership; and

Whereas, The ability to easily avoid paying extra Per Capita dues may encourage ROPA orchestra musicians to join locals where they have not in the past; and

Whereas, ROPA believes that AFM locals that represent and support our orchestras would be stronger with such increased membership and therefore be better able to help our musicians; therefore, be it

*Resolved*, That the Regional Orchestra Players' Association ("ROPA") urges the American Federation of Musicians of the United States and Canada ("AFM") to make the multi-card rebate easier to access for all members who qualify; and be it further

*Resolved*, That ROPA encourages all musicians who qualify for the multi-card rebate to apply each year they are eligible.

**Submitted by:** The ROPA Executive Board



## **Resolution N°. 9**

*July 26, 2023*

**Subject:** *Resolution Remembering Marika Fischer Hoyt, former ROPA Delegate and MAL*

### Marika Fischer Hoyt Resolution

Whereas, On February 22, 2023, Marika Fischer Hoyt, violist and former Delegate from the Madison Symphony Orchestra, and former Member-at-Large on the Executive Board of the Regional Orchestra Players' Association ("ROPA"), passed away from cancer; and

Whereas, Marika was a beloved member of the Madison Symphony Orchestra and the Madison, Wisconsin musical community; and

Whereas, Marika was instrumental in founding the popular Baroque Music Festivals "Bach Around the Clock" and the Madison Early Music Festival; and

Whereas, Marika hosted the radio show "Saturday Afternoon Classics" on Wisconsin Public Radio from 2012–2016; and

Whereas, Marika's colleagues in Madison and in ROPA benefitted from her kindness, experience, and wisdom; and

Whereas, ROPA is saddened by the sudden loss of this formidable force in our industry; therefore, be it

*Resolved*, That the Regional Orchestra Players' Association ("ROPA") will remember Marika Fischer Hoyt fondly and strive to honor her memory by promoting the success of regional orchestra musicians throughout the United States; and be it further

*Resolved*, That ROPA hereby expresses its condolences to Marika's family,

her husband William (Bill), daughters Mara and Wilhelmina (Mina), mother Jennie Lee Fischer, and siblings Paul, Laura Lee, Barbara, and Lawrence Fischer.

**Submitted by:** The ROPA Executive Board

## **Resolution N°. 10**

*July 26, 2023*

**Subject:** *Resolution Honoring Ray Hair, Bruce Fife, and Jay Blumenthal*

### AFM Officers Resolution

Whereas, At the 102<sup>nd</sup> Convention of the American Federation of Musicians of the United States and Canada (“AFM”), which took place June 25-29, 2023, AFM President Ray Hair, AFM Vice President Bruce Fife, and AFM Secretary-Treasurer Jay Blumenthal announced their retirement from the AFM; and

Whereas, By Unanimous Consent of the attendees at the Convention, AFM President Ray Hair, AFM Vice President Bruce Fife, and AFM Secretary-Treasurer Jay Blumenthal were given emeritus status; and

Whereas, President Ray Hair served the AFM in that role for thirteen (13) years; and

Whereas, Vice President Bruce Fife served the AFM in that role for thirteen (13) years; and

Whereas, Secretary-Treasurer Jay Blumenthal served the AFM in that role for seven (7) years and served as Director of the AFM Symphonic Services Division for five (5) years before that; and

Whereas, Ray Hair, Bruce Fife, and Jay Blumenthal have worked tirelessly during their terms to leave the AFM on sound financial footing; and

Whereas, Because of their work, the AFM has been able to secure streaming payments for thousands of musicians nationwide and add millions of dollars of contributions into the AFM-EPF (Pension Fund) and the Music Performance Trust Fund; and

Whereas, Ray, Bruce, and Jay have all given a lifetime of service to the AFM, serving as local officers and player conference representatives prior to their service as international officers; therefore, be it

*Resolved*, That the Regional Orchestra Players' Association ("ROPA") expresses its sincere and heartfelt gratitude to Ray Hair, Bruce Fife, and Jay Blumenthal for their tireless service to musicians, including and especially the members of ROPA orchestras; and be it further

*Resolved*, That ROPA wishes Ray, Bruce, and Jay all the best in their retirement.

**Submitted by:** The ROPA Executive Board