

**Minutes**  
**2023 ROPA Conference**  
**Atlanta, Georgia**

Tuesday, July 25 – Thursday, July 27, 2023

**IN ATTENDANCE:**

**Full Members**

Akron Symphony Orchestra  
Albany Symphony  
Allentown Symphony  
Annapolis Symphony  
Arizona Opera Orchestra  
Atlanta Ballet Orchestra  
Atlanta Opera Orchestra  
Austin Symphony Orchestra  
Ballet West  
Binghamton Philharmonic  
Boise Philharmonic  
Boston Ballet Orchestra  
Canton Symphony  
Cape Symphony  
Chattanooga Symphony  
Colorado Springs Philharmonic Orchestra  
Dallas Opera Orchestra  
Dayton Philharmonic  
Detroit Opera  
Duluth/Superior Symphony  
East Texas Symphony Orchestra  
Elgin Symphony Orchestra  
Erie Philharmonic Orchestra  
Fort Wayne Philharmonic  
Fresno Philharmonic Orchestra  
Harrisburg Symphony Orchestra  
Hartford Symphony Orchestra  
Houston Ballet Orchestra  
Houston Grand Opera Orchestra  
Hudson Valley Philharmonic  
Huntsville Symphony  
Illinois Philharmonic Orchestra  
Kalamazoo Symphony Orchestra  
Las Vegas Philharmonic  
Lexington Philharmonic  
Long Beach Symphony Orchestra  
Madison Symphony Orchestra  
Memphis Symphony  
Minnesota Opera Orchestra  
Mississippi Symphony Orchestra

Monterey Symphony  
National Philharmonic  
Oakland Symphony  
Omaha Symphony Orchestra  
Opera Philadelphia  
Orchestra Iowa  
Orlando Philharmonic  
Oregon Ballet Theatre  
Palm Beach Opera Orchestra  
Pasadena Symphony  
Philadelphia Ballet Orchestra  
Portland Opera Orchestra  
Portland Symphony  
Reading Symphony Orchestra  
Richmond Symphony  
Santa Barbara Symphony  
Sarasota Orchestra  
South Bend Symphony  
Southwest Florida Symphony  
Spokane Symphony Orchestra  
Symphony San Jose  
Symphony Tacoma  
Toledo Symphony Orchestra  
Tucson Symphony Orchestra  
West Virginia Symphony  
Wichita Symphony Orchestra  
Wisconsin Chamber Orchestra

**Associate Members**

Flint Symphony Orchestra  
Lincoln Symphony Orchestra  
Milwaukee Ballet Orchestra  
Opera San Jose  
Southwest Michigan Symphony Orchestra

### **Member Orchestras Not Represented**

Ann Arbor Symphony	Pittsburgh Ballet Orchestra
Boulder Philharmonic	Pittsburgh Opera Orchestra
California Symphony	Rhode Island Philharmonic
Central City Opera	Sacramento Symphony and Opera Orchestra
Chicago Sinfonietta	Santa Rosa Symphony
Delaware Symphony Orchestra	Springfield Symphony
Eastern Connecticut Symphony	Tri-Cities Opera Orchestra
Eugene Symphony	Tulsa Opera Orchestra
Glimmerglass Festival Orchestra	Vermont Symphony
Knoxville Symphony Orchestra	
Lansing Symphony	
Los Angeles Opera Orchestra	
Marin Symphony	
New Haven Symphony Orchestra	
New Mexico Philharmonic	
New West Symphony	

### **Tuesday, July 25, 2023**

#### **Opening Proceedings**

The opening proceedings were held in the Courtland Grand Hotel in Atlanta, Georgia. ROPA President Steve Wade (Hartford Symphony) welcomed the delegates and guests and called the Conference to order at 9:45 a.m., Tuesday, July 25, 2023. Vice President Amanda Swain (Houston Ballet and Grand Opera Orchestras) continued opening remarks by presenting ROPA's anti-discrimination/harassment policy that was adopted at the 2022 Orange County Conference. She then explained how attendees could receive scheduling updates by text and then gave instructions for how to sign up. First-time attendees to a ROPA Conference were asked to rise and be acknowledged, and it was pointed out that there were a large number of such attendees.

#### **Roll Call**

Secretary Karen Sandene (Omaha and Lincoln Symphonies) performed the Roll Call, and it was determined that there was a quorum. **Seventy-two (72)** orchestras were represented at the Conference: **sixty-seven (67)** Full Members and **five (5)** Associate Members. Sandene also recognized ROPA's newest orchestras: the Orlando Philharmonic, represented by delegate Kathy Thomas; the Philadelphia Ballet Orchestra, represented by delegate Blake Espy; and the Springfield (MA) Symphony, whose delegate, Miho Matsuno, was unable to attend.

***Bruce Kenney, President, AFM Local 148-462***

President Kenney welcomed conference attendees to Atlanta. He said he was proud to have Local 148-462 host the conference, as the Local represents two ROPA orchestras – the Atlanta Ballet and the Atlanta Opera orchestras - as well as many other performing organizations. He recognized two additional board members who were in attendance: James Patterson, Vice President, and Mary Kenney, Executive Board member. Kenney took time during his presentation to discuss the history and difficulties of the merging of Locals 148 and 462, the historically white and black AFM locals.

***Tribute to Nathan Kahn, Presentation of the Nathan Kahn Award***

President Wade began his tribute to Nathan Kahn, founding member of ROPA, with a history of the rationales and subsequent discussions leading to the creation of the organization, leading to ROPA's first conference in September of 1984. Wade stated that since then, ROPA has grown to ninety-seven (97) orchestras and has raised its influence with the American Federation of Musicians. Wade announced the inaugural Nathan Kahn Award, which is designed to recognize and celebrate orchestral performers and colleagues who contribute to professionalism, diversity and solidarity in the industry. Two members of the Atlanta Local, Jessica Stinson and Shadwa Mussad, were presented with the 2023 award.

***Opening Address, Introduction of ROPA Board - Steve Wade, ROPA President***

President Wade gave an overview of his eventful first year as ROPA President. Immediately upon his election to president, Wade represented ROPA at the ICSOM and OCSM conferences via Zoom, and conducted conference hotel site visits in Atlanta with past-president Mike Smith. He represented ROPA on the AFM team negotiating the IMA and EMA agreements, and he stated that he was very impressed by the expertise and passion of the AFM team. He met regularly and virtually with leaders of the other players' conferences (dubbed "the 5 Families" by Tony D'Amico of TMA). Wade joined the ROPA EDI workgroup, which he explained has the goal of having a member from each orchestra participate in their activities. He presided over the ROPA Board Mid-Year Meeting this past winter, attended the Sphinx conference in February, the AFM Convention this past summer, and also participated in gatherings with other arts leaders to discuss issues facing the arts industry.

President Wade introduced the ROPA Executive Board: Vice President Amanda Swain; Secretary Karen Sandene; Treasurer Rick Basehore (Annapolis Symphony); Members-at-Large Lisa Davis (Mississippi Symphony), Marjorie Goldberg (Harrisburg Symphony), Sharon Jones (Elgin Symphony), Richard Kelly (Portland Symphony), Brandon LePage (Flint Symphony and Wisconsin Chamber Orchestra), Ann Rule (Colorado Springs Philharmonic), Beverly Setzer (Symphony Tacoma), and Delegate-at-Large to the AFM Convention Naomi Bendorf Frisch (Illinois Philharmonic). MAL Cory Tiffin (Las Vegas Philharmonic) was unable to attend. Wade concluded his remarks by reminding the delegation that upon returning from the conference, it is up to all of us to relay information gleaned from the experience to the Local and your membership, but also to serve as energizers for the upcoming season.

***2024 Conference Site Presentation***

Gigi Dang, ROPA Delegate from the Monterey Symphony, made a pitch to have the Bay Area of California host the 2024 Conference. She spoke of a variety of locales in the area, highlighted hotel possibilities, and had suggestions for social events.

## **Strategic Campaign Communications – Jake Berent, Director of Communications, Chicago Federation of Labor**

Jake Berent began his presentation by sharing about his previous career as a reporter and how it led to his work with unions. He showed a video that documented the 2021 Teamsters strike against Sysco in the Chicago Area.

Berent's presentation on strategic campaign communications highlighted what he considers to be four keys to messaging success:

**Visibility:** Berent offered suggestions on how to raise the presence of your organizations via websites, social media and community relationships. He stressed the importance of getting your members involved by creating content (photos, blog posts, etc.). Berent highlighted the importance of interaction with other organizations' social media accounts, especially those groups you might be reaching out to later.

**Building the Narrative:** Berent talked about the research and development component to communication campaigns – gathering publicly available data on employers which could be found on IRS 990s, Google searches, social media, etc.

**Press Preparation:** Berent spoke of the need to raise the community's awareness of your issues and to be able to answer questions such as "Why should the average person care about our struggles?" or "How many people might be affected by our issues?" He talked of the necessity of making your story entertaining.

**Media Outreach:** Berent shared ideas for how to take your prepared messages to the media, such as submitting this content to reporters, opinion pages, or legacy media. He spoke of the possibility of cold calling newsrooms to request meetings to tell your stories. He offered suggestions for preparing for interviews.

## **Member-at-Large Groups**

Delegates met in closed session with their Member-at-Large groups to discuss the conditions in their orchestras and to share ideas.

Wednesday, July 27, 2022

## **ROPA EDI Workgroup – Alana Wiesing**

Alana Wiesing (Tucson Symphony) introduced herself as the chair of the ROPA EDI workgroup. Wiesing described the workgroup's mission and discussed topics the members were interested in researching. She encouraged each orchestra to have a member participate in the committee's activities.

## **Member-at-Large to the AFM Convention – Naomi Bensdorf Frisch**

Naomi Bensdorf Frisch shared her observations from the 2023 AFM Convention in Las Vegas, NV. She informed the attendees that a resolution to expand the scope of the ROPA-ERF to include force majeure was presented to the body and was approved. Bensdorf Frisch said there was considerable discussion about the Multi-card rebate, the discount afforded to AFM members who belong to three or more Locals. She expressed optimism that improvements to that process were on the horizon.

Bensdorf Frisch extolled the benefits of Labor Notes, the media and organizing project which provides free or inexpensive resources for Union members. She described Labor Notes' biennial conference for Union members of all industries, which this year will be held in Chicago from April 19-21. She pointed

out that the conference consistently has from 4000-5000 participants from across the nation. Bendorf Frisch informed the attendees that she is stepping down from her position as Delegate-at-Large to the AFM Convention this year, after serving seven years.

### ***Leading Tone Editor – Sharon Jones***

Sharon Jones talked about the production of Leading Tone and encouraged delegates to submit story ideas. She informed the attendees that she will be stepping away from the duties as Leading Tone editor. Jones introduced Judy Naillon (Wichita Symphony), who will assume the duties of Leading Tone Editor.

### ***Conductor Evaluation Bank Administrator – Lisa Davis***

Lisa Davis shared how she assumed the role of the Bank Administrator, and she stressed the importance of delegates performing the evaluations. Davis said that this season there were fifty-five surveys performed on fifty-two conductors, and thirteen summaries were sent to Executive Directors. She shared that the old paper evaluations have become digitized, since her sister scanned the evaluations dating back to 2009 on a hard drive.

### ***Director of Symphonic Electronic Media - Debbie Newmark***

Debbie Newmark gave an update on the current IMA negotiations. She said that after many months an agreement came close to being achieved, but recently hit a snag from the EMA ; consequently, orchestras are still working under the 2019-2022 agreement. Newmark described the process for ratifying the agreement via Election Buddy: contact information for orchestra members needs to be verified, and all voters are to be members in good standing with the AFM.

### ***AFM Diversity Committee and Legislative Reports - Alfonso Pollard***

Alfonso Pollard gave a rundown of this year's progress and challenges with regards to diversity initiatives and his political lobbying activities. Pollard shared that for the past decade the AFM, under the leadership of Diversity Committee Chair Lovie Smith-Wright, has been following the lead of the AFL-CIO Civil Rights Division to make sure women, people of color, and those in the LGBTQ community have the same protections as all other Union members. He noted that the AFM Diversity Committee has undergone several administrative upgrades in order to create standardized messages of unity which can be voiced at all of the AFM locals. The committee created a one page document on how a local can create a diversity committee, a PowerPoint presentation to lead locals step-by-step through the process, and has created a three-hour officer diversity training course. He described diversity activities and committees which were held at the 2023 AFM Convention. Pollard highlighted the diversity awards presented during the convention: The President's Award for locals showing diversity in leadership, the Charles Walton Diversity Award for union dedication, and the Charles McDaniel Youth Award. He encouraged attendees to be on the lookout for deserving members for nomination for these awards.

Pollard then went into detail about these legislative actions:

**American Music Fairness Act:** Pollard stated that it takes quite a while to get things through Congress. Lobbying work continues to get this legislation passed, with a focus on the Senate. Senators Padilla (D-CA) and Blackburn (R-TN) have been championing this legislation in the Senate. He directed us to an article in August International Musician about the importance of the American Music Fairness Act for our symphonic players.

**Tax Parity Act:** Pollard explained that there has been difficulty in getting the legislation considered for the most recent tax package. He pointed out that deductions received during the Reagan administration were lost under the Trump administration. He said that the AFM has been working with the AFL-CIO to get those deductions back.

**Cross-Border O and P Visas** (o visas for orchestras, p visas for individuals): Pollard stated that more funding is needed, but the status of the legislation is uncertain because of on-going debt ceiling negotiations.

**Meeting with NEA Chair Maria Rosario Jackson** – Representatives of many arts organizations, as well as the AFL-CIO and Department of Professional Employees (arts, entertainment, and media) were in attendance at this gathering. Pollard detailed that some of the topics discussed were the loss of work due to the pandemic, inclusion of new diversity officers, synchronization of agency grant-making, and the creation of boiler-plate language for other non-profit agencies across the United States for their day-to-day activities.

**Endangered Species – CITES:** Pollard discussed the ongoing developments in the use of rare and endangered materials for musical instruments, which is of particular importance to string players. He directed attendees to a July 2023 International Musician article which goes into more detail.

**TEMPO** – Pollard explained to those in attendance that TEMPO is the single most important fund for lobbying, and that they should all consider donating to TEMPO. He said that musicians learned from the loss of tax deductions the importance of having political presence

President Wade had a few questions for Alfonso, the first being: who are our best allies in Congress? Pollard responded with Judiciary Committee members Jerry Nadler (chair congress), Dick Durbin (chair senate), Alex Padilla and Marsha Blackburn. He also added that the Congressional Arts Caucus has nearly 150 members. He noted that a recent bipartisan legislative success was the significant increase to the National Endowment for the Arts. Wade's second question was what ROPA members could do to help pass legislation. Pollard responded by stating the need for volunteers to man phone banks; the AFM is looking to develop a rapid response force.

### ***Federal Mediation and Conciliation Service – Kent McVay and Dan Ross***

McVay and Ross presented the mission of the FMCS as promoting sound and stable labor/management relationships and to prevent or minimize work stoppages. They outlined some of the resources they provide at <https://fmcs.gov/services>. Some of these services include negotiations assistance, resolving solutions for difficult situations, development of labor/management relations, card check services, and the FMCS Institute. They stated that the pandemic took a huge toll on labor, and how it's crucial to get employers to recognize the human aspect of the workplace environment. They pointed out the importance of filing the F-7 form at least 30 days prior to initiating negotiating. McVay and Ross also went through a few points about the actual mediation process.

### ***Augustino "Tino" Gagliardi, President-elect, AFM***

President-elect Gagliardi briefly addressed the attendees to introduce himself and offer some thoughts on the work ahead. He talked briefly about the impact of the pandemic on the arts industry, pointing out that bigger locals actually had more challenges during the pandemic, while smaller locals bounced back more quickly. He stressed unity, stating that we have to fight together and concluded by saying his door is always open.

***Players Conference Report: Marc Sazer, Recording Musicians Association (RMA)***

Sazer's talk covered issues being addressed in the strikes from other performing arts organizations and how they relate to members of ROPA orchestras: streaming, AI, KeyComp, etc. The work dues generated by live musicians being hired rather than being substituted with technology assist AFM projects everywhere. He apprised us of the upcoming negotiations for film and television. He shared that RMA is working on issues of racial justice for their members; the RMA Workforce is younger and more diverse but with lower wages. Sazer also said that RMA is conducting research in the area of tax credits and fairness.

***Players Conference Report: Robert Fraser, Organization of Canadian Symphonic Musicians-Organisation des musiciens d'orchestre symphonique du Canada (OCSM-OMOSC)***

OCSM president Fraser addressed the conference and discussed how OCSM organizations have come back post-pandemic. He said Canadian orchestras had similar issues with ROPA. He shared that all but one orchestra had at least 65% of services during the pandemic. He said that audiences are gradually returning, with about 1/3 of the audience back in the halls. He said that around 10% of musician positions in OCSM orchestras are currently unfilled. He shared that OCSM dues paid on an individual musician basis, and that some orchestras include subs and extras. Fraser spoke of the good working relationship with Orchestras Canada, and how the organization is always open to sharing information readily with OCSM. He previewed the upcoming OCSM conference, and took a moment to thank his board and SSD, especially those members of the Canadian SSD.

***Players Conference Report: Meredith Snow, International Conference of Symphony and Opera Musicians (ICSOM)***

ICSOM Chairperson Snow used her presentation to share how ICSOM orchestras have worked to rebound from the COVID shut downs. She said many orchestras are dealing with reduced numbers of productions and reduced instrumentations. She also spoke of many open positions, both in the orchestral ranks and in the orchestra managements. She also discussed an upcoming generational change because of upcoming retirements.

Snow also concurred on the need for our orchestras to have more diversity via implemented DEI initiatives. She discussed how NAAS audition protocols are being utilized in ICSOM orchestras. She also described an initiative to provide full scholarships for underserved students to attend Tanglewood.

Snow gave attendees a preview of the upcoming ICSOM conference. Snow also announced that she would be stepping down from her position as ICSOM chair at the conclusion of the conference, and took a moment to thank other players' conference presidents, SSD staff and the ICSOM board.

***Job Actions: Fort Wayne, Minnesota Opera, Philadelphia Opera, Philly Pops***

The Job Actions session was moderated by Delegate-at-Large to the AFM Convention Naomi Bensdorf Frisch. This session was designed to allow musicians from orchestras that faced recent negotiations obstacles to share their stories of obstacles and successes and to take questions from attendees. As a preview to this session, Bensdorf Frisch showed a video featuring Congresswoman Haley Stevens (D-MI) and the struggle to pass the Butch Lewis Act.

**Fort Wayne/Dennis Fick:** A video narrated by committee member Campbell McDonald documented the multi-year battle by the musicians of the Fort Wayne Philharmonic. The video took the viewer from December 2019 when there were discussions about playing with an expired contract, to the onset of COVID, then the one-year agreement which saved positions but drove wages down, then finally to the actions the musicians staged to publicize their struggles to the public. He thanked SSD Negotiator Todd Jelen for his expertise, and spoke of the value of participating in the AFM Strike Fund. The question was asked: what caused management to turn around and return to the negotiation table, and the answer was internal organization.

**Minnesota Opera/Emily Hagen:** Hagen expressed appreciation for those who assisted with moving along the Minnesota Opera's negotiations: SSD Negotiator Adam DeSorgo, their public relations strategist, social media strategist, and ultimately, a mediator. She described several actions which were successful in getting their message out to their shareholders, such as leafleting and mailing lists. She shared that a particularly effective action was the displaying of unused music stands to depict musicians who would not be hired for productions due to budget cuts. She stated that if they had to go through other contentious negotiations, the musicians would work on fine tuning internal communications.

**Opera Philadelphia/Brooke Beazley:** Beazley stated that preserving guaranteed services was of the utmost importance in their negotiations. She described various ways the musicians used leafleting to get their message out, not only to the public, but to their own players as well. She also described other actions the musicians took to present their case.

**Philly Pops/Marjorie Goldberg:** Goldberg described the need for organizing within ensembles in the Philadelphia area as well as their Local. She stated that the Local was advised by Tino Gagliardi to get involved with the AFL-CIO. Goldberg highlighted leafleting as an integral part of the Philly Pops' job actions. Despite their management wanting to shut down the orchestra, Goldberg stated that the musicians prevailed in securing a stable future.

SSD Negotiators Todd Jelen and Adam DeSorgo offered more advice. Jelen cautioned that if orchestras think they're going to have difficult negotiations, they should have already been preparing. DeSorgo concluded that even the littlest actions can produce big results. It was recommended that orchestra members should be having conversations amongst themselves to improve internal organizing right now. The session concluded with Naomi Bendorf Frisch giving another plug for Labor Notes.

### ***ROPA Treasurer Report - Rick Basehore***

Treasurer Basehore presented a detailed examination of ROPA's finances and prepared budgets to present for delegate approval.

### ***Audit Report***

The Audit Committee consisted of Leslie Lashinsky, Santa Barbara Symphony (Chair), Brooke Beazley, Opera Philadelphia Orchestra, and Sheridan Currie, Dayton Philharmonic. Speaking on behalf of the committee, Chair Lashinsky certified that the financials were accurate, to the best of their knowledge.

### ***Approval of Budget***

Treasurer Rick Basehore explained to the delegates that with a 2022 Conference bylaw change for the start of ROPA's fiscal year from July 1-June 30 to September 1-August 30, there needed to be a "short" budget to finish up with the few months remaining on current fiscal calendar, and a "long" budget to cover the months in the new fiscal calendar. Rick went through both of the 2023-24 budgets with the delegates. The Motion to approve the short budget was made by Judy Naillon, Wichita Symphony,

seconded by Kelli Nelson, Lincoln Symphony, and was approved by the delegates. The Motion to approve the long budget was made by Sheridan Currie, seconded by Sandra D'Amato, and was approved by the delegates.

### ***ROPA Vice President Report – Amanda Swain***

Swain detailed the duties she fulfilled this past year and described goals for recruiting new member orchestras. She asked delegates to consider possibilities for other orchestras to bring into ROPA. She reminded delegates to prepare their conference reports for their orchestra members. She reminded attendees that the exit survey would be on line, and she encouraged everyone to consider making a donation to TEMPO.

### ***ROPA Secretary Report – Karen Sandene, ROPA Secretary***

Sandene used her presentation to examine the ROPA website, and demonstrated features of the site, where to find various information, and how to access delegate-only areas of the site.

### ***Approval of 2022 Conference Minutes***

Secretary Sandene led the delegates through an examination of the 2022 Conference minutes prior to delegate approval. The Motion to approve the minutes was made by Lisa Bressler, seconded by Debbie Spangler, and approved by the delegates.

### ***ROPA Board Nominations***

Nominations were taken for the office of Vice President. Mayu Isom, Houston Grand Opera, nominated Amanda Swain, Houston Ballet and Houston Grand Opera Orchestras. The Conference then elected Swain by acclamation.

Nominations were taken for the office of Secretary. Leslie Lashinsky, Santa Barbara Symphony, nominated Karen Sandene, Omaha and Lincoln Symphony Orchestras. The Conference then elected Sandene by acclamation.

The following people were nominated for four (4) open ROPA Member-at-Large positions (listed alphabetically):

- Brooke Beazley, Opera Philadelphia, nominated by Ann Rule, Colorado Springs Philharmonic
- Sheridan Currie, Dayton Philharmonic, nominated by Lisa Davis, Mississippi Symphony
- Brandon LePage, Wisconsin Chamber Orchestra/Flint Symphony, nominated by Laura Larson, Detroit Opera Orchestra
- Judy Naillon, Wichita Symphony, nominated by Sheridan Currie, Dayton Philharmonic
- Beverly Setzer, Symphony Tacoma, nominated by Sheridan Currie, Dayton Philharmonic

As there were more nominations than open positions, elections for Members-at-Large would be held on Thursday, July 27<sup>th</sup>.

Nominations for Delegate-at-Large to the AFM Convention were taken. Steve Wade, Hartford Symphony, nominated Alana Wiesing, Tucson Symphony. The Conference then elected Wiesing by acclamation.

## **Resolutions**

The following Resolutions were approved by the ROPA Conference on July 26, 2023:

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

*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

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

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>2</sup> in solidarity as we all seek common goals; and

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>3</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> See Resolution Number 1

<sup>3</sup> <https://fairshareformusicians.org>

**Resolution N<sup>o</sup>. 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>4</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 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

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<sup>4</sup> <https://www.afm.org/what-we-are-doing/american-music-fairness-act/>

*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<sup>o</sup>. 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°. 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<sup>o</sup>. 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<sup>o</sup>. 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

**Thursday, July 27, 2023**

***Speaker: Representative Michelle Au, Georgia 50<sup>th</sup> District***

Representative Au shared her background in music, describing how her parents valued education in the arts, and mentioned how her son also came to play an instrument. She expressed appreciation for how the study of the arts reinforces the skill of perfection, and of the transformational power of music. She discussed the use of blind auditions to help with breaking down barriers to inclusivity, but added that it is important that this is not the last step. She encouraged the pursuit of paying people a working wage, assuring people access to affordable health care, and insuring a diverse work force.

***Taxes for Musicians – Rick Basehore, ROPA Treasurer, Certified Tax Preparer***

Treasurer Basehore provided an outstanding in-depth exploration of musician taxes, both as employees and independent contractors. He provided additional information on the Performing Artist Parity Act and the need to update this legislation to be in line with today's economy.

***When Employers Behave Badly: Using NLRB processes to protect Musicians' Rights - Rochelle Skolnick, Director of AFM Symphonic Services Division***

Skolnick went through the process of utilizing the services of the NLRB (National Labor Relations Board) to assist with negotiations. She spoke of helpful documents that are found on the AFM-SSD resources pages on the website. She discussed the training sessions she holds with Local officers and Orchestra Committee members, emphasizing that the two groups should meet together, so everyone gets the same message at the same time. Skolnick stressed that a bargaining unit needs to work to build solidarity and create a unified message to achieve success. She explained to the attendees about good and bad faith bargaining, and reaching impasse. She described how to file a ULP (Unfair Labor Practice).

***The Musician as Athlete: Performing Artists and Special Considerations for Medical Evaluation, Diagnosis and Care - Dr. Valerie Trollinger***

Dr. Trollinger (delegate, Reading Symphony) presented in-depth descriptions of how musicians develop bad habits while performing on their instruments, and the effect on musicians of the environments in which they are placed. She cautioned that both can generate physical damage to their muscular/skeletal capabilities as well impact their hearing health. She stated that musicians are often taught to ignore their injuries, but she also stressed that most injuries do not have to be career-ending, as long as musicians advocate for themselves and seek the proper care, sooner than later.

***Election Results***

The Election Committee consisted of Paula Oakes, Albany Symphony (Chair); Dennis Fick, Fort Wayne Philharmonic; and Steve Heitlinger, Allentown Symphony.

Results of the Members-at-Large election:

*Brandon LePage, WCO/Flint Symphony	51
*Brooke Beazley, Opera Philadelphia	48
*Beverly Setzer, Symphony Tacoma	47
*Sheridan Currie, Dayton Philharmonic	42
Judy Naillon, Wichita Symphony	21
*elected to the board	

### **2024 Conference Site Selection**

The decision was made to select the Bay Area of California to be the site of the 2024 Conference, with a specific location to be determined at a later date.

### **TEMPO Drive**

After several pitches to the attendees to contribute to TEMPO, the total amount collected by the conclusion of the conference was \$1608.

### **Closing Remarks**

Naomi Bensdorf Frisch extended an offer for consideration to hire her law firm, Asher, Gittler & D'Alba, to be on a retainer on ROPA's behalf. This will be considered by the board after the conference.

### **Oath of Office**

Rochelle Skolnick administered the oath of office to the newly-elected ROPA Board.

### **Adjourned**

ROPA President Steve Wade adjourned the 2023 ROPA Conference at 12:25 p.m. on Thursday, July 28 2022.

Respectfully submitted,



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Karen Sandene, ROPA Secretary